

## SENATE—Thursday, May 8, 1969

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

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

Eternal God, our Father, in whom we live and move and have our being, our strength is in Thee and in Thee alone. Remove from us all that obstructs Thy presence. Strip us of pride and greed, of envy and resentment, and of all the concealed sins of disposition and temperament which blight the spirit and drive Thee from our lives. Give us wisdom to lift the fallen, to strengthen the weak, to marshal the strong, to pursue peace and justice. Forge us into one mighty people "strong in the Lord and in the power of His might," that this land, cleansed and renewed by Thy grace, may advance Thy kingdom among all the nations of the earth.

Through Jesus Christ our Lord. Amen.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, May 5, 1969, be dispensed with.

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

## MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 5, 1969, the Secretary of the Senate, on May 6 and 7, 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 6 and 7, 1969, see the end of the proceedings of today, May 8, 1969.)

## PROPOSED ACTIONS TO COMBAT MALNUTRITION IN AMERICA—MESSAGE RECEIVED FROM THE PRESIDENT DURING ADJOURNMENT (H. DOC. NO. 91-115)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States received on May 7, 1969, under authority of the order of the Senate of May 5, 1969, which was referred to the Committee on Agriculture and Forestry:

*To the Congress of the United States:*

We have long thought of America as the most bounteous of nations. In our conquest of the most elemental of human needs, we have set a standard that is a wonder and aspiration for the rest of the world. Our agricultural system produces more food than we can consume, and our private food market is the most effective food distribution system ever developed. So accustomed are most of us to a full and balanced diet that, until recently, we have thought of hunger and malnutrition as problems only in far less fortunate countries.

But in the past few years we have awakened to the distressing fact that despite our material abundance and agricultural wealth, many Americans suffer from malnutrition. Precise factual descriptions of its extent are not presently available, but there can be no doubt that hunger and malnutrition exist in America, and that some millions may be affected.

That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable. But it is an exceedingly complex problem, not at all susceptible to fast or easy solutions. Millions of Americans are simply too poor to feed their families properly. For them, there must be first sufficient food income. But this alone would only begin to address the problem, for what matters finally is what people buy with the money they have. People must be educated in the choosing of proper foods. All of us, poor and non-poor alike, must be reminded that a proper diet is a basic determinant of good health. Our private food industry has made great advances in food processing and packaging, and has served the great majority of us very well. But these advances have placed great burdens on those who are less well off and less sophisticated in the ways of the modern marketplace. We must therefore work to make the private food market serve these citizens as well, by making nutritious foods widely available in popular forms. And for those caught in the most abject poverty, special efforts must be made to see that the benefits of proper foods are not lost amidst poor health and sanitary conditions.

The Council for Urban Affairs has for the past three months been studying the problem of malnutrition in America, and has assessed the capacities of our present food and nutrition programs. As a result of the Council's deliberations, I am today prepared to take the following actions:

## 1. FAMILY FOOD ASSISTANCE PROGRAMS

The Federal Government presently provides food assistance to nearly seven million needy Americans through the Food Stamp and Direct Distribution programs. Though these programs have provided welcome and needed assistance to these persons, both are clearly in need of revision.

The present Food Stamp program also can be greatly improved. I shall in a short period of time submit to the Congress legislation which will revise the Food Stamp program to:

- provide poor families enough food stamps to purchase a nutritionally complete diet. The Department of Agriculture estimates this to be \$100 per month for a typical family of four.
- provide food stamps at no cost to those in the very lowest income brackets.
- provide food stamps to others at a cost of no greater than 30% of income.
- ensure that the Food Stamp program is complementary to a revised

welfare program, which I shall propose to the Congress this year.

—give the Secretary of Agriculture the authority to operate both the Food Stamp and Direct Distribution programs concurrently in individual counties, at the request and expense of local officials. This will permit the Secretary to assist counties wishing to change from Direct Distribution to Food Stamps, and to meet extraordinary or emergency situations.

It will not be possible for the revised program to go into effect until sometime after the beginning of the calendar year 1970, that is to say after the necessary legislative approval and administrative arrangements have been made. The requested appropriations will then permit the establishment of the revised program in all current Food Stamp counties before the end of the fiscal year, as well as a modest expansion into Direct Distribution counties, and some counties with no current programs.

This program, on a full year basis, will cost something in excess of \$1 billion per year. (Precise estimates will only become available over time.) This will be in addition to the \$1.5 billion for food for the hungry which I have requested for the forthcoming fiscal year, making a total program of \$2.5 billion. In the meantime, \$270 million is being reprogrammed within the forthcoming budget to permit the program to begin as soon as legislative and administrative arrangements can be made and other necessary measures taken.

While our long-range goal should be to replace direct food distribution with the revised Food Stamp program, the Direct Distribution program can fill many short-range needs. Today there are still over 440 counties without any Family Food Assistance program, and this Administration shall establish programs in each of these counties before July 1970. The Direct Distribution program will be used in most of these counties. In these and other Direct Distribution counties, the most serious criticism of the program will be met by ensuring that all counties offer the full range of available foods.

To strengthen both current Family Food Assistance programs, efforts will proceed on a high priority basis to establish more distribution points, prompter and simpler certification, financing arrangements, mailing of food stamps, and appeal mechanisms.

## 2. SPECIAL SUPPLEMENTAL FOOD PROGRAM

Serious malnutrition during pregnancy and infancy can impair normal physical and mental development in children. Special effort must be made to protect this vulnerable group from malnutrition.

The Special Package program, which provides needy women and mothers with packages of especially nutritious foods, was designed to meet this need. But the program has encountered logistical problems which have severely limited its success. I am therefore directing that a substantial portion of the Fiscal Year 1970 budget for this program be used to establish pilot programs that make use of the private food market. Under these

programs, needy pregnant women and mothers of infants will be issued vouchers, redeemable at food and drug stores for infant formulas and other highly nutritious special foods. If such a program seems workable, and the administrative problems are resolved, the program will be expanded later on the basis of that experience.

### 3. ADMINISTRATION OF FOOD PROGRAMS

I am directing the Urban Affairs Council to consider the establishment of a new agency, the Food and Nutrition Service, whose exclusive concern will be the administration of the Federal Food programs. Presently the food programs are operated in conjunction with numerous other unrelated programs. The creation of a new agency will permit greater specialization and concentration on the effective administration of the food programs.

### 4. PRIVATE SECTOR INVOLVEMENT

I shall shortly announce a White House Conference on Food and Nutrition, involving executives from the nation's leading food processing and food distribution companies and trade unions. I shall ask these men to advise me on how the private food market might be used to improve the nutritional status of all Americans, and how the government food programs could be improved. I shall also call on these men to work with the advertising industry and the Advertising Council, to develop an educational advertising and packaging campaign to publicize the importance of good food habits.

### 5. INTER-AGENCY EFFORTS

Although most of the current food and nutrition programs are administered by the Department of Agriculture, other agencies are critically involved. I am therefore establishing a sub-Cabinet working committee of the Urban Affairs Council to promote coordination between the food and nutrition programs and other health, educational, and anti-poverty programs.

At the present time, I am directing the Secretary of Health, Education, and Welfare and the Director of the Office of Economic Opportunity to take a number of immediate steps.

I am asking the Secretary of HEW to:

- work with State agencies to ensure that the Medicaid program is fully coordinated with the Special Package and pilot voucher programs for pregnant women and infants, so that vitamin and mineral products can be made available to those diagnosed as suffering from nutrient deficiencies.
- expand the National Nutrition Survey, presently being conducted by the Public Health Service, to provide us with our first detailed description of the extent of hunger and malnutrition in our country.
- initiate detailed research into the relationship between malnutrition and mental retardation.
- encourage emphasis by medical schools on training for diagnosis and treatment of malnutrition and malnutrition-related diseases.

The Office of Economic Opportunity, with its exclusive commitment to the problems of poverty and its unique "outreach" among the poor themselves, has an especial role to play. I am asking the Director of OEO to:

- work with the Secretaries of Agriculture and HEW to establish a greatly expanded role for the Community Action Agencies in delivering food stamps and Commodity packages. Volunteers working in the VISTA program will also aid in the delivery and outreach process, supplementing the efforts of the Agricultural Extension Service.

- redirect OEO funds into the Emergency Food and Health Service program to increase its food, health, and sanitation services for our most depressed areas. Presently, health and sanitary conditions in many of our most depressed counties are so poor that improved food services alone would have little impact on the nutritional health of the population. The Emergency Food and Health Service has provided invaluable services in aiding these areas, and its good work should be substantially expanded.

More is at stake here than the health and well-being of 16 million American citizens who will be aided by these programs and the current Child Food Assistance programs. Something very like the honor of American democracy is at issue. It was half a century ago that the "fruitful plains" of this bounteous land were first called on to a great work of humanity, that of feeding a Europe exhausted and bleeding from the First World War. Since then on one occasion after another, in a succession of acts of true generosity—let those who doubt that find their counterpart in history—America has come to the aid of one starving people after another. But the moment is at hand to put an end to hunger in America itself. For all time. I ask this of a Congress that has already splendidly demonstrated its own disposition to act. It is a moment to act with vigor; it is a moment to be recalled with pride.

RICHARD NIXON.

THE WHITE HOUSE, May 6, 1969.

### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of May 5, 1969:

The Secretary of the Senate received a message from the House of Representatives which announced that the House had passed, without amendment, the following bills of the Senate:

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library; and

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the

following enrolled bills, and they were signed by the President pro tempore:

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society; and

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

### EXECUTIVE REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 5, 1969, the following favorable report of a nomination was submitted on May 7, 1969:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

Thomas K. Codwen, of Michigan, to be an Assistant Secretary of Agriculture.

### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on May 6, 1969, he presented to the President of the United States the following enrolled bills:

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society; and

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on May 7, 1969, the President had approved and signed the act (S. 1081) to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

### EXECUTIVE MESSAGES REFERRED

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

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

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 86-42, the Speaker had appointed Mr. MORGAN, of Pennsylvania, as a member of the U.S. delegation of the Canada-United States Interparliamentary Group, to fill the existing vacancy thereon.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5133. An act for the relief of Pagona Anomerlanaki;

H.R. 5134. An act for the relief of Miss Elizabeth Schofield;

H.R. 5554. An act to provide a special milk program for children;

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina;

H.R. 7215. An act to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. Diplomatic Courier Service; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 3548. An act for the relief of Dr. Roberto de la Caridad Miquel; and

H.R. 4064. An act for the relief of Ana Mae Yap-Diangeo.

#### HOUSE BILLS REFERRED

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

H.R. 5133. An act for the relief of Pagona Anomerianaki; and

H.R. 5134. An act for the relief of Miss Elizabeth Schofield; to the Committee on the Judiciary.

H.R. 5554. An act to provide a special milk program for children; to the Committee on Agriculture and Forestry.

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina;

H.R. 7215. An act to provide for the striking of medals in commemoration of the 50th anniversary of the U.S. Diplomatic Courier Service; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.; to the Committee on Banking and Currency.

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

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

Rear Adm. Arthur R. Gralla, U.S. Navy, having been designated for commands and other duties determined by the President for appointment to the grade of vice admiral while so serving.

By Mr. MAGNUSON, from the Committee on Commerce:

George Meany, of Maryland, to be a member of the Board of Directors of the Communications Satellite Corp.

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

William F. Clayton, of South Dakota, to be U.S. attorney for the district of South Dakota; and

Sherman F. Furey, Jr., of Idaho, to be U.S. attorney for the district of Idaho.

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

Thomas K. Kaulukukui, of Hawaii, to be U.S. marshal for the district of Hawaii.

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

Shelby Davis, of New York, to be Ambassador Extraordinary and Plenipotentiary to Switzerland;

Gulford Dudley, Jr., of Tennessee, to be Ambassador Extraordinary and Plenipotentiary to Denmark;

Robert Ellsworth, of Kansas, to be the U.S. permanent representative on the Council of the North Atlantic Treaty Organization, with rank and status of Ambassador Extraordinary and Plenipotentiary;

Carl J. Gilbert, of Massachusetts, to be special representative for Trade Negotiations, with rank of Ambassador Extraordinary and Plenipotentiary;

Fred L. Hadsel, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Somali Republic; and

Malcolm Toon, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Czechoslovak Socialist Republic.

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservation:

Executive L, 90th Congress, second session, Convention on Offenses and Certain Other Acts Committed on Aircraft, signed at Tokyo on September 14, 1963 (Exec. Rept. No. 3); and

Executive C, 91st Congress, first session, agreement with Canada providing for additional temporary diversions from the Niagara River for power production purposes (Exec. Rept. No. 4).

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

#### EXECUTIVE SESSION

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

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

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

#### DEPARTMENT OF AGRICULTURE

The legislative clerk read the nomination of Thomas K. Cowden, of Michigan, to be an Assistant Secretary of Agriculture.

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

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK—COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

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

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

#### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of executive business.

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

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

#### VIENNA CONVENTION ON CONSULAR RELATIONS AND OPTIONAL PROTOCOL CONCERNING THE COMPULSORY SETTLEMENT OF DISPUTES—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive E, 91st Congress, first session, the Vienna Convention on Consular Relations and Optional Protocol Concerning the Compulsory Settlement of Disputes, signed at Vienna under date of April 24, 1963, transmitted to the Senate on May 6, 1969, by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

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

The message from the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Vienna Convention on Consular Relations and a certified copy of the Optional Protocol Concerning the Compulsory Settlement of Disputes, signed at Vienna under date of April 24, 1963. The Convention and Protocol entered into force on March 19, 1967.

I transmit also, for the information of the Senate, the report which the Secretary of State has addressed to me in regard to the matter, together with the enclosures thereto.

The Convention is the first agreement envisaging the regulation of consular relations on a world-wide basis and represents the culmination of eight years of work. Based on a draft convention prepared by the International Law Commission, it was concluded at a United Nations Conference of 92 States, one of a series of Conferences having the aim, in the words of the United Nations Charter, of "encouraging the progressive development of international law and its codification". A previous United Nations Conference in the series formulated the 1961 Vienna Convention

on Diplomatic Relations, which was approved by the Senate on September 14, 1965.

Account has been taken of the interests and views of new and old nations and of nations with varied political and economic systems in the codification and development of consular law as contained in the present Convention, and the Convention is considered to be an important contribution to friendly relations between States. I recommend that the Senate give early and favorable consideration to the Convention and Protocol submitted herewith and give its advice and consent to their ratification.

RICHARD NIXON.

THE WHITE HOUSE, May 5, 1969.

#### THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 153 and 154.

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

#### COASTWISE PRIVILEGES

The bill (S. 1177) to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1177

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of law to the contrary, the vessel West Wind (official number 514065), owned by George H. Staley, of Seattle, Washington, shall be documented as a vessel of the United States, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade so long as such vessel is owned by a citizen of the United States.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-164), 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 bill directs the Secretary of Transportation to document as a vessel of the United States with coastwise privileges the oil screw *West Wind*.

#### REASON FOR THE BILL

The *West Wind* was built in Japan by a U.S. serviceman from materials purchased on a U.S. naval base. The vessel is therefore ineligible to be documented for operation in the coastwise trade under section 27 of the Merchant Marine Act, 1920, and under section 4132 of the Revised Statutes (46 U.S.C. 11). A bill identical to this measure was enacted by the Senate in the 90th Congress but was not acted upon by the House of Representatives.

The purpose of restricting documentation with coastwise privileges to vessels built in American shipyards is to encourage ship construction in the United States. It has been the policy of the United States since 1789 to reserve the coastwise trade to vessels constructed in U.S. shipyards. However, from time to time and under special circumstances,

Congress has passed legislation authorizing the documentation of vessels for use in the domestic trades although the vessel was built in a foreign country or otherwise lost its documentation because of a transfer to foreign registry. The committee considers each proposal for such documentation on its own merits.

This vessel is owned by George H. Staley, of Seattle, Wash. Mr. Staley is a citizen of the United States and plans to use the vessel in the charter party fishing business.

In view of the hardship that would otherwise be imposed and because of the limited size and employment of the vessel, the committee recommends approval of the bill. The committee believes that this exception is of such a limited and restricted nature that it will pose no threat to the general goals of our coastwise restrictions or to the American shipbuilding industry.

#### AMENDMENT OF THE NATIONAL COMMISSION ON PRODUCT SAFETY ACT

The bill (S. 1590) 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 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1590

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(c) of the National Commission on Product Safety Act (Public Law 90-146; 81 Stat. 466) is amended by striking out "two years from the date of approval of this Joint Resolution" and inserting in lieu thereof the words "June 30, 1970".*

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-165), 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 S. 1590 is to extend the life of the National Commission on Product Safety from November 20, 1969, to no later than June 30, 1970, so that it may complete its assigned tasks.

#### BACKGROUND AND NEED

In 1967 Congress passed legislation creating the National Commission on Product Safety. The Commission was directed to study and investigate the identity of categories of household products which may present an unreasonable hazard to the health and safety of the consuming public, to evaluate the adequacy of industry self-regulation in these areas, and to analyze and investigate the effectiveness and coverage of existing State, local, and Federal laws for the protection of consumers against such hazards.

Congress intended that the Commission would have 2 years to complete its assigned tasks. Unfortunately, the 2-year period has been considerably shortened. Although Public Law 90-146 creating the Commission was approved on November 20, 1967, the seven Commissioners were not sworn in until May 15, 1968. The Commission was not funded until October 13, 1968, and staffing was not completed until shortly thereafter. Nevertheless, the existing law requires the Commission to finish its work by November 20, 1969, 2 years from the date of approval of the legislation but only 1 year after the Commission became fully operative.

The Commission is proceeding well toward completion of its work. It is conducting some 12 Commission surveys of retailers, manufacturers, physicians, hospitals, insurance companies and others who may be able to assist in evaluating the nature and existence of products hazards and the existing protection afforded the consumers. The Commission has held and will hold public hearings on problems and recommendations with respect to product safety. The visible accomplishments of the Commission are reflected in its interim report which recommends enactment of the Toy Safety Act which gives the Secretary of Health, Education, and Welfare the authority to remove from the marketplace hazardous toys currently not subject to regulation. In addition to this legislative proposal, the Commission has encouraged industry to voluntarily adopt changes which protect the consumer from dangerous household products.

Despite its present level of accomplishment, the Commission cannot competently complete its assigned tasks by November 20, 1969. It needs 2 full operating years as Congress intended to complete its investigations and make constructive recommendations which will insure product safety for the American consumer.

#### ANALYSIS

S. 1590 would extend the life of the National Commission on Product Safety from November 20, 1969, to no later than June 30, 1970. This extension will allow the Commission to fulfill its statutory mandate.

#### COST

The extension will not result in any additional cost.

#### THE ABM SYSTEM

Mr. MANSFIELD. Mr. President, I note that on May 7 our distinguished Vice President, the Presiding Officer of the Senate, said in an address before the Commonwealth Club of California in San Francisco that "a responsible majority in the scientific community" believes in the ABM system as recommended by President Nixon. He further predicted that the "weakness" of arguments presented by those who have questions about Safeguard "will be exposed." He stated as his personal conviction that "the system will work."

I have had the impression that the scientific community is at considerable odds as to whether Safeguard can be developed at this time into a workable system. It is interesting to learn from the Vice President, therefore, that a "responsible" majority now believes in it. Just lately, we have had reports issued by a group centered in the Massachusetts Institute of Technology which states that the ABM "even if upgraded and expanded" cannot perform effectively the missions suggested for it. Is that group by any chance to be considered an "irresponsible majority." On the other hand, a study has been made by the American Security Council, headed by the chief of the Institute of Geophysics and Interplanetary Physics of the University of California, at Los Angeles, which states, "Safeguard will work in the sense it is intended to work." Is that the "responsible majority" to which the Vice President referred? Some clarification of the term "responsible majority" as used by the Vice President would be helpful to the understanding of the Senate.

In any event, these two reports seem to come from sources which are to the best of my knowledge both "responsible." They indicate to me that there is a considerable split within the scientific community. In short, there are those with impressive credentials in the scientific community who believe in the workability of Safeguard. There are those with equally impressive credentials who do not.

When informed opinion is sharply divided merely on the question of the scientific practicality of the concept, not to speak of other considerations, it would appear the better part of wisdom, in my opinion, to postpone a final decision until further research and development produces additional scientific evidence. In that fashion, scientists, both pro and con, will be in a better position to adjust their differences within the area of their specialization. And when there is a greater degree of agreement among them, perhaps there will be a greater degree of agreement among us. After all, popularity polls among the scientists are scarcely the way to arrive at a sound decision in a question as fundamental to the Nation as that of the ABM.

#### THE 85TH BIRTHDAY ANNIVERSARY OF FORMER PRESIDENT HARRY S. TRUMAN

Mr. SYMINGTON. Mr. President, in 1948, speaking in Philadelphia, an American patriot stated:

Peace is the goal of my life. I'd rather have lasting peace in the world than be President. I wish for peace, I work for peace and I pray for peace continually.

Those were the words of Harry S. Truman. As President of the United States, he expressed the deepest hopes of all intelligent Americans, of all generations.

It is my great privilege today to pay tribute to President Truman on his 85th birthday, at a time when the world stands at another crossroads in its passionate desire for peace among nations.

Harry Truman, of Missouri, was a warrior who risked his life in battle for his country. Therefore his words today should have special meaning.

Because of his wise leadership, he has earned a secure place in our history, through his work in creating the United Nations, in assuring the security of his country during the bleakest years of the cold war, and in extending U.S. support to the peoples of the free world at a time when they really needed that support.

In the domestic area, it is a tribute to his foresight that he launched efforts to create many vitally important domestic programs which finally were enacted by Congress. I refer to such actions as extension of voting privileges to all Americans, a health-care program for the aged, and recognition of the vital necessity to support our elementary and secondary education.

One of his most rewarding characteristics was his unshakeable belief in the importance of recognizing the worth of all citizens.

In 1945, his first year as President, he stated:

I have boundless faith in the common sense and ultimate fairness of the American people. Given unity of purpose and a determination to meet the challenge of the times, there is nothing too difficult for them to accomplish. They have performed miracles during the war. They can, and will, surmount the difficulties which face them now on their road to continued peace and well being.

This he believed then. This he believes now. No man has greater faith in the future of America.

It was my privilege to work with and for Mr. Truman on many matters after he brought me into Government. I know him as a man of great compassion and understanding, but one who was also strong and courageous. In the Senate and in the White House he never failed to face the issue.

So on this his 85th birthday, let us send to him and his gracious and much beloved wife assurance of our determination to carry on with the building of that peace for which he, in his quiet wisdom, laid the foundation.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my distinguished friend from Ohio.

Mr. YOUNG of Ohio. Mr. President, I wish to commend and congratulate the distinguished Senator from Missouri for his statement with regard to one of the greatest Presidents of the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a telegram I sent this morning to former President Truman.

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

HON. HARRY S. TRUMAN,  
Independence, Mo.:

Except for the fact that you came into Ohio in Nineteen Hundred Fifty Eight and made magnificent speeches in my behalf and denunciatory of John Bricker I would never have been a Senator of the United States and you have my admiration and affection and fervent best wishes that you may have many more happy birthdays and Mr. President please extend my best wishes and express my admiration to your First Lady.

STEPHEN M. YOUNG,  
U.S. Senator.

#### BIRTHDAY GREETINGS TO PRESIDENT TRUMAN

Mr. DODD. Mr. President, I wish to commend the distinguished Senator from Missouri for his very appropriate remarks about former President Truman. I also wish to commend the Senator from Ohio for his remarks.

I join Senators today in paying tribute to a great President, a great American, and a great man, Harry S. Truman.

Among my most treasured memories of over 40 years in politics is the honor of seconding his nomination at the Democratic National Convention in 1948 in Philadelphia.

It is one of the highest privileges of my lifetime to be able to count President Truman among my friends.

Introducing him at a dinner in Hartford, Conn., I once said of him:

Harry Truman has a lot of things in common with the Democratic Party. One of them is that, like the Party he personifies, he is durable; he wears well.

In 1945, the people liked him.

In 1948, the people trusted him.

In 1952, the people respected him.

In 1962, the people of America love Harry Truman.

On this, the occasion of President Truman's 85th birthday, I would add one thing: in 1969, the love and respect of the American people still belong to Harry Truman. The place he holds in the heart of our Nation is unsurpassed by that of any other American statesman, past or present.

As 33d President of the United States, Harry S. Truman's impact on the Nation and the world was great.

Thanks to his courageous stand, Greece was able to crush the threat of communism.

Western Europe was revitalized through his faithful execution of the Marshall plan.

Under his leadership, NATO was established to insure the collective security of the free nations within the Atlantic community.

At home, the Truman "Fair Deal" heralded a new day, speaking out for civil rights, an increased minimum wage, more Federal housing and health insurance.

His administration was characterized not by the lofty ideals of a philosopher-President, but by Mr. Truman's totally realistic grasp of the workings of power. Because of this insight, he was able, at the age of 80, to say:

All my life, I've been relatively free from worry . . . Once I had made a decision, I didn't worry over it. If I made a wrong decision, I made another one to correct it.

I have felt that a President who made decisions on what was popular rather than what was right, was heading for disaster.

As this realism and strength of conviction made a good President, they make a great man, a man who is known, above all, for his straightforward approach to difficulty, his unwavering championship of right, and his unflinching loyalty.

I know I speak for President Truman's friends all over the world when I express my warm best wishes to him for a happy 85th birthday, and for many happy returns of the day.

#### STATEMENT BY SENATOR DOLE ON NOMINATION OF DONALD RUMSFELD AS DIRECTOR OF THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. PEARSON. Mr. President, on behalf of my distinguished colleague from Kansas (Mr. DOLE), who is necessarily absent on committee business, I ask unanimous consent to have printed in the RECORD a statement by him and an editorial from the Chicago Daily News entitled "RUMSFELD Can Handle It." I wish to state my concurrence with the statement.

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

## STATEMENT BY SENATOR DOLE

Mr. DOLE. Mr. President, the nomination of the Honorable Donald Rumsfeld to head the Office of Economic Opportunity has special meaning to me.

I have worked closely with Congressman Rumsfeld in the House of Representatives and am well acquainted with him.

The President has selected a young man of extreme ability. He is an energetic and tireless worker.

A May 5 Chicago Daily News editorial entitled "Rumsfeld Can Handle It" is certainly worthy of note. I request it be printed in the RECORD.

## RUMSFELD CAN HANDLE IT

We believe Donald Rumsfeld will do an outstanding job as director of the Office of Economic Opportunity. His willingness to leave his "safe" seat as representative of the North Shore's 13th District is one token of his rightness for the post. His record provides many others.

Some disgruntled critics have tried to find in Rumsfeld's voting record evidence that he is "against" the poverty program. The evidence is overwhelmingly to the contrary.

When Rumsfeld voted against programs related to poverty and welfare, as he sometimes did, it was because he believed the legislation provided the wrong way to undertake the job. The record is studded with examples of his supporting measures in the areas of housing, welfare, poverty and civil rights, frequently against the explicit views of his party leadership and the majority of his Republican colleagues.

When President Nixon last February proposed continuing the OEO as an initiator of new programs to help the poor and as an "incubator" for such programs in their "experimental phase" he expressed Rumsfeld's convictions exactly.

"The commitment," Rumsfeld has said, "is to find out what works and what does not, and more, it is to put that knowledge to work—to implement it."

"The President has talked of the voices we have lost amid the shouting; the voices of quiet anguish, the voices that speak without words, the voices of the heart."

"We are all poor, regardless of where we live, or our circumstances in life, when we fall to heed these voices—where there are hungry children, men without jobs, families abandoned, all in this great land."

"We are all richer when we find ways of providing opportunity—and this is not a simple act."

A man with that reasoned grasp of the national problem has, we are certain, a major contribution to make toward its solution.

## RURAL ELECTRIFICATION

Mr. COOK. Mr. President, I was honored to be invited to be one of the special guests at the 1969 congressional breakfast sponsored by the rural electric cooperatives of Kentucky. At this affair I heard two excellent speeches by Thomas Baker, president of the Kentucky rural electric cooperatives, and J. K. Smith, general manager of the Kentucky Rural Electric Cooperative Corp. These remarks outline the accomplishments and challenge to rural electrification as well as I have ever heard them expressed. I therefore ask unanimous consent that these speeches be printed in the RECORD.

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

## RURAL ELECTRIC OBJECTIVES

(By Thomas Baker, president, Kentucky RECC, manager, Shelby RECC)

The winds of change which have been blowing across rural America have brought

about evolutionary changes which have amazed the sociologist, startled the economist, and baffled the social planner. These changes have been so dramatic and so sudden that many of our most knowledgeable leaders have been caught unaware until a predicted change has become an instant reality.

## DIVERSITY OF NEEDS

Rural America has taken on a new identity. No longer can one confine himself to thinking exclusively of agriculture when speaking of our rural area. The spill-over from our over-crowded urban areas with its resulting subdivisions and shopping centers . . . the sharp decline in farm population and the mushrooming of urban population . . . the trend of industrial development to seek the room for expansion in rural areas . . . these and many other changes have had a vital effect upon the rural electrification program. Today there is a new type of membership . . . a younger and more demanding generation . . . a wide diversity of needs and demands which must be met by our rural electric systems.

At the same time, the rural electrics are being called upon to play a more dynamic and positive role of leadership in rural America. A revitalization of our rural areas is looked upon as a means of relieving the social problems which beset our metropolitan centers. More cultural, economic, and social opportunities must be made available in the rural areas if they are to provide a relief valve for the mounting social pressures being placed upon our great population centers.

This has made it necessary for the rural electric systems to reexamine their basic program objectives in the light of today's requirements. In the mid-1930's, our objective was quite clear and simple . . . to bring lights and power to the vast majority of our farms and rural establishments which were without central station electricity. In 1944, with the passage of the Pace Act, the "area coverage" concept—the requirement of serving everybody within a service area with electric service if they wanted it—was added to this basic objective.

## NEW CHALLENGES—NEW OBJECTIVES

Today, the rural electrics have largely achieved the objective of serving the underserved areas. Today we are facing new challenges—and new objectives—in the field of electric service and social responsibility. The original task of "lighting the 40-watt bulb" has been broadened as new and greater demands are being made and more obligations are being accepted. Yesterday's objectives are not adequate to meet today's requirements.

Therefore, the rural electrics have prepared and formalized a new set of objectives . . . more inclusive and far reaching . . . more attuned to the requirements and needs of today's society. As formally stated, program viewpoints are encompassed in the following statement of beliefs:

## VIEWPOINTS

We believe: That the individual citizen, whether in rural or urban America, can and will achieve a sense of personal pride, self-accomplishment and family security if he is given a real opportunity to participate in social, economic, and political activities as a free and equal citizen.

We believe: That this nation's human and physical resources, under God, must be developed and utilized to the maximum extent possible and that this productive resource development should result in maximum public benefit, without regard to religion, race, creed, social or economic circumstance.

We believe: That the development of the potential of rural America and the utilization of its assets will make a major contribution to the welfare of the nation and the world.

We believe: That the principles of self-help cooperative enterprise embody the freedoms and inalienable rights granted by the

Constitution of the United States, and are consistent with the highest ideals of the free enterprise system.

We believe: That rural electric cooperatives have major responsibilities for helping to raise the standard of living and for improving the productivity and the opportunity for economic prosperity in an ever-changing rural America.

These viewpoints are more than high-sounding phrases because within them lie the full intent and philosophy of today's rural electrification program. We believe that these viewpoints can best be expressed and made to come alive through the vigorous and dynamic pursuit of the following objectives:

## OBJECTIVES

Electric service—Rural electric cooperatives must provide area coverage service at the lowest possible cost consistent with sound business principles. Rural electric cooperatives must anticipate the expanding energy requirements of their member-consumers in every respect and should achieve the highest standards of quality and continuity employing modern technology.

Power supply—Rural electric cooperatives must achieve effective influence, control or ownership of an assured and adequate source of wholesale power in order to provide low-cost total utility service in their areas.

Capital—Rural electric cooperatives must develop and maintain effective influence, control or ownership of assured and adequate sources of low-cost capital sufficient to enable them to assume full utility responsibility and to successfully fulfill their obligations as corporate citizens.

Territorial protection—Rural electric cooperatives must achieve and maintain territorial protection to assure the continued development of economically sound systems able to adequately serve all present and future electric power requirements in their service territory.

Electric power marketing—Rural electric cooperatives must actively promote electric service as the most desirable, beneficial and economical method of meeting the total energy requirements of their member-consumers.

Cooperative ownership and member relations—Rural electric cooperatives must strive to achieve and maintain widespread understanding, participation, and involvement of their member-owners in the affairs of their cooperatives and provide them a real sense of ownership through a true demonstration of cooperative principles and the democratic process.

Management and leadership—Rural electric cooperatives must encourage and support their already capable and dedicated directors and employees to improve and develop their capabilities and performance and must create the opportunity for individuals who understand and accept cooperative philosophy to achieve satisfying careers in their application of the principals, tools, and techniques of modern management, while providing the leadership for a continually vigorous and dynamic rural electric program.

Organization—Rural electric cooperatives must attain maximum beneficial use of available manpower, physical and financial resources through sound organizational structure, coordination and integration of activities and a continuous program of self-evaluation and improvement.

Corporate citizenship responsibility—Rural electric cooperatives must secure favorable public support for their activities and assume a position of leadership in improving the social, cultural and economic status of those living in the rural community.

Community development and other services—Rural electric cooperatives, as consumer-owned rural organizations, must identify and initiate or actively support programs which will contribute to the well-being of their member-owners and programs

which will develop or improve community facilities and services.

**Political activity**—Rural electric cooperative members and their leaders must maintain active interest and participation in appropriate legislative and governmental activities, including political action programs on a non-partisan basis.

**Natural resources**—Rural electric cooperatives must promote development of the natural resources of the nation, including water, power and nuclear resources, for the benefit of all the people.

#### BLUEPRINT FOR THE FUTURE

These objectives point the general direction in which the rural electric program should and will move in the future. We feel that they place our program in its proper perspective with today's operating environment. We realize that we are making a commitment and that our future actions must be consistent with this commitment. But we feel that these objectives are absolutely essential if the rural electrification program is to be thrust into the mainstream of American life and attain new dimensions of service to our members and this nation.

It has been accurately stated that the future belongs to those who prepare for it. Certainly, those who are unwilling to plan for the future and to invest some efforts in a brighter tomorrow cannot hope to grow.

These objectives are our blueprint for the future. They have been accepted by the rural electric systems throughout the nation. They will chart a course that will, with your assistance and guidance, lead the way to an even greater and more productive rural electrification program.

#### SUPPLEMENTAL FINANCING

(By J. K. Smith, general manager, Kentucky Rural Electric Cooperative Corp.)

Thirty-four years ago, the need for central station electric service in our rural areas was recognized and the Rural Electrification Administration was created as a federal agency with the objective of helping to meet this need. The Rural Electrification Act was enacted and the stage was set for bringing a new era to rural America.

With the assistance of a concerned and responsive government, the rural electric cooperatives pushed their lines into the most remote areas and the rural resident began to enjoy some of the benefits which had become commonplace in urban areas.

#### BENEFITS THROUGH REA

Since the very beginning, the rural electrification program has been totally dependent upon the government for financing. Congressional appropriations made possible REA loans which enabled the rural electric systems to become established and to develop to meet growing demands.

During this thirty-four year period, the rural electric systems have developed a program that serves approximately 6-million meters and provides electric service to consumers in 46 states. This network of facilities provides the benefits of electric service to approximately 68 per cent of the total geographic area of this nation.

Our present total electric plant of about \$5½-billion is the result of loans made by the Rural Electrification Administration. Annual Congressional appropriations for this purpose and the dedication and determination of program leaders have provided undreamed-of opportunities to countless numbers of our people.

In 1936 and 1937 when our program was just beginning, the areas served by rural electric systems were rural in every respect. They were characterized by the kerosene lantern and woodstove. The intent of Congress to make electric service available to these unserved areas is made quite clear in the Rural Electrification Act, when it states in Section 13:

"As used in this Act the term 'rural area' shall be deemed to mean any area of the United States not included within the boundaries of any city, village, or borough having a population in excess of fifteen hundred inhabitants, and such term shall be deemed to include both the farm and non-farm population thereof; . . ."

#### A NEW DAY IN RURAL AMERICA

Dramatic things are occurring in our rural areas today. Electricity is no longer considered a luxury. It has become an absolute necessity . . . necessary for the social and economic well being of a very large segment of our population. The rural electrification program has moved far beyond anything envisioned by those early program pioneers. Its present status could not be visualized by even the most farsighted person.

The changes have been both startling and challenging. In the mid-1930's, only the wildest dreamer could have predicted the evolution that has occurred in our rural environment within the past ten years. This environmental change has also caused the rural electrification program to also undergo some dramatic changes.

In the beginning, it was felt that it would not be necessary for the rural electric to generate and transmit their own wholesale power supply in order to maintain financial security and territorial protection for their systems. And yet, today our wholesale power program has become one of the most essential elements in rural electrification . . . a vital factor in our future existence. A step we have been forced to take to assure our future. Today we are producing about 25 per cent of the total power requirements of the rural electric systems throughout the nation. At the same time, we are purchasing 37 per cent of our requirements from Federal agencies and we are buying about 33 per cent from commercial power companies.

Although, the rural electric serve a large portion of the geographic area of this country, they are providing a small percentage of the nation's total power requirements . . . about 5 per cent. Even though they are serving approximately 6-million meters, this represents only 8 per cent of the total number of electric consumers.

#### A NEW CHALLENGE FOR RURAL ELECTRIFICATION

As the availability of electric power has grown, so has the many uses to which it is put. As a result, our annual growth rate in terms of power used is about 12 per cent. This growth and the success of our program have introduced a new and difficult problem. We have come face-to-face with the question of how we are going to finance the heavy growth requirements we shall have to meet in the future. Our present projections indicate that within the next 15 years we shall need three times our present plant investment in facilities. This means that we are talking about requirements of from \$12- to \$15-billion by about 1985.

Congress has always been very kind to us. They have assisted us in sustaining our program throughout the years and, without this assistance, it is safe to assume that our rural areas might still be in the "dark." Our Congressmen have recognized the unique and difficult problems which we have experienced in our efforts to serve the rural areas. Such disadvantages as a low consumer density of about 3.6 consumers per mile of line and an average annual rate of return of \$571 per mile of line have had to be overcome. In addition, the rural electric systems have consistently had the problem of a lack of diversity in power use. The power load on the rural systems is primarily a residential load or a type of load that makes it impossible for these systems to make full use of their facilities on a 24-hour basis. As a result, there are high peak demands for short periods of time each day; however, the full amount of power necessary to meet these peaks must be car-

ried at all times. This results in a very unfavorable load factor throughout the system. This has been caused by the fact that very little industry has chosen to locate in rural areas. This situation is changing and we believe it will continue to change.

#### UTILITY RESPONSIBILITY

In spite of these difficulties, the rural electric systems recognize and accept their utility responsibilities to serve the areas in which they are located and which they have helped develop. To continue meeting these responsibilities and to provide effective leadership in the revitalization of rural America is the biggest challenge we face today. This is the challenge that makes the question of how we are going to obtain funds to meet these responsibilities so vital and so urgent.

As responsible people, we have tried to be realistic and practical in our approach. We have been studying and analyzing this question in an attempt to arrive at workable answers.

#### CONTINUING NEED FOR REA

It is our belief and our hope that Congress will continue to recognize the need for the continuation of our present REA program. We further believe that appropriations for this program must be kept at the highest possible level. There are many rural electric systems throughout the nation which have not reached sufficient financial development and strength to allow them to depend upon a program other than REA financing.

Our projections indicate that we are going to need in excess of \$700-million in new funds for the next fiscal year if we are to make the necessary plant investments to meet our growth requirements. In view of the constantly increasing need for growth capital, we realize that we cannot expect Congress to continue meeting our total growth capital requirements indefinitely, especially in view of the many new and urgent demands being made upon our Federal budget.

#### SUPPLEMENTAL FINANCING THROUGH SELF-HELP

Therefore, we have studied and researched this matter within our own rural electrification family. We have sought the assistance and advice of others both from within and without our program. As a result, we have established a supplemental financing plan that was approved by the rural electric systems at their recent national meeting in Atlantic City in March.

We call this a plan for "supplemental" financing through the self-help route. Please note that we emphasize the word "supplemental." This program is not intended to replace the present REA program, but in a small way, to fill a portion of the gap between what Congress appropriates for REA and the actual program needs.

The plan on which we are working is not the total answer. It is only a very meager approach to meeting our needs through our own resources. It is a start . . . but only a start. We call this a "self-help" approach because we propose to establish a credit institution that will be owned and operated by the rural electric. It represents an effort to provide some help to the more financially mature rural electric systems by using our own limited resources.

#### THE CREDIT INSTITUTION

Many of the rural electric systems have developed to a limited extent, reserve funds through depreciation and annual operations. These funds will help provide subordinate capital for establishing the credit institution. However, we wish to point out that this new credit institution will have to be carefully nourished and greatly assisted in its early phases of operations. We must have help from REA to accommodate arrangements on mortgaging facilities. We must also have administrative and technical help from REA.

I am sure that you realize that this type of plan will mean that those systems which are in a position to do so will have to pay a higher interest rate for the use of this money. However, this subordinate capital will enable the institution to generate funds on the open money market. In view of today's high interest rate level, the rates paid for this money is going to be quite high. Therefore, this will eliminate the possibility of some systems being able to use these funds without being forced to increase their power rates to a level that will be out of proportion with their members' ability and willingness to pay. These systems will continue to require the conventional REA loans in order to meet their objectives. However, there will be other systems which will be able to use this method of financing.

#### THE JOB AHEAD

We believe we can establish such a supplemental financing program without asking Congress for any new legislation. However, we wish to emphasize that this does not, in any way, alter our dependence upon REA as our primary source of financing. It will take some time for us to become established and understood in the open money market and this recognition by investors is essential if we are to attract outside capital to our program.

At the same time, we shall require your guidance and leadership if this supplemental financing program is to function efficiently and effectively.

The rural electrification program has come a long way in the past 34 years, but the job ahead is greater than any we have ever faced. As long as we are given the tools we need, we do not doubt our ability to get the job done, to live up to the full expectations of our people, and to provide the leadership and the determination to build a stronger state and nation.

#### ARCHAIC COLLEGE POLICIES

Mr. YOUNG of Ohio. Mr. President, university trustees and students are becoming further apart. One reason becomes crystal clear when a thoughtful person searches for answers to the question, Why all this disorder at colleges? A majority of the trustees who direct policy and the subjects to be taught and who run our universities, selecting presidents and faculty members, are highly respected men, most of them millionaires who contribute financially to institutions they attended 20, 30, 40 or more years in the past.

They and their wealthy friends and business associates suffer no pain from these tax deductions. Trustees such as Senator John W. Bricker, John Galbreath, John Marshal Briley, millionaires all, who have been university trustees in Ohio are typical. Every trustee of a great eastern university is a millionaire. Three of five trustees in the Nation believe speakers should be screened before being allowed to address any group of students. Approximately half of our Nation's college trustees believe all faculty members must be required to swear to a loyalty oath as a condition for employment. Also, that all students engaging in civil disobedience demanding that college courses should be updated or demonstrating against any professor or university policy should be disciplined or expelled, even though the demonstration was non-violent.

The typical or average trustee is a businessman or lawyer whose income exceeds

\$30,000 per year. One in five enjoys an annual income approximating \$100,000 or higher. Only a very few, perhaps 2 percent, have read books or journals on higher education. There is as a rule no mutual discussion and determination between students, trustees, and faculty members on goals and purposes.

Obviously, in every college in our country some junior and senior students and faculty members should be selected to membership of boards to help govern their own universities. This would put an end to campus violence which all of us deplore. The old order, or establishment, should accept change voluntarily else it may be changed violently.

Very definitely I do not condone violence. I favor immediate expulsion and arrest of all campus demonstrators who resort to violence. Those belligerent gun-toting Cornell "students" should have been expelled forthwith. Also, they should have been arrested for disorderly conduct and threatening violence. I agree with Father Hesburgh, president of Notre Dame University. He said:

Any group that substitutes force for rational persuasion, be it violent or non-violent, will be given fifteen minutes of meditation to cease and desist . . . if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

There was no more student disorder at Notre Dame.

I have complete sympathy with the views of the majority of students that the establishment has not kept pace with the times in this fast-moving space age of change and challenge. I am on the side of the majority of the students. The old order—or establishment—should realize that as Washington Irving wrote:

Change is inevitable and brings with it a surprising amount of relief.

#### HARRY S. TRUMAN'S 85TH BIRTHDAY ANNIVERSARY

Mr. DIRKSEN. Mr. President, yesterday I dispatched a telegram to the Honorable Harry S. Truman at Independence, Mo. I wished him well on his 85th birthday anniversary, which is today, and also expressed my good wishes to his beloved wife, Bess.

I have always felt that Mr. Truman was one of those incredibly colorful Americans who became something of an institution in public life.

When I decided to quit the House of Representatives because of eye difficulties, I determined that I was not going to leave Washington until I had gone to the White House and said good-bye to President Truman. The White House told me that he was busy. I said, "Yes, I know." His secretary, Matt Connelly, said, "I can only give you a minute or two to see him."

"Well," I said, "I'll wait, Matt. I'll stay a month, if necessary, to see him."

He said, "Could you come next Tuesday?"

I said, "Yes, I'll be there."

I went to the White House on Tuesday, and President Truman and I spent a most delightful hour. He was not too

busy, and I was not too busy. Thus, we leisurely enjoyed ourselves.

He said, "You should not have quit. We need you around here."

"Well," I said, "Mr. President, I have got to do those things which are conducive to a recovery of my vision."

We left it at that. I went home to convalesce and see what the fates had in store for me.

At long last, as a result of a good deal of urging, I found myself in the middle of a senatorial race. Just before the campaign wound up, President Truman came to St. Louis, Mo. He had a network hook-up to speak, and that night he paid his respects to me but not quite in the way I wanted it, because I was running against his majority leader. I think at one point he referred to me as "that thing over in Illinois."

I saw him about 3 weeks later in Chicago, Ill., because he had accepted Mayor Daley's invitation to come to a party at the Edgewater Beach Hotel. I must say for the distinguished mayor of Chicago that he always invites me, too, and I always go—although my opposite number in the Senate at that time did not show up. But, I went.

While we were making merry and having some fun, through the back door came President Truman. I was the first one he encountered. He said, "Well, DIRKSEN, how are you?" "Oh," I said, "Mr. Truman, I am fine." He said, "What have you got in your hand?" I said, "That's an old-fashioned." He said, "I'll have one." So, before he got through shaking hands with everyone else, we began to visit a little.

I said, "Mr. President, you not only interest me, you also intrigue me. You are a most colorful human being, the peppery way in which you always address yourself to the business in hand. Remember, I said goodbye to you at the White House a few years ago, and you said we need you around here and I should not quit, and now when I find myself confronting your own majority leader from my State, you put me in a slightly different cast."

He said to me, "Well now, DIRKSEN, what do you think I should have done under the circumstances?"

"Well," I said, "Mr. President, you should have done exactly what you did do, because I am in the enemy camp, so to speak, and you would have no business giving me any quarter."

As Shakespeare wrote in the tragedy of "Macbeth":

Lay on, Macduff; And damn'd be him that first cries "Hold, enough!"

"Mr. President," I said further, "you are worthy of any foeman's steel. I salute you."

So, Mr. Truman, I wish you long years of health and of felicity, as well as your family, because you are, indeed, a colorful figure in the contemporary scene.

#### S. 2073 AND S. 2074—INTRODUCTION OF BILLS DEALING WITH THE INTERSTATE SHIPMENT OF PORNOGRAPHIC MATERIAL

Mr. DIRKSEN. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. DIRKSEN. Mr. President, I introduce two bills for appropriate reference, on behalf of myself and Mr. ALLOTT, Mr. ANDERSON, Mr. BAKER, Mr. BENNETT, Mr. BIBLE, Mr. COOK, Mr. COTTON, Mr. CURTIS, Mr. DOLE, Mr. DODD, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRIFFIN, Mr. HRUSKA, Mr. JACKSON, Mr. JORDAN of Idaho, Mr. JORDAN of North Carolina, Mr. MILLER, Mr. MUNDT, Mr. MURPHY, Mr. PASTORE, Mr. PROUTY, Mr. SCHWEIKER, Mr. SCOTT, Mrs. SMITH, Mr. STEVENS, Mr. TALMADGE, Mr. TYDINGS, Mr. THURMOND, Mr. TOWER, and Mr. YOUNG of North Dakota.

Mr. President, these are the administration bills which deal with obscenity and particularly the transportation through the mails, or any other way, of those things which are in violation of good taste and which can be deemed to be salacious.

There is a stiff penalty provided; that is, a fine of not more than \$50,000 for the first offense and imprisonment for not more than 5 years; and if there is another offense, then the fine could be \$100,000, and imprisonment for 10 years.

Mr. President, anyone who takes the trouble to cast an eye over the bookstalls today will regard most of the books and magazines on sale as being an unbelievable smirch upon good taste. I have a bill pending and I am going to push it, perhaps as an amendment to either one of these bills, that when such book or magazine is hard-core pornography and a jury, in a finding of fact, finds that to be so, that finding cannot be reviewed or reversed by a court. That is the only way we can deal with the Court, by way of their rather wide interpretation of the first amendment to the Constitution. I know of no other way and, besides, it makes good sense, in our free society, that a jury of our peers in a community should have something to say about the moral standards which shall prevail for the youngsters in that community. Certainly, that is not asking too much. It is American in every sense of the word.

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

The bills (S. 2073) to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; and (S. 2074) to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising, introduced by Mr. DIRKSEN (for himself and other Senators), were received, read twice by their titles, and referred to the Committee on the Judiciary.

#### ADDITIONAL COSPONSOR OF BILL

Mr. MUNDT. Mr. President, if the Senator will yield, I want to congratulate him on his strong and continuing fight in this field. I would be very happy to have him add my name as cosponsor of the two measures.

Mr. DIRKSEN. I shall be delighted.

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

Mr. HRUSKA. Mr. President, I am to cosponsor the two bills introduced today by the distinguished minority leader (Mr.

DIRKSEN) which deal with obscene materials. The first prohibits the use of the mails to transmit materials that are harmful to minors; the second prohibits the mailing of salacious advertising.

This society has been labeled a "permissive" society, and it has been criticized by many for being too permissive. In the minds of many; parents, schools, and churches have failed to exercise control over our children and the values they acquire. Undeniably, the society has allowed the vast commercial distribution of sexual materials to continue virtually unchecked.

But there is a line which can and must be drawn. People all over the Nation have appealed to the Federal Government to stop the flow of filthy, lurid mail that exploits sex, masochism, and nudity. This mail, carried by the Federal Government, and subsidized by the taxpayer, intrudes in homes where it is not wanted. "Occupant"-addressed envelopes or envelopes addressed to children come into the hands of children.

One hundred and forty thousand protests concerning salacious mail have been filed with the Post Office in the past 9 months. Since 1964 the number of complaints has doubled.

In 1967, my distinguished Nebraska colleague in the other body (Mr. CUNNINGHAM) and I introduced bills to allow persons not wanting to receive salacious mail to force the removal of their names from the sender's mailing list. Those provisions became part of the postal laws in 1967. Since that time, more than 170,000 persons, who actually received erotic and sex-oriented materials, have taken advantage of this law.

Now President Nixon has recommended additional steps to protect Americans from this unwanted intrusion. The bills which are introduced today do not involve censorship of all our art forms; such censorship would be unconstitutional and abhorrent to our citizens. But, as the President has stated, the freedom of speech guaranteed by the first amendment has "not left society defenseless against the smut peddler." Congress can and should act to shield young people against receipt of materials which could be harmful to them.

I support the President's proposals to regulate the sending of sex-oriented advertisements through the mails or in interstate or foreign commerce, and I especially endorse his proposal to end the sending of harmful material to minors.

#### NEW SEMINAR PROGRAM ON PUBLIC ADMINISTRATION FOR NATO COUNTRY OFFICIALS

Mr. MUNDT. Mr. President, I have the distinct pleasure to announce today to the Congress and the country that for the first time in history a substantial section of the free world has joined together to sponsor and conduct an International Training Seminar on Public Administration which, in its initial year, will have participants from the 15 NATO countries.

In subsequent years it is planned to bring into these training programs representatives from the underdeveloped and developing countries of the world as well.

This seminar will be a sort of International Freedom Academy to provide information, training, and guidance on the optimum methods for making the machinery of freedom work in conducting the administrative affairs of democratic governments throughout the world. It will draw upon the experience and expertise of long established democratic governments in such a manner that participants from each can learn from those of other countries the optimum policies and programs which have operated with the maximum success and so that participants from the developing areas of the world can at long last come to a central training facility to learn to do from others and to help them avoid the mistakes, pitfalls, and errors which more mature countries in the free world have learned to avoid.

Mr. President, through the joint financing of the NATO Council in Brussels and the Ford Foundation of this country, this important new "first" in the never-ending effort to preserve peace and promote effective self-government will be held at the College of Europe in Bruges, Belgium, under NATO auspices, at a seminar starting on Sunday, the 24th of August, and continuing through Saturday, September 20, this year. The NATO Council has appropriated \$21,000 for this seminar through its Science Committee and a further grant of \$15,000 has been made available by the Ford Foundation to complete the \$36,000 budget required by this seminar.

Rector Henry Brugmans of the College of Europe will be the director of the seminar. Professor Molitor, professor of administration at the University of Louvain and head of the Private Office of the King of Belgium, will serve as Consultant on Administrative Sciences at the seminar. Professor Chabert of the College of Europe staff has been appointed Secretary-General of the seminar. Other members of the staff and visitor lecturers from several countries are now in the process of being selected.

This new International Free World Seminar at the College of Europe has evolved from a series of resolutions developed and enacted by the Committee on Educational Information, and Cultural Affairs of the NATO Parliamentarians Conference, of which I am chairman. Over the past several annual meetings, starting 4 years ago, our committee has been moving toward this objective and each of our committee resolutions preparing the background for this seminar has been approved by the annual Plenary Sessions of the Parliamentarians Conference.

A year ago a subcommittee of our Committee on Educational, Information, and Cultural Affairs visited virtually all NATO countries, developing specific ideas for the academic content and programs of the seminar. Last month the final financial arrangements were completed and announcements sent to each NATO country inviting them to send participants to this summer's seminar. Approximately 35 participants are expected to attend this initial International Free World Seminar on Public Administration with perhaps some observers visiting some sections of the seminar.

Each NATO country has been given a quota of participants corresponding to its size, with a reserve quota to be made available should any country not send its full entitlement of participants.

At the last two annual Plenary Sessions of the NATO Parliamentarians Conference in Brussels, Belgium, I have addressed the delegates on the plans, and purposes of this seminar, striving to make the following two points as an effective argument for NATO participation in the program evolved by our Committee on Education, Information, and Cultural Affairs:

First. In today's world, NATO must cease concentrating on its own problems without relating them to the world at large; in other words, a system of "collective isolationism" is inadequate to preserve for NATO countries the freedoms and benefits of a democratic society.

Second. Two decades after its creation, NATO must discontinue concentrating to the extent it has in the past, on its military mission to protect Western Europe against aggressions from Communist Eastern Europe. Without abandoning in any way its primary mission of self-protection, it must begin using other methods to a far larger degree to provide for greater NATO cooperation and mutual assistance in the educational, political, and economic areas of its responsibility.

One method of moving toward both of the foregoing objectives is through the type of International Free World Seminar which will begin this year at the College of Europe.

Additionally, I believe that for far too long, NATO has relied upon the top-level authorities of NATO in the NATO Council who are selected from the administrative offices of its respective countries whose governments in turn are subject to change from time to time as death, changes of political sentiment, or other causes resulting in new sets of top-level officials and upon the Parliamentary delegates to the annual Parliamentarians Conference or assembly whose political lives are also unpredictable and subject to constant changes. Up until now that great body of Government in each of our NATO countries represented by the career officials, professional civil servants, and the middle level administrators who serve in our various bureaus and agencies has been largely left untouched by NATO, and no efforts have been made to bring them into the NATO "family" of cooperating officials.

This seminar in Bruges will provide an annual meetingplace and opportunity to bring into cooperative service these middle-level administrators who in the long run have much to say about what NATO will be able and willing to do.

Thus, while learning to do their own administrative jobs better and helping developing nations to have a training place for their eager but largely untrained middle-level public servants, this seminar will also provide for an "in-house" opportunity for the career officials of NATO's countries to come to know each other better, to cooperate more fully together, and to have a better working

understanding about both the purposes and the potentialities of NATO.

Mr. President, before concluding, I want to express my appreciation to both the NATO Council and to the Ford Foundation for their foresight and good judgment in making possible this first-in-history seminar for career officials who will attend this International Free World Seminar on Public Administration.

I also especially desire to thank and congratulate our former American Ambassador to NATO, Harlan Cleveland, for his steadfast support of our efforts to initiate this seminar, as well as Manlio Brosio, Secretary-General of the North Atlantic Council, and two of the splendid officials of our North American Parliamentarian Assembly, Mr. Phillippe Deshormes, Secretary-General, and Mr. Michael Palmer, Director of Committees and Studies.

Mr. President, I would also be remiss while making this happy announcement if I did not call attention to the consistent, persistent, and constructive services rendered by a subcommittee of our full committee on Educational, Informational, and Cultural Affairs headed by our Committee Rapporteur, Aano Jakob of Norway, and on which Heinz Pohler of Germany and our American staff adviser, Dr. William Farber of the University of South Dakota, also served. Members of this subcommittee visited virtually all of the NATO countries a year or so ago, exploring with appropriate officials the concepts involved in this International Free World Seminar of Public Administration, after which they made a full and encouraging report to our parent committee at its regular November meeting in Brussels last year. My appreciation also goes out to the members of our parent committee who through the past several years have enthusiastically and vigorously joined me in advocating this new activity under the sponsorship of NATO.

I have called a special mid-season meeting of our Committee on Educational Informational and Cultural Affairs to meet in Brussels on August 28, and we shall also spend all day of August 29 visiting and monitoring the seminar on Public Administration in Bruges.

#### ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

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

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the morning business, the distinguished Senator from Tennessee (Mr. GORE) be recognized, to be followed by the distinguished Senator from Connecticut (Mr. DOBB) and the distinguished Senator from Alaska (Mr. GRAVEL).

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

#### CAMBODIAN-UNITED STATES RELATIONS

Mr. MANSFIELD. Mr. President, as a result of the exchange of letters between President Richard M. Nixon and the Cambodian Chief of State, Prince Norodom Sihanouk, it appears that the path has been cleared for the resumption of amicable relations by Cambodia and the United States. The initial letters and replies of the President and Prince Sihanouk were understanding of the difficulties which exist between the two countries. They were sensitive attempts to bridge the difficulties.

Various interpretations have since been placed on the President's communication to the Prince and the subsequent official U.S. declaration on Cambodia's frontiers. They have come from outside the executive branch of the Government of the United States, even though some purport to have been based on "official" sources. These unofficial interpretations have often tended to be diversionary from the path so carefully entered upon by Prince Sihanouk and President Nixon in this delicate matter.

I hope that these unofficial statements will not be given credence in any quarter. The President's letter speaks for itself, as does the declaration on Cambodia's frontiers, which is entirely consonant with those made by other nations now in diplomatic relationship with Cambodia.

When officials of the State Department were questioned publicly on the possible resumption of relations between the two countries, the fact that the President's letter speaks for itself was made clear. I commend the Department of State for this official reply which it made in response to the questions concerning the significance of the President's communications, even as I commend the President for his initial communication with Prince Sihanouk. The White House and the State Department have been correct in stating officially that the President's letter spoke for itself, just as the executive branch has been correct in taking Prince Sihanouk's reply as speaking for itself.

In making this statement at this time my purpose is to endeavor to clear the air over this delicate matter and to state that the exchange of communications between the chiefs of state was made in good faith, that they meant what they said, and that they speak for themselves, without the need for any additional interpretation from any unofficial source.

#### PROTEST AGAINST PRESIDENT'S DECISION TO CLOSE JOB CORPS SITES

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a few of the many letters from my constituents which protest the President's decision to close Job Corps sites all over our country be printed in the CONGRESSIONAL RECORD. Many of these Job Corps sites were just beginning to effectively function, and beginning to train thousands of our young people. I am distressed with the abruptness of this decision and the lack

of an organized and planned phaseout. The included letters express the sentiment of a large number of the people in the State of Washington.

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

ELLENSBURG, WASH.,  
April 28, 1969.

HON. WARREN G. MAGNUSON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MAGNUSON: The closure of several Job Corps Centers throughout our country concerns me.

From January 4 to March 14 of this year, I was a student teacher at the Moses Lake Job Corps Center for Women. During this time, I lived in a dormitory on Center and had a close and fulfilling relationship with many of the Corpswomen. I am aware of the many adverse conditions that exist at this Center. I am in favor of the closure of such an inefficient, ineffective Center; however, I am opposed to the closure of this Center prior to opening of the new, smaller urban job-training centers into which these Corpswomen are to be transferred.

By the end of June, at which time the Moses Lake Center is to be closed, will there be adequate urban centers to accommodate these transferees until they complete their training. Or, will these Corpswomen be temporarily transferred to an urban center to be discharged within a short time and turned back into the streets.

These young adults are now in our Job Corps Centers because our society has neglected them; our economy has no tolerance for the non-producer; our educational system has no tolerance for the disadvantaged, the slow learner; our religious morals have no tolerance for those who, by necessity and by honesty, are guided more by animal instinct and reality than by our white middle-class rules and values which are often artificial.

As one who is concerned with the welfare of our country, particularly the youth of our country, I ask you to do all in your power to insure that the Moses Lake Job Corps Center for Women—and all other Job Corps Centers in our country—will remain open until there are adequate urban centers available to facilitate the training of the Corpswomen and Corpsmen who are now in our Job Corps Centers.

Furthermore, I feel that these closures will only add volatility to an already explosive situation in the ghettos of our cities. Such action on the part of our government appears blind to the reality of this condition; we can, thus, only expect a blind reaction to such shortsighted action. I speak, of course, of riots. Must we have a nationwide riot on the scale of the French Revolution to awaken us to the reality of the condition. I certainly hope not.

Please give me some assurance that my government is looking at the state of these deprived peoples minds in the terms of twenty million people as a solitary mass, rather than a mass of uncollected individuals; one needs only to witness the effectiveness of the militant black power leaders in achieving a cohesiveness with their people to know that they will not remain long uncollected.

They are a mass whose potential for total revolution, which is simply a nationwide riot, is very real. The possibility of the army of the United States having to suppress a nationwide riot must be a spectre in the minds of my government. I want your assurance that you see it as a spectre, and that you recognize the critical danger in that spectre.

Respectfully yours,

Mrs. PAULINE E. BARNHART.

MOSES LAKE, WASH.,  
April 13, 1969.

HON. WARREN G. MAGNUSON,  
Washington, D.C.

DEAR SENATOR MAGNUSON: How do you reason with a stone wall? How do you reason with an authority who like a baseball empire has made a decision and who is convinced that because of his esteem and position it can not be changed?

It is easy to make a decision when you are far removed from the situation but it is hard to accept an order to retreat when after a hard battle you are finally within sight of your goal. It is something like being tackled by your own team mate when in football you are just a few feet from a touchdown.

I have a feeling that at this time no amount of reason would change the status so I will just say that I oppose the closing of the Moses Lake Women's Job Corps. It has been one of those rare opportunities that allows our community to serve the needs of humanity. From this experience we have grown some, it has been necessary to evaluate our attitudes, it has caused controversy in certain churches but this has been good. We have been confronted with a real life problem and are rising above it. Now the center is scheduled to be closed and now those who were willing to stand up to their responsibility have been defeated by a piece of paper. It is a blow that will not soon be forgotten.

Respectively,

CHARLES E. CAMPBELL.

WASHINGTON DEMOCRATIC COUNCIL,  
Naches, Wash., May 1, 1969.

HON. GEORGE SHULTZ,  
Secretary of Labor,  
Department of Labor,  
Washington, D.C.

DEAR SECRETARY SHULTZ: In view of the announcement by Secretary of Labor Shultz that the women's job corps center at Moses Lake, Washington will be closed on July 1, 1969, the Issues and Action club of the Washington Democratic Council has passed the following resolution:

The Moses Lake Center has an outstanding record in retaining young women in a training program in the skills of culinary arts, business and clerical operations, key-punch operation and retail sales work. Graduates of the program have entered colleges and universities and have been placed in jobs in many Washington communities—and the supply of positions exceeds the number of corpswomen who will graduate.

We believe it is false economy to cut out the Moses Lake Women's Job Corps Center, which will return far more in benefits to the society than the cost of the program. Out of humanitarian concern for the young women's hopes of developing their potential as contributing members of society, we urge Secretary of Labor Shultz not to discontinue the Moses Lake Job Corps Center.

Sincerely,

QUENTIN SEARLES,  
Chairman, Issues and Action.

WASHINGTON STATE FEDERATION OF  
CHAPTERS, NATIONAL ASSOCIATION  
OF RETIRED CIVIL EMPLOYEES,  
Re Moses Lake Job Corps Civilian Conserva-  
tion Center.

HON. WARREN G. MAGNUSON,  
Congress of the United States,  
Washington, D.C.

DEAR SIR: My attention has been directed to a proposal that Federal support for the above listed project might be suspended. I wish to favor the continuation of this valuable work.

As an aftermath of the untimely closing of Larson A.F.B., the Men's Job Corps has been a distinct asset to the economy of the com-

munity. However, there are other values more important and far-reaching than the economic advantages.

The Moses Lake Job Corps has a normal complement of 200 men, besides the administrative and teaching staff. These men have come from all parts of the United States; they have been unable to become self-supporting at home; they have come here with the hope of learning to do some worthwhile activities in society. Most were school dropouts, often because they could not read; this handicap often makes them incapable of acquiring the necessary skills for industrial employment.

During the past eighteen months thirty-five men have been accepted by Boeing in Seattle—twenty-five are still there in some work requiring special training. Some have found employment in other industries or businesses, such as: Penneys and Bon Marche. Some have returned to their homes where they are profitably employed.

During this time about sixty of these men have been accepted by the Armed Forces; they could not qualify before they came to the Center.

These statements are factual and I am hoping you may use them to impress your associates with the importance of this work being done here in rehabilitating these men who otherwise would have remained non-self-supporting and a liability to society.

Now these men and others who may enter the Center, are not only earning an honest living, but are adding to our national wealth. They are becoming proud American citizens; they are proud of their personal achievements; and of the country that made it possible for them to hold up their heads as members of modern society; they have been rescued from the poverty, ignorance, and filth of their former environment and placed in a new world of respect and confidence.

As we here in the homeland view our national expenses, they are enormous; we believe there are numerous ways for making economies of far more importance than what may be saved by eliminating something that is doing so much toward improving the welfare of our people—the work of the Job Corps. When we are rehabilitating men, we are saving souls from degradation and crime. Can we place a monetary value on this?

In your important place in our Congress, I am sure you can do much to further the valuable work being accomplished in this center. Will you please do this?

Sincerely yours,

A. K. MILLAY.

#### NORTHWEST PASSAGE—1970

Mr. MAGNUSON. Mr. President, the Pacific Northwest Trade Association chose "Oceanography" as the theme of its 61st general conference held this year on April 20, 21, and 22, at Seattle, Wash.

Dr. Edward Wenk, Jr., executive secretary of the National Council on Marine Resources and Engineering Development, delivered the keynote address at the conference banquet, which took place at Seattle's Olympic Hotel on April 21.

The Pacific Northwest Trade Association is an exceptional organization, comprised of business and industrial leaders of Washington, Oregon, Idaho, Montana, Alaska, the Canadian Provinces of British Columbia and Alberta, and the Yukon Territory.

The association has as its slogan, "Regional Progress Under Two Flags," and has long made significant contributions to Pacific Northwest development.

There have been many distinguished

keynote speakers at previous conference banquets, among them while Cabinet members W. Averell Harriman, Dean Acheson, Douglas McKay, and Luther H. Hodges and, while Governors of Idaho and Oregon respectively, my Senate colleagues, the Honorable LEN B. JORDAN and the Honorable MARK O. HATFIELD.

Senator HENRY M. JACKSON, of Washington, also has been a conference keynoter.

Dr. Wenk was an appropriate selection as banquet speaker at this year's conference, devoted primarily to marine development of the Pacific Northwest quarter of our continent.

At the recent conference, Mr. Robert F. Buck, senior vice president of the National Bank of Commerce, Seattle, was elected president of the Pacific Northwest Trade Association, succeeding Mr. Lloyd K. Turner, of Vancouver, British Columbia, and Mr. E. Keith Cumming, of Edmonton, Alberta, was elected vice president.

Mr. Percy R. Larke, executive director of the association, arranged the recent conference program.

Mr. President, I ask unanimous consent that Dr. Wenk's address at the 61st general conference of the Pacific Northwest Trade Association, titled: "Northwest Passage—1970," be printed in the RECORD.

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

#### NORTHWEST PASSAGE, 1970

(Address by Edward Wenk, Jr., executive secretary, National Council on Marine Resources and Engineering Development, before the Pacific Northwest Trade Association's 61st general conference, Seattle, Wash., April 21, 1969)

#### INTRODUCTION

Ladies and gentlemen, members of the Pacific Northwest Trade Association, Guests:

Your gracious invitation to be today's keynote speaker on "Northwest Passage—1970" at your 61st General Conference is indeed a very high compliment.

First, though I must tell you how impressed I am with the size and extent of the area encompassed by the Pacific Northwest Trade Association. East-westerly, I find it extends from the Rockies to the Pacific, reaching in the Bering Strait to little more than a mile from Asian territory; in the north-south direction, it extends from the northern border of California to beyond the Arctic Circle. When I totaled the area of Alaska, Alberta, British Columbia, Idaho, Montana, Oregon, Washington, and Yukon Territory, I found that it equaled, within a few percent, the area of all Europe, excluding the Soviet Union.

But it is not the vastness of the territory, nor its natural resources that impress me most; what is truly impressive is the kinds of activities that you—the PNTA—undertake.

By providing direct communication between the local and national business communities—to strengthen trade and investment relations—the PNTA supplements and stimulates a healthy environment for growth and development between people on both sides of the border: As stated in your Association's policies, "... the 49th parallel between Canada and the United States is a symbol of unity rather than a line of separation."

May I also commend the PNTA in having chosen "Oceanography" as the theme of this conference. It is indeed an appropriate theme for this region—considering the magnitude

and significance of the Pacific Northwest ocean related statistics. Thus, for example:

Alaska has a general coastline longer than that of the 23 states, bordering the Atlantic, Pacific, and Gulf Coasts, combined.

70% of the U.S. Continental Shelf lies off the coasts of Oregon, Washington, and Alaska.

Puget Sound is the largest salt water harbor in the world.

It is also appropriate because of your maritime heritage and your frontier spirit. Let me recall one or two points.

#### HISTORY AND THE NORTHWEST

In times past, men dreamt of finding a Northwest Passage, a short cut from the Atlantic to the Pacific that would provide a quick maritime trade route to the East.

To promote this idea in 1776, the British Admiralty commissioned Captain James Cook to investigate the waters which surround the Pacific Northwest. Estimates at that time indicated that the Nootka Sound (Vancouver Island) marked the beginning of a vast channel which connected with Hudson Bay.

Though failing in his efforts to locate this Channel, Captain Cook's expedition explored the Bering Strait and came very close to Point Barrow, Alaska, the eastern terminus of our latter day Northwest Passage to Prudhoe Bay. Now in 1969, there is a multifold interest in obtaining quick and inexpensive trade routes for oil, minerals, and other riches from the Pacific Northwest to the vast markets on the eastern part of North America.

Since Cook's time, pioneers have also penetrated into this broad northwest from the south—across the land and up the Pacific coastline. We have had many reasons for directing our attention to this part of the continent—from the Gold Rush in the 1850's, to the growth of the crab industry in the 1950's, to the present day realization of the growing strategic and economic importance of a vital corner of North America. The private sector has led in developing an unrivaled sea maritime transport competence in this part of the world, and now we are embarking upon a new and exciting phase in America's future—an evaluation of the ocean for enhancing the future of America and the world.

Having said why I believe the theme of the oceans is appropriate to this region, let me devote the major part of this address to discussing why it is an appropriate time.

#### THE ISSUE

Today we are focusing new attention on the question of how much of our national wealth we should invest in the potential of the ocean in the light of other demands on our resources. Why should we move ahead in pursuit of ocean resources, at an accelerated pace, at this time? This question has been asked—and answered—in different ways at different times throughout history. But today, there are not only the traditional factors which have motivated us seaward but there are also advances in ocean technology which have led to world expectations of economic growth from ocean programs. We now recognize the potential of the seas to meet some of mankind's greatest problems—on matters of peace; of international understanding; world hunger; of a growing population that clusters around scarce stretches of coast and paradoxically clutters with pollutants the same waters that it wishes to use for relaxation and recreation.

#### MARITIME GEOGRAPHY

Our starting point to examine these issues is the sea itself. In recent photographs of the Earth from space, the predominant feature is the blue of the world's ocean. These views confirm what every geographer knows—that the Earth is a water planet; that its 330 million cubic miles of water cover 70.8 percent of the Earth's surface.

As the fortuitous result of sporadic observations over the past 100 years, we are beginning to know a great deal about these waters and their resources. We know about the energy generated by tides, waves and surges; the great horizontal surface and submarine currents; and powerful upthrusting vertical currents near the continents.

We have begun to chart the bottom topography of the seabed, with its shallow continental shelves, slopes, and submarine trenches that plunge abruptly to almost seven miles below sea level, much further below sea level than Mt. Everest is above. On the seabed, we have found sweeping abyssal plains, freckled with ridges, gorges and volcanic mountains called guyots (such as the Cobb Seamount, approximately 200 miles off your coast). We know that pockets of oil and gas are locked in the seabed, that mineral-rich, potato-shaped manganese nodules rest on the ocean floor. And we know that tens of thousands of different species of animal and plant life abound in the oceans, from microscopic bacteria and minuscule plankton to 100-ton whales.

#### THE SEA AND NATIONAL POWER

To these intrinsic characteristics of the ocean, another factor—which until recently seems to have been forgotten—must be added: the presence of Man. Man has had a long involvement with the sea. He has used it for transportation and trade, for food, for minerals (oil now, rather than salt), for military defense and attack.

The fifteenth century opened an age of maritime exploration and colonization. With intrepid leaders such as Cook, Magellan, and Columbus, the nations who matched new ship technology to their political objectives became rich and powerful. The oceans became the major pathways of commerce and culture.

Two world wars demonstrated to the U.S. and its allies that they must have both strong navies and merchant fleets. And since World War II, the U.S. has become increasingly aware of the geography of economic and strategic competition, in which the oceans play key roles. Today seapower—to serve a nation in war and in peace—has many dimensions.

#### THE CHALLENGE

Our rekindled impetus to explore and exploit marine resources can be attributed to two related factors:

The needs of our society for food, fuel, living space, and waste disposal have sharply increased, and

Unprecedented opportunities to meet these needs by maritime alternatives have resulted from new technologies to master that alien environment.

Put another way:

The sea is three times the area of all the continents combined. It washes over 17,000 miles of our coastline. Its potential sources of food, fuel, and minerals are incalculable. And with our contemporary scientific and technological muscle, we can assert confidently that things we have long wanted to do—in, on, or under the ocean—we now can do.

What are we going to do with these maritime things? Is our ability to harness the ocean matched with wisdom to utilize the sea more productively and intelligently?

#### FOOD FROM THE SEA

Consider the problem of imbalance between burgeoning population and food supply. Throughout human history to the time of Columbus, world population reached 500 million. It took only 425 years to reach 2 billion; 37 years—up until 1962—to reach 3 billion. It will take only 20 more years to reach 5 billion. It is thus no enigma why authorities on food concluded a year ago that the scale, severity, and duration of the world food problem are so great that a mas-

sive, long-range, innovative effort—unprecedented in human history—will be required.

Match this challenge with conservative estimates that, with adequate research, productivity of ocean fisheries, without depleting stocks, is five times larger than today's catch.

In the Pacific Northwest, fishing provides the livelihood for many of your coastal areas. You, better than I, appreciate the importance of a healthy fishing industry. Your catches of halibut, salmon, king crab, and many other species are familiar sights in our East Coast supermarkets. Also, we are now looking to the development of an economic technology for extracting fish protein concentrate—from species caught just off the coast—to provide a new tool in the nutrition crisis—at home and abroad.

#### THE COASTAL ZONE—WHERE MAN MEETS THE SEA

Consider the problems of urban growth. Today, 150 million Americans reside in coastal states. More than 45 percent of our urban population is concentrated along the coast itself. Because the bulk cargoes of ore, fuel, and chemicals, which underpin our technological society, are transported most economically by sea, a preponderance of the Nation's heavy industry clusters there. Five hundred million tons of cargo consequently pass through our ports annually. By the year 2,000, all our megalopoli—the super cities—will be packed along the coastal zone, and 75 percent of our population will be clustered within 50 miles of the coast. Not since the 18th Century will such a proportion of our population have lived near the sea, and sought to use it more intensively, and in more different ways.

Intensified use of the coastal zone already has generated conflict:

As population presses toward the sea, so do its demands for marine recreation. Already 20 million people go to the sea to swim; 8 million to fish; 20 million to sail. The 6 million registered pleasure boats in coastal and Great Lakes States, if laid end-to-end, would run around the U.S. shoreline two and one-half times.

But the coastal ecology is fragile. And it is perishable. The coastal zone's estuaries and lagoons, wetlands, and beaches are a sanctuary for waterfowl, a nursery for coastal fisheries, a habitat of a rich variety of flora and fauna. Some of the most fearsome ravages of nature visit the coastal zone. Over the past 15 years, hurricanes in the United States have wrought \$5 billion damage to our coasts. Beaches erode, channels fill, Man dumps municipal and industrial waste into this convenient sink, now polluting the brackish waters as he earlier did the fresh water streams, filling swamplands, and inadvertently lighting the landscape.

A detailed case study has recently been completed for the National Council on Marine Resources and Engineering Development. This study covered shoreline utilization in the greater Seattle area and may be used as an approach for other maritime regions of the Nation. The results of this pioneering investigation provided: 1) an analysis of conflict in shoreline utilization; 2) a study of the types of government action necessary to resolve conflicts and encourage sensible development; 3) recommendations for federal, state, and local actions concerning urban waterfront, transportation congestion, high rise building, pollution control, public access, and management of future coastline development.

We are releasing this report within the next week and residents of the Seattle area and other coastal cities may find it of interest. (Its title is "Shoreline Utilization in the Greater Seattle Area." It is Publication Number PB 183-026, obtainable from Commerce Clearinghouse for Scientific and Technical Information, Springfield, Virginia).

In recent years, a new peril has emerged—

the threat of massive oil pollution from wrecked tankers, as the "Torrey Canyon" grounding off England in 1967; the "Ocean Eagle" breakup off Puerto Rico in 1968; and run away underwater oil wells, as in the Santa Barbara Channel.

#### MARITIME TRADE—A GREAT COMMERCIAL HIGHWAY

Consider the economic value to each maritime nation of its ports and harbors—the commerce, jobs, and profits that result when the ocean leads to a city's doorstep. Or consider the inverse: How few cities have modern unloading facilities or a waterfront fit to walk along? U.S. ocean-bound commerce has doubled every 20 years. In 1968, it was 400 million tons. It will be well over a billion tons by the year 2,000. By then, worldwide shipping will have quadrupled to 8 billion tons.

#### ENERGY AND MINERALS FOR AN INDUSTRIALIZED SOCIETY

About 20 years ago, we began to turn to the sea for energy, principally from marine sources of petroleum and gas. Today, fuel is produced from some 6,000 offshore wells on the continental shelf of the United States and a number of other countries. Offshore petroleum production accounts for 16 percent of world output; it is expected to comprise 30 percent by 1985. Gas, too, is extracted from seabed reserves. The North Sea, for example, promises to supply 15 percent of Great Britain's fuel requirements within the near future.

In January 1968, one of the most exciting events in the history of oil in North America occurred with the discovery of oil deposits—conservatively estimated at 5-10 billion barrels near Prudhoe Bay, on the North Slope of Alaska. In Canada, the Alaskan strikes have set off a burst of exploratory activity beyond the Arctic Circle, some Canadian oilmen talk of reserves of 100 billion or more barrels there.

As one route for transporting this oil, a new Northwest Passage is being considered for use by commercial tankers. The 115,000 d.w.t. tanker *Manhattan*, after extensive extensive modification, will sail this summer for testing in Arctic waters. If these tests are successful, it is likely that the Northwest Passage—the fabled route that has fascinated explorers and traders since the discovery of America—can open the fabulous oil area of Alaska's North Slope to the East Coast of the United States.

All currently producing offshore wells lie on the continental shelf—the submerged coastal terrace adjacent to the Coast. The world's continental shelves comprise an area equal to one-quarter of the continents; in several countries, the contiguous shelf almost doubles the land area. Less than 10 percent of these expansive submarine extensions of the continents have been systematically surveyed but the increasing demands for shelf resources make such surveys imperative.

#### THE OCEAN, AS A CLOAK AND A SHIELD

Historically, the oceans have played a significant role in national security—as a moat for defense, a springboard for attack, and a lifeline to support ground forces abroad. While detection of conventional submarines has always been difficult, the almost unlimited range at high speed of the submerged nuclear submarine renders the ocean's cloak of concealment formidable indeed. Armed with solid propellant, nuclear tipped missiles, the submarine has become a sea-based deterrent vital to U.S. and world security. With the increased international bonds of mutual defense treaties, the naval role, in preserving world order, has increased. And to support diplomacy in crisis situations, the ocean provides a highway for the transport of influence that has repeatedly prevented the flare-up of minor actions into major conflagrations.

#### THE OCEAN AS A WEATHER MACHINE

Finally, the ocean is the primary influence on much of the world's weather and source of nearly all the moisture upon which life depends. With a better understanding of the relationship of the total land-air-sea environment, we will be better able to predict, influence, and perhaps control the weather. Such steps are a matter of major importance to farmers, construction teams, resort owners, sea captains, fishermen, and every citizen.

#### SCIENCE AND TECHNOLOGY TO REALIZE THESE BENEFITS

How do we realize these benefits?

With the aid of modern technology, man has learned more about the oceans in the past 30 years than he did in the preceding 2,000. Unlocking the secrets of the ocean with conventional ships and instruments would be an overwhelming task—involving hundreds of ships for decades—were it not for the advances of contemporary ocean technology.

Scientists now have "leverage" of observations from spacecraft for sea temperatures, currents, wave conditions, even depths in clear, shallow water. Unmanned buoys—eventually in a worldwide network—can provide systematic data transmissions via satellite to central data banks about sea conditions, below the surface, and above. Underwater television makes possible reconnaissance in almost any depth. For example, the wreckage of the "Scorpion" was sighted in 14,000 feet of water. On August 19, 1968, the deepsea drilling vessel "Giomar Challenger" held station in 11,000 feet of water and drilled 422 feet into the bottom of the Gulf of Mexico, locating oil indications. Later, the vessel set a drilling record for a ship in 17,500 feet of water.

#### EXPANDED INTERNATIONAL INTEREST

Concurrent with these technological developments, there has been a sharply intensified global interest in the seas. More than 100 nations front on the sea. With increasing access to new technology for exploration and exploitation, these nations are projecting their national interests seaward, conducting activities further from their coasts. Some countries have already asserted claims of jurisdiction two hundred miles seaward, thus challenging the traditional freedom of the seas. Long-range fishing fleets threaten coastal fisheries historically essential to others. The possibility of stationing weapons of mass destruction on the sea floor raises the spectre of a new dimension to the arms race.

In 1966, the United Nations began to devote new attention to these issues. These discussions of the oceans have centered on questions of expanding international cooperation in research and exploration, reserving the deep ocean floor for peaceful purposes, and establishing guidelines for nations in the development of seabed resources. Ahead of us lie complex questions. What should be the seaward limit of national jurisdiction? What kind of an international regime should there be governing seabed activities beyond this limit? What practical steps can be taken to prevent the nuclear arms race from spreading to the ocean floor?

Awareness of the great economic potential and strategic importance of the Arctic is rapidly increasing in the United States and other countries bordering that region. The Arctic may be the "last frontier" in the northern hemisphere in terms of the world's limited natural resources.

Internationally, the Arctic Ocean makes neighbors of five nations—U.S.S.R., Norway, Denmark, Canada and the U.S. Although Finland, Sweden and Iceland do not abut the Arctic Ocean, they too share our concern over exploration, development, settlement, and exploitation of the Arctic region. The common environmental problems, high costs of Arctic research, and limited expertise of any one nation in operations make international cooperation in Arctic exploration very attractive.

As marine interests intensify and converge, and competition for resources increases, international cooperation becomes essential to prevent and mitigate conflicts and debilitating rivalries.

#### *U.S. response to oceanic opportunities*

Governments have historically been patrons of exploration—both broad geographic surveys and scientific investigations. This is as true today as it was in the times of Magellan and Columbus. While the Federal Government plays a key role in sponsoring the quest for scientific knowledge and mapping resources of the oceans, it turns to academic and private institutions to carry out research; it looks to industry to develop the resources of the ocean as it has on land; it expects State Governments to manage wisely and productively the coastal resources under their jurisdictions.

What have we done to mobilize ideas, capital, entrepreneurship, and science and technology—to respond to the challenges of the oceans?

Beginning about 1959, there was a re-awakening as to these needs and opportunities, spurred mainly by an unlikely coalition: a few oceanographers and a few members of Congress. The Nation then fashioned tools for the task ahead—by building oceanographic ships and laboratories, and training manpower. Then in 1966, the Congress passed the Marine Resources and Engineering Development Act—a milestone in our maritime history. At this point, I mention that a key ingredient in the development and enactment of this landmark legislation was the personal leadership of Senator Warren G. Magnuson of Washington.

The Act declared it to be a policy of the United States "to develop, encourage, and maintain a coordinated, comprehensive, and long-range national program in marine science for the benefit of mankind," assigned responsibility to the President to give the field necessary leadership and direction; created an interim Cabinet-level, policy planning Council, chaired by the Vice President, to help set goals and strategies; established a public advisory Commission which has recently recommended the next steps for a national marine program with special attention to Federal organizational structure.

It is my understanding that Canada is assembling a similar advisory commission.

#### ACTIVITIES OF MARINE SCIENCES COUNCIL

The National Council has related the oceans to the full spectrum of national needs. It has established goals and priorities, identified unmet needs and opportunities, and eliminated marginal programs. It has guided a transition from scientific oceanography to a new policy level consideration of marine science affairs.

The public product of Council actions is largely reflected in Presidential policies set forth in speeches, messages, and executive actions.

For example: to insure the safety of life and property with increasing maritime activities and coastal congestion, a government-wide National Contingency Plan was developed to handle coastal disasters resulting from spillage of oil or hazardous cargo; to strengthen multi-disciplinary research and sources of manpower, the Sea Grant legislation was implemented as a cornerstone to building capabilities for the seventies; to meet conflicts in use of the coastal zone, groundwork was laid for Federal/State cooperation in establishing quality standards in our bays and estuaries and for improved coastal management in the public interest; as a further step toward world order, proposals were offered in the councils of the United Nations in attempts to limit the arms race by prohibiting emplacement of nuclear weapons on the seabed of the deep ocean.

#### MARINE SCIENCE COMMISSION

The long look ahead was made the responsibility of the advisory Commission. The President appointed as Chairman, Dr. Julius Stratton, and one of its members was Professor James A. Crutchfield of the University of Washington. Few Commissions that I know have worked as conscientiously and fruitfully as this one. Its thought-provoking comprehensive report was submitted to the President and Congress in January 1969.

Among its broad-ranging recommendations it called for Federal Government reorganization in the marine sciences which would pull together many of the agencies, now organizationally separated, into a new National Oceanic and Atmospheric Agency.

The Commission also recommended support for coastal zone authorities, designation for national and coastal zone laboratories, development of a legal regime for the deep seabed, and establishment of national marine engineering projects, such as a continental shelf laboratory.

The Commission's Report has received wide accolades in the press, and promises to be a stimulus to United States marine science policy. Its findings and recommendations are controversial, and they are being very carefully considered by the Administration and the Congress.

#### THE OCEAN FRONTIER

These are some of the economic and national security considerations in re-evaluating your stake in the oceans. But there is one other.

Over the centuries, man has forced hostile environments to yield to his boldness and his skill—whether these environments be searing desert, tropical jungle, frigid Arctic, or empty space. The frontier that we approach today is the bountiful ocean. But the oceans are not just a geographical frontier. The oceans are also a frontier of the human mind and the human spirit. And we must approach them with a willingness to face the unknown without positive assurance of immediate return.

Few regions of our great nation are as well endowed as is the Pacific Northwest to deal with this challenge. Your coastline is one of your principal lifelines. Your ocean frontage can bring economic opportunity and social enjoyment to broad segments of your population. Your ocean scientists are internationally known. Your high technology, that contributed to our aerospace programs, affords a new cutting edge to study and utilize the sea. Your industry and your bankers have the vitality of responsive entrepreneurship that can extend past traditions of productive free enterprise to the future. And your people sustain the buoyant, energetic spirit of the frontier.

These ingredients of successful exploration—not only a favorable location but men, capital, talent, education, and experience—are found here in the Northwest.

A partnership of Government, industry, and the academic community built on such ingredients is certain to prosper.

#### THE OCEANS AND THE FEDERAL GOVERNMENT

In this connection, I do not know whether you regard your geographical remoteness from your respective national capitols as an asset or a penalty. To the Americans in this audience, I can say that in the field of marine affairs, you and in fact your colleagues in other states benefit from the leadership of your Congressional delegations.

Senator Warren Magnuson has introduced many critical pieces of legislation contributing to marine sciences, ranging from conservation programs to fishery resource surveys. Most recently he has submitted a bill to establish a National Institute of Marine Medicine and Pharmacology, subjects which are just beginning to gain proper recognition.

The late Senator "Bob" Bartlett provided marine affairs with excellent support during his tenure in the Congress. Certainly the present impetus of marine science is due in no small measure to the efforts of the late Senator from Alaska.

Congressman Pelly and Congresswoman Hansen have also been active in advancing maritime interests of the Nation.

Congressman Wendell Wyatt of Oregon has been active in attempting to conserve wildlife on the shoreline.

Collectively, the achievements in marine sciences of your Senators and Representatives represent for the Pacific Northwest—and the Nation as a whole—a step toward more effective use of the sea.

How is the climate in Washington itself?

One encouraging sign is that this field is bipartisan. From the very beginning of a new look at the sea ten years ago, advances have been free of partisan political overtones. Support in the Congress comes from both parties. When I recently appeared at a Congressional hearing before the House Merchant Marine and Fisheries Committee, the Subcommittee Chairman—a Democrat—Mr. Lennon, and the ranking minority member, Mr. Mosher, were allies in their advocacy of a vigorous marine science program. And I am pleased to report their mutual support for continuation of the Council and praise of its past performance.

Let me assure you that the Nixon Administration will continue its marine science activities in that same nonpartisan spirit.

I have to be candid in saying that this will not be another space program—neither in its deriving exclusive support from the Federal Government, nor as a crash program. The United States has many serious issues competing for limited resources, but I am confident that the growing interest in the seas, the national interest, and practical economics will continue to insure appropriate priorities for this field.

The United States is the first Nation in history to adopt a national policy to study and to use the seas for the benefit of all men. And the people of the territories and states of the Pacific Northwest, through their heritage and performance, represent a rare breed—whose personality profile includes the spirit of discovery and the spirit of exploration—all necessary when the next steps are taken to conquer man's last geographical frontier.

I look forward to joining with you in the great adventure ahead.

#### THE NATIONAL SAFETY COUNCIL SPEAKS OUT ON FLAMMABLE FABRICS SAFETY

Mr. MAGNUSON. Mr. President, I wish to commend the National Safety Council for its recent efforts to encourage implementation of the Flammable Fabrics Act amendments. In an open letter to editors, columnists, and writers, Jean Snyder, home safety specialist for the Council, urged people to express concern over the failure of Government to act.

The case for "concern" is very strong. In December of 1967 Congress passed the Flammable Fabrics Act amendments, designed to reduce the 1,500 yearly deaths and 100,000 disabling injuries resulting from burn accidents. The Secretary of Commerce was given authority to create flammability standards for clothing and household furnishings after accumulating data demonstrating the need for such standards. Unfortunately, to date no final flammability standards have been promulgated—although a

carpet flammability standard should be finally adopted in the near future.

It has been reported that the textile industry is fighting very hard to prevent the passage of clothing flammability standards—the very standards that were uppermost in the minds of legislators who strongly supported the amending legislation. Clothing flammability standards—especially children's clothing standards—are desperately needed.

Hopefully, the National Safety Council's efforts on behalf of the consuming public will create a countervailing force to the intransigence of the textile industry and encourage action in the Department of Commerce. I would hope that this action presages increasing attention by the Council for adequate safety legislation, adequately funded and enforced.

I ask unanimous consent to have the open letter printed in the RECORD.

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

AN OPEN LETTER TO EDITORS, COLUMNISTS,  
AND WRITERS  
NATIONAL SAFETY COUNCIL,  
Chicago, Ill.

Each year as many as 1,500 people die and 100,000 suffer disabling injuries because their clothing catches fire. This, in spite of the fact that there has been a Federal Flammable Fabrics Act in existence since 1953. This Act unfortunately prevents only the most highly flammable fabrics from being marketed.

Recognizing the ineffectiveness of the 1953 Act in combating injuries from clothing fires, Congress enacted amendments to this Act in December, 1967, granting the National Bureau of Standards authority to promulgate broader and more restrictive fabric flammability standards.

Before such standards can be established, though, data must be gathered and methods of testing set up. Last year's appropriations for such activities fell far short of the amount requested by the Bureau, and Congress will be considering funding again early this spring. Whatever the reasons may be, no new standards have been developed to date, and the wasteful injuries and deaths caused by preventable clothing fires continue.

Your efforts in expressing your concern will be appreciated. A fact sheet is attached for your information and use.

Sincerely,

JEAN SNYDER,  
Home Safety Specialist, Department of  
Public Information.

#### FACT SHEET ON FLAMMABLE FABRICS

All fabrics can burn. This means that the clothes you wear, and the furnishings in your home, will burn under the proper set of conditions.

Children and the elderly, who are less able to protect themselves, are most vulnerable to clothing fires. Mothers should keep this in mind when they purchase sleepwear for their children, clothes and blankets for the baby, or a bathrobe for grandmother.

The most common source of clothing ignition among adults is careless smoking. Following smoking, the cook stove, rubbish fire, and heating stove cause the most frequent accidents. Clothing fires also occur when flammable liquids such as gasoline or lighter fluid are spilled on clothes and accidentally ignited.

Children are burned when their clothing ignites while they are playing with matches, or when they get too close to heating and cooking stoves or to a trash fire.

#### WHAT FACTORS AFFECT FLAMMABILITY?

Fabrics vary greatly in their flammability. The degree of flammability depends on the

fiber, weight and weave of the fabric, surface of the fabric, and design of the garment.

#### Fiber

Of the basic fibers, wool is comparatively flame resistant. It will ignite, but it burns slowly and the fire usually goes out once the source of ignition has been removed. If wool is combined with another fabric, however, it may not be flame resistant.

Glass fibers (Fiberglas, PPG Fiber Glass), modacrylics (Verel, Dynel), saran (Rovana, Velon), and some other man-made fibers are fire-resistant. Glass fabrics, though, sometimes are blended or treated with finishes that make them less flame resistant.

Synthetic fibers such as nylon, polyester, or acrylics are usually less flammable than the fibers of cotton, linen, and rayon. But synthetics can actually melt as they burn, and the sticky, syrupy substance that is formed produces deep, localized burns.

Cotton and rayon burn readily. They can be treated with chemicals to make them flame-retardant, but manufacturers have just recently begun to use this treatment on clothes sold in retail stores.

#### Weight and weave

Tightly woven, heavy fabrics burn more slowly than sheer, lightweight, loosely woven fabrics.

#### Surface of the fabric

A napped fabric with air space between loose, fine fibers will ignite much more readily than will a fabric with a smooth surface. In general, fabrics with a shorter pile and a greater density are less likely to burn than those with a high, fluffy pile.

#### Design of the garment

Close-fitting garments are less likely to go up in flames than are loose-fitting ones. Flowing robes, flared skirts, blousy sleeves, and ruffles and frills on garments are more likely to catch on fire and burn.

#### WHAT SHOULD BE DONE IF SOMEONE'S CLOTHES CATCH ON FIRE?

Force him to drop or lie down wherever he is. If a rug, coat, or wool blanket is available, roll the person into it to smother the fire. If no heavy article is handy, roll him over and over until the flames are put out.

The natural tendency when clothes catch fire is to run. But this only makes the fire burn faster and increases the danger of flames and smoke sweeping up toward the face.

#### WHAT CAN THE CONSUMER DO?

Consumers should shop for the types of clothes described that are relatively flame-resistant, especially when the clothes are apt to be worn around fire. Ask store clerks and managers if clothes are flame-retardant. If word gets back to manufacturers that customers care about the flammability of clothing, they will be encouraged to produce flame-retardant clothes. Many are now reluctant because they fear that consumers would not be willing to pay the slight increase in price caused by the cost of flame-retarding clothes.

Consumers should also make lawmakers aware that they care about the flammability of clothing. They should write to their congressmen or to the Secretary of Commerce.

#### WHAT IS THE CURRENT STATUS OF FEDERAL LEGISLATION?

The Flammable Fabrics Act of 1953 restricted the sale of the most highly flammable fabrics. The Act was amended in 1967 to broaden the category of wearing apparel to include hats, gloves, and footwear. The amendments also extended the scope of the Act to interior furnishings (bedding, baby blankets, carpets, drapes, upholstery, etc.).

Under these amendments, the Secretary of Commerce and the National Bureau of Standards are directed to gather data, determine test methods, and draw up regulations as needed.

The National Bureau of Standards is unable to predict how long it will be before the first standard is forthcoming. But until a new standard is established, the 1953 regulations limiting the flammability of clothing will remain in effect.

For the fiscal year ending in June of 1969, the NBS requested \$490,000 but was granted only \$250,000. NBS appropriations for implementing the standards for this year have not yet been established.

#### TRANS-PACIFIC ROUTE CASE

Mr. MAGNUSON. Mr. President, three articles dealing with the transpacific route case have recently come to my attention, and I believe they are most worthy of note. The first two articles were written by well-known and respected air transport authorities, both of whom have reputations that are held in high esteem. The third article appeared in the London Economist and represents an objective viewpoint from abroad.

I ask unanimous consent to have these articles inserted in the RECORD.

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

[From the Seattle (Wash.) Times,  
Apr. 15, 1969]

SEATTLE MUST MOVE TOWARD RIGHTFUL PLACE  
AS AIR GATEWAY

(By Robert L. Twiss)

The decision by former President Johnson in the complex transpacific air-route case was bad for the Pacific Northwest and the nation. The Nixon administration's decision is even worse.

It leaves Seattle with service by only one carrier over the shortest, most-direct route to the Far East. Under Mr. Nixon's awards, transpacific traffic will be concentrated on the circuitous, island-hopping Central Pacific route, denying to American and foreign travelers the opportunity to enjoy competitive service over the time-saving North Pacific route.

But the decision has been made, so the question that confronts this state now is what steps must be taken to assure Seattle of its rightful role, by geography, as one of the world's major overseas gateways.

The judgment here is that two obvious steps must be taken: Seek revision of the Federal Aviation Act to reduce the influence of the executive branch in international awards and plan a region-wide program to guard the Pacific Northwest's interests in route awards and similar matters.

The Nixon administration, in denying Seattle competitive service over the North Pacific to Japan and beyond, cited what it termed overly optimistic traffic forecasts by the previous administration. This would lead to overcompetition and, eventually, restrictive measures by foreign governments, the administration said.

The President, under existing legislation, reviews international awards on the basis of foreign-policy and national-security-policy implications only. The Nixon administration's decision, however, was based largely on economics, which is justified by attempting to link so-called overcompetition to the threat of restrictive measures by foreign governments.

A revision of the Federal Aviation Act of 1958 is badly needed to make certain that future international-route decisions are made by Presidents solely on the basis of foreign-policy and security considerations. The Civil Aeronautics Board, an arm of Congress, should decide economic matters rather than the executive.

Mr. Nixon's major adviser in the Pacific case was Paul Cherington, a former Harvard

University professor now assistant secretary of transportation. Cherington's conclusions in some areas bordered on the ridiculous.

If, indeed, the North Pacific will not sustain American-flag competition, then why is Japan Air Lines expending such energy to win a Tokyo-Seattle-Chicago-New York route? The Japanese know geography, as Cherington apparently does not.

We suggest that Senator Warren G. Magnuson's Commerce Committee should promptly consider a revision of legislation to clarify the role the executive branch should play in future international-route decisions.

A second progressive step for this area would be to develop a region-wide committee to consider route awards. The Washington parties, the eight state and civic organizations that speak for this area in route matters, have done an outstanding job. But they have been virtually alone.

Civic and state interests in these days of a highly mobile society extend far beyond city boundaries or state lines. Where was Gov. Dan Evans when the transpacific fight was going on? If he interested himself in the case, there has been no evidence of it and yet the outcome of this proceeding is of great economic importance to the state he governs.

Seattle will not have hundreds and perhaps thousands of jobs it could have had with an effective transpacific decision. Surely this must be of interest to any governor.

What is needed is an organization of Pacific Northwest states and cities to consider this area's needs in air transportation. Interests of states and cities in this area do not always jibe, of course, but many times they do, and the transpacific case offers evidence of that.

Evans, who heads the Pacific Northwest state with the most to win or lose in most international-route cases, should take the initiative promptly to set up such a regional council.

The transpacific decision may be beyond recall. But there are other cases, either established or in the offing, in which decisions of vital importance to the Pacific Northwest will be at stake.

Seattle's emergence as a key international gateway can be delayed, but it cannot be stopped. Geography will see to that, and not all decisions will be as shortsighted as those of the Johnson and Nixon administrations in the Pacific case.

But it is time to take the offensive, rather than to continue to rely on what Washington's powerful Democratic senators can accomplish. The Pacific decision is indicative of what this area can expect in the future unless there are forceful attempts to make certain the interests of the Pacific Northwest are presented to the decisionmakers.

**AIR TRANSPORT: NIXON MOVE CLOUDS PACIFIC CASE—WHITE HOUSE ACTION LEAVES INTERNATIONAL ROUTE STRUCTURE MUDDIED, SNARLS AWARDS IN DOMESTIC PHASE AND TARNISHES PRESTIGE OF BOARD**

(By Laurence Doty)

WASHINGTON.—President Nixon's action in the Transpacific Route Investigation last week catapulted the case into court and plunged the airline industry into a new state of confusion.

In effect, the White House decision has left the Pacific international route structure unresolved, snarled the domestic phase of the case and tarnished the prestige of the Civil Aeronautics Board as an independent regulatory agency. The decision has accomplished all this without establishing a sound precedent for future route cases or the formation of a national aviation policy.

Here is a summary of the action behind the White House verdict and its effect on the airlines:

White House final judgment was not solely a presidential decision. Nixon did not review departmental recommendations which gen-

erally ran contrary to the final White House conclusions. For example, Defense Dept. urged the introduction of a maximum possible number of carriers and new routes in the Pacific basin. White House whittled down both the number of carriers and routes in its review. Interior Dept. supported the award of a South Pacific route to Continental Air Lines, which the White House implicitly cancelled, and asked for the addition of a Guam-Tokyo route, which was ignored. State Dept. opposed a third carrier into Tokyo on grounds that it would increase U.S. share of traffic, which is now about 62%, on the U.S.-Japan route. But the State Dept. posed no objection to point-to-point competition between U.S. carriers which the White House indicated it chose to avoid.

Revisions were based on surveys by Assistant Transportation Secretary Paul Cherington which found that CAB traffic forecasts ranged from 21-33% too high. This is the first time in airline history that a White House action on international air routes has been developed from economic factors. It also contradicts Nixon's initial statement that final determination of routes would rest on foreign policy and national security considerations. The Cherington findings also are difficult to reconcile with the continuing accusations that CAB forecasts historically are too low. The White House economic study is being kept secret, but it has been learned that Cherington's traffic projections for the Tokyo-West Coast route are surprisingly close to those developed by the Japanese government.

Continental brought suit against the Board last week contending that a chief executive can make a change in international air routes recommended by the Board in the interest of national defense and foreign policy prior to issuance of an award. But, the suit charges, once the award is published, it is no longer pending before the President. If the court sustains Continental, only the route award made to Flying Tiger Line will be unaffected. All other awards have been directly or indirectly changed by the Republican Administration.

Trans World Airlines' route as approved by President Johnson appears unchanged. But Nixon, in his letter to Board Chairman John H. Crocker, Jr., said the use of satellite airports should not be required. This would mean at least a minor revision in TWA's proposed route since it has not been authorized to serve traditional West Coast gateways on the Pacific segment.

Domestic phase of the Pacific case has been deferred pending the Nixon decision on international aspects. Changes by the White House in the case will directly affect the CAB's action on West Coast-Hawaii routes. The Board has consistently held that the two parts of the overall route pattern are interconnected operationally and economically. Thus, yet to be decided are routes between Hawaii and the mainland for Braniff International, Continental and American airlines. The route to Hawaii via Mexico, originally granted to Braniff, was canceled by Nixon. American was initially authorized to serve Hawaii, without turnaround rights at the islands, on a Tokyo route. President Johnson withdrew American from Tokyo and Nixon made no comment on this issue.

Bypass of the Board's findings in the economic area by Cherington suggests a disdain for CAB expertise. This could encourage applicants in future international route proceedings to direct their cases toward the will of the executive branch rather than the judgment of the Board. For all practical purposes, the White House, in this instance, has disregarded the volumes of testimony, statistics and staff work and studies accumulated during the course of the investigation.

The White House also disapproved awards of great circle routes from California points

to the Orient. This leaves Pan American World Airways with monopoly nonstop rights to Tokyo from the lower West Coast.

Pan American had asked for authorization to operate from the Pacific Northwest to the Orient over a great circle route. Northwest Airlines will have monopoly privileges on this route.

But both carriers will compete on the great circle route between the U.S. East Coast and Far East.

The White House chose to follow the basic recommendations of Board Examiner Robert L. Park by stating that the second carrier route through the South Pacific should bypass the California gateway. It tacitly eliminated Continental from the case by instructing the Board to recommend to the President a carrier to serve East Coast and Midwest co-terminal points on this route.

Continental currently does not operate east of Chicago. Feasibly, the carrier's routes could be extended to the East Coast in the case. The Board, in its opinion (AW&R Dec. 23, 1968, p. 23), chose Continental over Eastern Airlines for the South Pacific operation because "it has shown itself an extremely vigorous competitor when placed in competition with carriers many times its size."

Continental was further hit by the White House directive in that the American Samoa-Okinawa route segment should be deferred and considered in the Pacific Islands Local Service Investigation. The Board opinion called for a Continental route from the U.S. to American Samoa, The Trust Territory and beyond to Guam and Okinawa.

Officials of both State and Interior Depts. are likely to recoil over the deferral of this award. Interior has been driving for an expansion of air services in the Trust Territory islands to accelerate tourist trade as a means of bolstering the economy of the area.

A group of Micronesians in the Marianas Island have informed the State Dept. that it would seek such aid from the Soviet Union if it is not forthcoming from the U.S. The threat is bare since this is U.S. territory, but State officials are concerned that such a move would help feed the Soviet propaganda machine directed against colonialism.

The U.S. Supreme Court has ruled that a presidential decision on matters concerning foreign policy and national defense cannot be challenged in court. But there is a growing question among airline attorneys here as to whether the President has legal authority to make a judgment on international issues on the basis of economic factors.

As one spokesman put it: "Nixon stretched beyond his jurisdictional area of foreign policy and national security and reached into the Board's economic realm and pulled out a tiger."

On the other hand, one lawyer suggested that foreign policy and even national defense were closely intertwined with economics. "The President's authority in foreign relations certainly extends to tariff and trade which are purely economic," he said.

Continental's case, stated simply, rests on the opinion that once the President—or more accurately the office of the President—makes a decision and approves and allows it to be published, it cannot be withdrawn for review.

Although the task of evolving the White House decision was first given to Presidential Assistant Robert F. Ellsworth, Cherington took over the case. He was assisted by Daniel Hofgren, a member of the White House staff. It is evident from the results that Cherington showed concern over a too-extensive expansion of operations in the Pacific.

Interestingly, this paring down of U.S. participation in the Pacific at least partially reflects the views of three Board members. In dissents, Board Vice Chairman Robert T. Murphy expressed doubts over the multiplicity of awards in general.

## EXCESSIVE AWARDS

Member John G. Adams found that a third carrier to Japan was not warranted. Member Whitney Gilliland regarded the number and extent of awards as excessive.

But, here again, both the Board and Cherington worked out their final decisions on a regional basis rather than on a global basis.

In releasing Nixon's instructions to Crooker, the White House stated it found no evidence of impropriety with respect to the handling of the case by the Johnson Administration. After making his decision, Johnson was implicitly charged with being influenced by airline lobbies.

Nixon's advisers apparently are taking every precaution against a repetition of such accusations. Reportedly, the fact that Hofgren was a former employe of Pan American has been carefully deleted from his official White House biography.

[From the Economist, Apr. 19-25, 1969]

## BUNGLE IN THE AIR

In reawarding the important and potentially very lucrative rights to provide additional air services across the Pacific Ocean President Nixon has shown a lack of administrative skill that borders on bungling. It is not so much in what he did with this long and tedious proceeding—it began in February, 1959—as in the manner in which he chose to do it. His first step, taken in January only a few days after he was sworn into office, was to recall the case from the Civil Aeronautics Board even though the board had made its decision and President Johnson had approved it just before he left Washington. In words that gave much comfort to critics who had complained—without any basis in fact, as the new inquiry has confirmed—that airlines whose executives were friends of President Johnson's had been favoured improperly, Mr. Nixon wrote to the CAB that it is both "appropriate and necessary for me . . . to recall the matter" for further review and decision.

This letter was followed by a White House memorandum to "interested parties in the trans-Pacific case," pointing out that the President's jurisdiction in this case was based on his constitutional responsibility for foreign policy and national security. It said that only these responsibilities would be considered in any revisions that the President might make in the awards. It is in this context that Mr. Nixon's latest letter to the CAB suggests that he is something less than a skilled chief executive.

Of the six changes that he has ordered the board to make in its original decision on the trans-Pacific services, only one—revoking the award of a route between Mexico and Hawaii to Braniff Airways—seems to have been dictated by considerations of foreign policy. Economic considerations were the basis of the first two of Mr. Nixon's changes, which took away from each of the two existing American trans-Pacific carriers—Pan American World Airways and Northwest Airlines—one of the two new routes that each of them had been awarded. Professor Paul Cherington, a Harvard expert who is now serving in the Nixon Administration, prepared a confidential critique of Mr. Johnson's trans-Pacific awards for the new President in which he said that the CAB's forecast for the growth of air traffic in the Pacific area was too high by one-third. At the press briefing held by the White House on April 11th to announce the latest decision, the official spokesman said that the original allocations made by the CAB and approved by President Johnson would have overburdened the Pacific area with what he called "inflated route awards lacking in economic viability."

But Pan American can still fly to Japan

direct from New York and Northwest gets a new route across the Central Pacific, increasing competition between them; and Pan American will now have an American rival around the world for the first time, since Mr. Nixon has confirmed that Trans World Airlines may fly from Hongkong to California, completing its global circuit. But for the moment at least, Pan American has no American competitors at all on its Australian route. It would appear that the plum given to Continental Airlines by Mr. Johnson—a service to the South Pacific, via Hawaii, from various west coast and midwestern cities—has been snatched away by President Nixon's directive that "the second carrier route to the South Pacific should bypass the California gateway. On this aspect of the case I asked the board to recommend a carrier to serve the east coast and midwest coterminal points."

Some airlines interpret this statement as meaning that Eastern Air Lines—denied the route in January by the board itself—is back in the case in a big way. Other airlines say that this is not necessarily so; all that the board needs to do is give Continental an east coast city to serve on its South Pacific flights, and add a requirement that California be overflown, and the award to Continental can stand. But will the board do this? Or will there be further consideration of the issues, as well as of the possible applicants? Meanwhile, Continental is appealing against the President's decision on the ground that in making it the President exceeded his constitutional powers.

Moreover, just how Mr. Nixon's decision to drop Mr. Johnson's requirement that some of the new routes be served through satellite airports in California, instead of through such already overcrowded gateways as Los Angeles International Airport, will improve the economic viability of the awards is difficult to determine. Similarly, deferring to another proceeding the decision on a route from American Samoa to Okinawa which was originally allotted to Continental Airlines as part of its South Pacific route to Australia, does not seem to have much basis in considerations of either foreign policy or national security. Other parts of President Nixon's statement are so clumsily worded as to add whole new areas of confusion which will have to be sorted out, either by the CAB or before the courts. Mr. Nixon's concluding injunction to the board—that it "submit immediately for my approval an order effectuating these conclusions"—is much easier said than done. And there is also the question of new routes to Hawaii, a domestic matter to be settled by the CAB, but one that is closely related to the trans-Pacific case. One thing is clear, however. By his ineptly worded memorandum last week, President Nixon has set off a new round of polemics in what was already a "procedural nightmare."

## DIRECT ARAB-ISRAEL NEGOTIATIONS

Mr. MAGNUSON. Mr. President, a few days ago a majority of the Members of the Senate were signatories to a declaration by the American Israel Public Affairs Committee, favoring direct Arab-Israel negotiations. This was done on the occasion of Israel's 21st birthday.

A letter which appeared in the March 6 edition of the New York Times brings out some points that I feel deserve more broad distribution. Mr. President, I ask unanimous consent to have that letter printed in the RECORD.

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

NEW YORK, N.Y.,

February 27, 1969.

NO MIDEAST MAQUIS

To the EDITOR:

As one of the principal members of the French resistance against the Nazis, I am shocked to hear the Arabs compare our movement to their terrorist acts against unarmed civilians—for example, the Feb. 28 letter of Jordan's Ambassador to the U.N.

First, France and the rest of the European countries invaded by Nazi Germany never intended to liquidate Germany as the Arabs intend to liquidate Israel. We fought like men against the German army. We never murdered children and women. We never attacked planes carrying innocent passengers. This is not a resistance movement. It is cowardice.

The Arabs are always complaining about the refugees. During the last twenty years 4,500,000 European people were forced out of the Arab countries. Some 2,200,000 Italians left Libya and Egypt. And 1,700,000 French left Algeria, Tunisia and Morocco. Over 700,000 Jews left Iraq, Yemen, Egypt, Libya and the other Arab countries. Four and a half million Jews who had lived in these countries for countless generations left everything behind. The Arabs took everything. The people left only with the clothes on their backs.

The Arabs had an opportunity to place the 700,000 Arab refugees from Palestine in the homes of the European people who fled the Arab countries. Instead the refugees were put in camps that have cost millions of dollars contributed by the nations of the world. This was the most brutal thing the Arabs did against their own people.

Palestine was never an Arab country. It never had an Arab government. Palestine had been occupied, since the time of Caesar, by Greeks, Romans, English and other nations. The only legal government in Palestine was the Jewish government over 2,000 years ago.

The Western world has never understood how the Arab countries, with 85 per cent of their people illiterate, millions without jobs, disease and sickness rampant, could spend billions of dollars on ammunition to liquidate a little country like Israel, instead of using the money to build schools, hospitals, homes and industry for their own people.

MICHEL PIERRE D'ORLEANS.

SENATE CONCURRENT RESOLUTION  
23—SUBMISSION OF CONCURRENT  
RESOLUTION EXPRESSING THE  
SENSE OF CONGRESS THAT THE  
UNITED STATES PARTICIPATE IN  
AND GIVE FULL SUPPORT TO AN  
INTERNATIONAL DECADE OF  
OCEAN EXPLORATION

Mr. MAGNUSON. Mr. President, on behalf of Senator HATFIELD, Senator FONG, the Senator from Rhode Island (Mr. PELL), and myself, I submit for appropriate reference, a Senate concurrent resolution expressing the sense of Congress that the United States participate in and give full support to an international decade of ocean exploration during the 1970's.

This concurrent resolution is identical to one I introduced in the 90th Congress, which was considered in executive session by the Senate Committee on Commerce where it was unanimously ordered reported favorably, and which passed the Senate by unanimous consent on July 29, 1968. The resolution was transmitted to the House of Representatives where a hearing was held but no action taken.

U.S. participation in the international decade of ocean exploration, as contem-

plated in the concurrent resolution, would include first, an expanded national program of exploration activities in waters close to the shores of the United States; second, intensified exploration activities in waters more distant from the United States; and, third, accelerated development of the capabilities of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

Mr. President, it should be made clear at this point that the resolution provides no new appropriation nor authority for added funding.

This question was raised last year in the House hearing and Mr. Philip S. Hughes, Deputy Director of the Bureau of the Budget, responded in writing. Mr. Hughes stated in part:

It is our view that H. Con. Res. 803 (the House measure) and S. Con. Res. 72, 90th Congress, would not provide statutory authority for the conduct of the activities set forth in the resolutions. We also do not regard these resolutions as providing authorization for additional appropriations for these activities. We consider these measures to be expressions of the sense of the Congress with respect to the conduct of the activities described therein to the extent that these activities, and appropriations to finance them, are otherwise authorized by law.

The concurrent resolution also expresses, as did the resolutions introduced in the 90th Congress, the sense of Congress that the President cooperate with other nations in order to achieve broad participation in the program and development of extensive oceanographic information and data, and requires the President, in his annual report to the Congress on marine science affairs pursuant to Public Law 89-454, to transmit a plan setting forth the proposed participation of the United States in the international decade of ocean exploration for the following fiscal year.

The concurrent resolution represents a legislative expression quite in keeping with section 2(b)8 of the Marine Resources and Engineering Development Act of 1966, which, as a policy objective, states, and I quote:

The cooperation by the United States with other nations and groups of nations and international organizations in marine science activities when such cooperation is in the national interest.

To assure that this participation of the United States in a decade of ocean exploration would truly be in the national interest, the National Council on Marine Resources and Engineering Development contracted with the National Academy of Sciences and National Academy of Engineering to conduct a study and prepare recommendations.

The two academies formed a joint steering committee to direct this study.

Dr. Warren S. Wooster, of the Scripps Institution of Oceanography and president of the Scientific Committee on Oceanic Research of the International Council of Scientific Unions, was designated as chairman of this committee.

Dr. William E. Shoup, of the National Academy of Engineering and vice president, Westinghouse Electric Co., was designated vice chairman.

In a preliminary report, the committee has identified four exploratory programs to provide valuable knowledge during the next 10 years. They are: Geology and nonliving resources, fisheries, biological studies, and physics and environmental forecasting.

**Geology and nonliving resources:** Geological-geophysical surveys of North American continental shelves and the eastern Atlantic continental margin.

**Fisheries:** Assessment of the fisheries production potential of the Gulf of Mexico, Gulf of Alaska, and eastern and central Pacific and ecological and related studies leading to improved management of fisheries of the northwestern Atlantic.

**Biological studies:** Application of recently developed techniques to studies of food chains in the sea and development of new techniques for measuring biological factors and modeling ecosystems using computers for areas such as Georges and Grand Banks, the Gulf of Alaska, the Gulf of Mexico, the eastern and central equatorial Pacific, the South Pacific gyre, the western Arabian Sea, and the Antarctic Ocean.

**Physics and environmental forecasting:** Investigation of 1,000- to 3,000-mile, cold and warm anomalies related to "centers of action" in the North Pacific, studies of large-scale, long-term air-sea interaction and meso-scale interaction in subtropical upwelling regions, and systematic ocean coverage of deep temperature, salinity, and oxygen measurements.

These programs are directly in the national interest.

The Commission on Marine Science, Engineering, and Resources, in its recent report, "Our Nation and the Sea," endorsed the proposal for an international decade of ocean exploration as an excellent vehicle to bring about international collaboration. The United States has taken the lead in encouraging this international effort, which has gained wide acceptance among the nations of the world.

A United Nations resolution cosponsored by 28 nations endorsing the international decade was adopted at a recent U.N. General Assembly.

The National Council on Marine Resources and Engineering Development, which was created by the Marine Resources Engineering and Development Act of 1966, described the aims of the international decade in its third and recent annual report transmitted to the Congress by the President pursuant to section 7 of the act. The report included these pertinent comments:

The Decade is not merely a continuation of past efforts but has several unique aspects. The proposal anticipates a sustained, long-term exploration of the sea, planned and coordinated on a global basis, in contrast to the sporadic efforts of the past, developed project by project; is oriented as much toward delineation of marine resources as toward science, and is thus broader than past scientifically oriented oceanographic research programs; envisages more deliberate coordination of the many interested international organizations, such as the Intergovernmental Oceanographic Commission, Food and Agriculture Organization, and World Meteorological Organization so that planning and coordination of world-wide exploration will

not be unnecessarily splintered among competing agencies; and foresees an intensified effort toward more systematic collection of data and prompt dissemination, with particular attention to adoption of internationally agreed-upon standards to maximize the value of the data as a commodity for exchange. As more sophisticated data processing equipment comes into use, particular attention should also be given to the compatibility of national data collection and processing techniques and to common procedures for calibrating oceanographic instruments.

Finally, participation by a larger number of countries in ocean exploration is being encouraged especially those which have a maritime geography but which may have previously lacked interest, trained manpower, or capabilities to explore the oceans, even near their own shores. In this way, developing nations should be able to share the capabilities of the more developed countries, to acquire contemporary technology for their own use, and to increase opportunities to identify continuous marine resources.

The concurrent resolution which I am submitting today is more than a mere concurrence in the general plan for the decade. It states not only that it is the sense of Congress that the United States should participate in the decade, but spells out three major specifications which will guide this participation.

These are, as I have previously stated: An expanded national program of exploration in waters close to the shores of the United States, intensified exploration activities in waters more distant from the United States, and accelerated development of the capabilities of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

These specifications, I submit, are in the national interest. They will enhance our national oceanographic program and inure to the benefit of the people of these United States. And they will further carry out the intent of the Congress of the United States when it enacted the Marine Resources and Engineering Development Act of 1966.

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

The concurrent resolution (S. Con. Res. 23), which reads as follows, was referred to the Committee on Commerce:

S. CON. RES. 23

Whereas the Congress finds that an unprecedented scientific and technological readiness now exists for exploration of the oceans and their resources; and

Whereas accelerated exploration of the nature, extent, and distribution of ocean resources could significantly increase the food, mineral, and energy resources available for the benefit of mankind; and

Whereas improved understanding of ocean processes would enhance the protection of life and property against severe storms and other hazards, would further the safety of maritime commerce, would directly contribute to the development of coastal areas of the Nation, would benefit the Nation's fishing and mineral extractive industries, and would contribute to advancement of a broad range of scientific disciplines; and

Whereas realization of the full potential of the oceans will require a long-term program of exploration, observation, and study on a worldwide basis, utilizing ships, buoys,

aircraft, satellites, undersea submersibles, and other platforms, advanced navigation systems, and expanded data processing and distribution facilities; and

Whereas the inherently international character of ocean phenomena has attracted the interest of many nations; and

Whereas excellence, experience, and capabilities in marine science and technology are shared by many nations and a broad program of ocean exploration can most effectively and economically be carried out through a cooperative effort by many nations of the world; and

Whereas the United States has begun to explore, through the United Nations and other forums, international interest in a long-term program of ocean exploration: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of Congress that the United States should participate in and give full support to an International Decade of Ocean Exploration during the 1970's which would include (1) an expanded national program of exploration in waters close to the shores of the United States, (2) intensified exploration activities in waters more distant from the United States, and (3) accelerated development of the capabilities of the United States to explore the oceans and particularly the training and education of needed scientists, engineers, and technicians.

Sec. 2. It is further the sense of Congress that the President should cooperate with other nations in (1) encouraging broad international participation in an International Decade of Ocean Exploration, (2) sharing results and experiences from national ocean exploration programs, (3) planning and coordinating international cooperative projects within the framework of a sustained, long-range international effort to investigate the world's oceans, (4) strengthening and expanding international arrangements for the timely international exchange of oceanographic data, and (5) providing appropriate technical and training assistance and facilities to the developing countries and support to international organizations so they may effectively contribute their share to the International Decade of Ocean Exploration.

Sec. 3. It is further the sense of Congress that the President in his annual report to the Congress on marine science affairs pursuant to Public Law 89-454 should transmit to the Congress a plan setting forth the proposed participation of the United States for the next fiscal year in the International Decade of Ocean Exploration. The plan should contain a statement of the activities to be conducted and specify the department or agency of the Government which would conduct the activity and seek appropriations therefor.

**S. 2081—INTRODUCTION OF A BILL TO ADJUST TERMS OF OFFICE OF THE MEMBERS OF THE CIVIL AERONAUTICS BOARD**

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 in order to provide that terms of members of the Civil Aeronautics Board and the Chairman and Vice Chairman thereof shall begin on July 1.

Five principal regulatory agencies now have terms of office terminating in June and this bill would provide a similar situation with respect to the Civil Aeronautics Board. In recent weeks I have communicated with the Civil Aeronautics Board and the Executive Office of the President with respect to the merits of adjusting the terminal date of the terms

of office of the members of the Civil Aeronautics Board, and I ask unanimous consent that the written responses of the CAB and the Executive Office of the President to my inquiry be printed in the RECORD.

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

The bill (S. 2081) to amend the Federal Aviation Act of 1958 in order to provide that terms of members of the Civil Aeronautics Board and the Chairman and Vice Chairman thereof shall begin on July 1, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

The letters presented by Mr. MAGNUSON, are as follows:

CIVIL AERONAUTICS BOARD,  
Washington, D.C., January 23, 1969.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of January 13, regarding terms of office of Members of the Civil Aeronautics Board.

In view of the fact that the terms of the present Board Members might be affected by any such change, the Board is reluctant to suggest what the policy should be in this respect.

As a matter of information, however, the Board has found that the work load of the Board follows a pattern much more nearly related to the fiscal year than to the calendar year. Likewise, the administrative work done by the Chairman follows a fiscal year pattern; and if the terms of the Members be changed to a fiscal year basis, it would seem that clearly the annual designation of the Chairman and of the Vice Chairman should come as of July 1, rather than as of January 1, of each year.

Immediately after Labor Day, the Chairman and the other Board Members work with the bureaus and offices as the Board on the budget for the fiscal year which starts on July 1 of the following calendar year. Meetings with the Bureau of the Budget frequently occur in November. These matters are presented to the appropriations committees of the two Houses of the Congress during the spring of the following calendar year. The same thing is true of the Board's legislative program. Composed in the autumn, it is presented to the commerce committees of the Senate and of the House in the early months of the following calendar year (i.e., the late months of the fiscal year).

Moreover, while the Board does not have a "term of court" in regard to oral arguments, in the sense that the Supreme Court has such a "term of court," the only slack season in oral arguments comes in August when the attorneys who normally practice before the Board frequently suggest continuances until immediately after Labor Day. A new Member coming to the Board soon after July 1 might find this slack season a helpful one, in which he might acquaint himself with many of the Board's procedures before tackling the heavier schedule which commences immediately after September 1.

Respectfully,

JOHN H. CROOKER, JR.,  
Chairman.

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., April 9, 1969.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of March 6, 1969, requesting our views on the matter of changing the terminal

date of the terms of office of Members of the Civil Aeronautics Board.

We believe that it would be appropriate to change the terminal date from December 31st to the last day of June in view of the cogent reasons outlined in your letter to Chairman Crooker and in his letter of reply. While there is no clear pattern with respect to expiration dates, five of the principal regulatory agencies have members' terms of office terminating during June—the Federal Communications Commission, Federal Maritime Commission, Federal Power Commission, Securities and Exchange Commission, and the U.S. Tariff Commission. We also concur in Chairman Crooker's suggestion that the annual designation by the President of the Chairman and Vice Chairman should come as of July 1st.

Sincerely,

PHILLIP S. HUGHES,  
Deputy Director.

**DEATH OF CARL DOWNING, AIDE TO SENATOR MAGNUSON**

Mr. MAGNUSON. Mr. President, it is with heavy heart I come before my colleagues. My trusted and longtime aide, Carl Downing, as you know, has passed on. He died April 27 at NIH the result of a rare brain disease. Carl's passing is a great loss to us, especially to his wife, children, and loved ones.

Carl Downing was a tireless worker, who served me so very well for 15 years. His colleagues in my office, and those who knew him on Capitol Hill, will long remember him, not only for his tireless efforts, but also for his extra measure—the rare ability to find some humor in just about every situation, regardless of its gravity—but always with warmth and understanding.

Because the world could do with more Carl Downings and that rare mixture of man that he was, Mr. President, I ask unanimous consent to have printed in the RECORD a tribute paid Carl Downing during his final days by the Washington State Legislature.

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

**RESOLUTION**

Whereas, His many friends in state government in Olympia, and particularly those serving in the Senate, have learned with sorrow of the serious illness of Carl Downing in Washington, D.C.; and

Whereas, The said Carl Downing, a native Washingtonian, began his news career with the Wenatchee Sun and Radio State KPQ, and then served successively as Wenatchee correspondent and Olympia bureau manager of the United Press, as well as representative, correspondent and manager of the Washington State Association of Broadcasters in Olympia; and

Whereas, In 1955 Carl Downing was selected by the Honorable Warren G. Magnuson of the United States Senate to serve as the latter's Press Secretary in Washington, D.C., which post he has held to the present time; and

Whereas, In his professional capacity, Carl Downing has earned statewide recognition for his outstanding knowledge of governmental and political affairs and for his distinguished journalistic service to the people of his state; and

Whereas, In his personal right, and because of his qualities as a man, Carl Downing has gained universal affection, respect and admiration; and

Whereas, It is deemed fitting by the Senate

that a special concern for Carl Downing be presently noted and marked;

Now, therefore, be it resolved, By the Senate of the state of Washington in Extraordinary Session of the Forty-first Legislature assembled, that the best wishes of the membership be expressed to Carl Downing and his family for his speedy and happy recovery; and

Be it further resolved, That the Secretary of the Senate incorporate a copy of this resolution into the Journal of the Senate and transmit a suitably inscribed copy thereof to Mr. and Mrs. Carl Downing at their residence in Washington, D.C.

JOHN A. CHERBERG,  
President of the Senate.

Attest:

WARD BOWDEN.

**S. 2088 AND S. 2089—INTRODUCTION OF BILLS TO INCREASE SOCIAL SECURITY BENEFITS AND TO INCREASE THE EARNINGS LIMITATION IMPOSED ON RECIPIENTS OF SOCIAL SECURITY BENEFITS**

Mr. PELL. Mr. President, the surge in the cost of living during the past 18 months has once again focused attention on the severe economic inequities produced by inflation.

For those riding the crest of the current economic expansion, those whose incomes have risen sharply, inflation is an annoyance but no hardship.

For the average working man, who has seen his hard-won wage increases completely nullified by rising prices, inflation is a crushing disappointment, that tends to deaden incentive for the future.

But for those living on fixed modest incomes, inflation is an unmitigated disaster. To those living on fixed pensions, those persons dependent on social security benefits for the necessities of life, inflation is literally a cutpurse, producing not annoyance, not disappointment but despair.

It is perhaps not very productive to talk about the causes of the current inflation. Certainly, however, the costs of the conflict in Vietnam, the billions of dollars in Federal expenditures to support that continuing conflict, are a major source of fuel for the fires of inflation.

If the severe penalties of inflation are added to the drain of our material resources, to the loss of human lives, and to the doubts about our goals in the Vietnam conflict, the need for the earliest possible settlement of the war becomes all the more compelling.

In the meantime, the American people have already felt and are continuing to feel the pinch of inflation. It is imperative that the inflation be brought under control, and as a matter of justice, it is important that we do what we can to redress the economic inequities inflation has produced. For, if in fact, the war is the prime cause of inflation, inflation is the most inequitable tax to support such a war.

I am pleased that President Nixon recently informed the Congress of his intention to seek an increase in social security benefits, although much disappointed that the increase falls below that recommended by the previous administration. Such an increase, I believe, is badly needed to restore the purchasing power of our senior citizens, to restore them to the standard of living they en-

joyed before the recent upward surge in prices.

I do not believe, however, that our senior citizens should be required to absorb the penalties of inflation until the inequity becomes so obvious that an administration and a Congress act to redress the inequity.

In the last two Congresses, I have introduced legislation providing for an automatic adjustment in social security benefits whenever the cost-of-living index rises or drops significantly. The intent of the legislation is simply to keep faith with those who have been led to expect a level of real benefits from the social security system, not in terms of dollars, but in terms of food to eat, clothes to wear and a place to live.

I know that the Congress has made a conscientious effort to keep social security benefits abreast of increases in the cost of living. But inevitably, by the nature of the legislative process, a substantial delay ensues between the cost-of-living increase and the response by Congress, and in that interim, social security recipients pay an unnecessary penalty.

My bill is relatively uncomplicated. It provides that if the cost-of-living index compiled by the Bureau of Labor Statistics reflects a 3-percent rise in relation to a stated base period, then social security benefits would be adjusted upward by the same percentage. The legislation also provides that in the event such a cost-of-living increase should result in an actuarial deficiency in the trust fund, the Secretary of Health, Education, and Welfare shall report this fact to Congress, together with recommended changes for additional finances.

I would like to note that this measure provides as well for downward adjustments in benefits, in the event living costs decline significantly.

I am also introducing today a bill to increase the earnings limitations imposed on recipients of social security benefits.

Under existing law, an individual receiving benefits can earn only up to \$1,680 a year before his additional earnings are offset, either in part or in whole, by deductions from his benefits. In the past two Congresses, I have introduced legislation to increase the limitation. I am again proposing an increase in the limitation to \$2,400. In addition, I am cosponsoring a similar bill introduced by the junior Senator from Indiana.

A higher earnings limitation would have two beneficial effects. It would permit our senior citizens to supplement to a degree the modest benefits provided by social security, without returning to the work force as full-time employees. Many of our senior citizens would welcome such an opportunity.

In addition, the increase would permit the Nation to receive to a larger degree the benefit of the contributions these senior citizens can make to our society, and at the same time, permit the senior citizens to lead fuller lives by using their talents and abilities, if they wish, in part-time remunerative activities.

I believe the combination of these two measures would provide a significant measure of improvement in the status of our senior citizens. Adoption of the two

proposals would guarantee that retired persons will not be caught by rising costs of living and would allow our senior citizens to make fuller productive use of the many skills they have to offer society.

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

The bills (S. 2088) to amend title II of the Social Security Act to provide that benefits payable thereunder shall be periodically increased or decreased so as to correspond to increases or decreases in the cost of living; and (S. 2089) to amend title II of the Social Security Act to increase the annual amount that individuals are permitted to earn without suffering deductions in the monthly benefits payable to them thereunder, introduced by Mr. PELL, were received, read twice by their titles, and referred to the Committee on Finance.

**FORMER ASSISTANT SECRETARY OF THE AIR FORCE ROBERT CHARLES**

Mr. PELL. Mr. President, as a general rule, I am among those who are very concerned at the inordinate influence of the industrial-military complex upon our national decisionmaking processes and policies.

I am particularly concerned that more than 60 percent of our national budget is being spent on various aspects of wars. And we now recognize that defense is an euphemism for war, be it past, present, or in the possible future. Less than 40 percent of our national budget is being spent on all the nonwar expenditures of our Federal Government concerned with raising the level and improving the quality of the lives of our people. This allocation of our national priorities is, I believe, tragic.

However, I do not believe that the facts brought out in connection with the present controversy concerning former Assistant Secretary of the Air Force, Robert Charles, have been fair to him and that the following points have not received the public attention they should:

First, the performance of the C5A aircraft will exceed, although by a very small percentage, the contract specifications whereas the actual performances of other aircraft procured by the Department of Defense in recent years have, on the average, failed to meet specifications, the F-111 being perhaps the most dismal example.

Second, regardless of whose figures you use, the cost overrun percentage on the C5A is substantially less than the average cost overrun on overall Department of Defense procurement.

Third, I understand in connection with the disclosure of the facts, that Mr. Charles in June of 1968, reported immediately to his superiors the possibility that a Lockheed cost overrun existed. It was then decided to make a quick and thorough study in order to get hard facts, and when this study confirmed the cost overrun, it was immediately released within the Department of Defense and to the Congress. This was in October of 1968.

Fourth, it should be borne in mind that even if Lockheed did extraordinarily well

on the second batch of aircraft, Mr. Charles' amendment to the C5A contract would probably operate only to reduce the overall loss and bring the firm closer to a break-even point.

Fifth, and this is natural and obvious to any man who knows Mr. Charles, neither he nor any member of his family have any stock in Lockheed.

I mention these facts, not to deter or deflect the general thrust toward reducing the inordinate share of our country's resources and policies devoted to the improvement of the interests of the military-industrial complex, but to be fair to a man whom I know to be of the highest personal integrity and honor.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session, for action on the nomination of William F. Clayton to be U.S. attorney for South Dakota, favorably reported earlier today by the Committee on the Judiciary. This nomination has been cleared on both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The nomination will be stated.

#### DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of William F. Clayton, of South Dakota, to be U.S. attorney for the District of South Dakota.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to consider the nomination. The Senator from South Dakota is recognized.

Mr. MUNDT. Mr. President, I express my appreciation to the majority leader for taking this action. It is in the public interest, because Mr. Clayton's name has been cleared unanimously. I would not ask that this be done by suspension of the rules, except that for the fact that a term of Federal court is opening out in South Dakota, and this young man has to put together his staff and get ready for it. I believe it is in the public interest to give him adequate time; and I believe that he, too, will appreciate the action of the majority leader.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

#### LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

#### IMPROPER USE OF AIR POWER IN VIETNAM

Mr. BYRD of Virginia. Mr. President, Adm. U. S. Grant Sharp, U.S. Navy, retired, discusses Vietnam in the current issue of the Reader's Digest. Admiral

Sharp's article is entitled "We Could Have Won in Vietnam Long Ago."

Admiral Sharp is in an unusually excellent position to discuss this subject. He served as commander in chief, Pacific, from June 30, 1964, to July 31, 1968. As such, he had charge of the largest American military command in the world, covering an area extending from the west coast of the United States to the Indian Ocean.

He was in overall charge of the operations in Vietnam. General Westmoreland reported to him.

So Admiral Sharp was the top military officer on the scene during the largest part of the Vietnam war.

Mr. President, Admiral Sharp's article in the Reader's Digest is a severe indictment of former Secretary of Defense Robert S. McNamara. The Senate is comprised of 100 Members. Senators who care to do so may come to the defense of former Secretary McNamara and his handling of the Vietnam war. The Senator from Virginia will not do so.

I believe that the account of the Vietnam war given by Admiral Sharp is factual.

My own view of the Vietnam war has been consistent from the beginning.

I have felt from the beginning that it was an error of judgment for the United States to become involved in a ground war in Asia. Having become involved, our Nation has compounded the error by the way in which the war has been conducted. The way this war has been conducted is almost unbelievable. I am convinced that the so-called limited war concept, the so-called gradualism approach has prolonged the war and has increased the casualties.

We have been fighting a major war with one hand tied behind our back. If anyone doubts that it is a major war, let me cite the casualties—255,000.

Let me set forth these facts: A greater tonnage of bombs has been dropped during the Vietnam war than was dropped on all of Europe during all of World War II plus all the bombs that were dropped during the Korean war.

Let us see where those bombs have been dropped. Eighty percent of all the bombs dropped during the Vietnam war have been dropped on South Vietnam.

Mr. President, South Vietnam has a land area of 65,000 square miles. It happens to be exactly the size of the States of Virginia and West Virginia combined. Virginia has 41,000 square miles; West Virginia, 24,000 square miles; a total of 65,000 square miles.

Conceive, if you can, Mr. President, of this vast tonnage of bombs being dropped on an area the size of the States of Virginia and West Virginia.

The enemy which the United States is fighting—we now have 550,000 men fighting in Vietnam—are the North Vietnamese and the Vietcong.

Of all the bombs that have been dropped, only 7 percent have been dropped on North Vietnam. This information was obtained by me in questioning General McConnell, Chief of Staff of the Air Force, before the Committee on Armed Services.

Let me restate. Eighty percent of the bombs have been dropped on the country

we are supposed to be defending and only 7 percent on the enemy; the remaining 13 percent on Laos.

Admiral Sharp feels that the larger share of the responsibility for the difficulty in which we find ourselves militarily in Vietnam must be taken by the former Secretary of Defense.

The facts that Admiral Sharp has brought out coincide with facts that have been made available, and over a time have been known, to the Members of the Senate who have had an opportunity or have taken an interest in finding out how this war has been handled.

I have been deeply concerned for a long time that there is no sense of urgency in bringing the war to a conclusion.

I submit that the American people have been lulled into a false sense of security by the peace talks in Paris.

I think it is desirable to have those peace talks, but I think it is important that we not permit the peace talks to change our military strategy in such a way that the men we have in Vietnam are exposed to greater danger than they need be.

Let me cite these figures: During the year of the Paris peace talks, the United States has suffered 95,879 casualties. Included in this figure are the 12,866 Americans who have been killed in the 1-year period.

Putting those figures in perspective, during the 2 years of the Korean truce talks 12,700 Americans were killed.

So, to state it another way, during the past year more Americans have been killed in Vietnam than were killed in Korea during the 2 years of the Korean truce talks.

For the first 3 weeks of March of this year, more U.S. personnel were killed and more Americans were wounded in Vietnam than during any other 3-week period during the history of the war.

Now let us come to the past 2 weeks. During the past 2 weeks, more U.S. helicopters have been shot down and destroyed in Vietnam than during any other similar period in the long and tragic history of this war.

I, for one, am glad that Admiral Sharp has spoken out. He says in the course of his article:

I feel obliged to speak out.

I feel that he should have spoken out. I am glad he did speak out. The only thing I would say in this regard is that he should have spoken out sooner. He says:

There is no need for the United States to be bogged down as it is in a seemingly endless struggle in Vietnam. We could have won the war long ago—perhaps by the end of 1967.

I am not a military man. I do not pretend to be one. So I will let Admiral Sharp speak for himself.

I hope Senators will read carefully his penetrating analysis of why we are bogged down in Vietnam. In my judgment, it goes back to the civilian leadership, principally former Secretary of Defense McNamara and the way that he demanded that the war be fought.

Mr. President, as I have said, there are 100 Members of the Senate. Senators who wish to defend Mr. McNamara, have a right to do so. The Senator from

Virginia certainly will not be one of them.

I end by saying that, in my judgment, the United States—our country—has made two fundamental errors in regard to Vietnam: First, by becoming involved in a ground war in Asia; second, by the way the war has been conducted.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the article entitled "We Could Have Won in Vietnam Long Ago," written by Adm. U. S. Grant Sharp, U.S. Navy, retired, and published in the Reader's Digest for May 1969.

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

WE COULD HAVE WON IN VIETNAM LONG AGO  
(By Adm. U. S. Grant Sharp, USN (Ret).)<sup>1</sup>

During the four years I was deeply involved in the direction of the war in Vietnam, I faithfully carried out the orders of my superiors. Now that I am retired, I feel obliged to speak out, to warn the American people against the folly of conducting a major war on a piecemeal basis.

There is no need for the United States to be bogged down as it is in a seemingly endless struggle in Vietnam. We could have won the war long ago—perhaps by the end of 1967. We could have achieved victory with relative ease, and without using nuclear weapons or invading North Vietnam. All that we had to do to win was to use our existing air power—properly.

We had tremendous air power within easy striking range of North Vietnam—on aircraft carriers in the Gulf of Tonkin and at bases in Thailand and South Vietnam. Yet never in the entire course of the war have we used air power to its full advantage. This tragic failure to do so is, in my opinion, perhaps the most serious error we have made in all of American military history. It has resulted in needless casualties. It has added billions of dollars to the cost of the war, and each month that passes causes our worldwide prestige to sink lower and lower.

For this failure, Robert S. McNamara, former Secretary of Defense, must take a large share of responsibility.

#### DEAD WRONG

I strongly support our American concept of civilian control of the military; it is one of the vital bulwarks of our system of government, and I would oppose any effort to change it. At the same time, I believe wisdom dictates that the civilian authority should consider carefully the advice of his professional military advisers. In his handling of the air war, however, Secretary McNamara arbitrarily and consistently discarded the advice of his military advisers. His insistence that we pursue the campaign on a gradualistic basis gave the enemy plenty of time to cope with our every move. He was, I submit, dead wrong.

The primary purpose of the air campaign against North Vietnam should have been to disrupt the enemy's economy and thus destroy his ability to wage war. We could easily

have done this. Instead, primary emphasis was put on seeking to cut down on the infiltration of men and matériel from North to South Vietnam. Now, you can slow infiltration with air power, and we did just that—but you can never stop it. To concentrate on infiltration and to refrain from hitting primary targets—as we were required to do—emasculated our war effort.

We were and are in this war for just one purpose—to convince the leaders of North Vietnam that they should cease their aggression, get out of South Vietnam and leave their neighbors alone. We said long ago that we would stop the bombing and withdraw our troops when their aggression ceased. Until North Vietnam does stop its aggression, I believe we should use the force necessary to win the war as rapidly as possible.

What my colleagues in the field and I wanted to do was to bring the economy of North Vietnam to a halt. That is one of the major functions of air power in warfare. Some argue that North Vietnam has an agrarian economy and that air power is thus less effective than it would be against an industrialized nation. North Vietnam's is an agrarian economy, but it functions around the hubs of Hanoi and Haiphong, and we could have brought that economy to a grinding halt. This would have deprived the enemy of his ability to support his forces in the south—and thus brought the war to a quick end.

Instead, what did we do? To take just one example: there are several railroad yards in the Hanoi area which are vitally important to the enemy's war effort. We should have hit them fast and hard, but we were never allowed to do so. We were permitted to go in and peck at some less important yards on the fringes of the city. And then we were pulled off. This happened time and time again. We would get authority to go to Hanoi; the communists and their sympathizers would then push the propaganda buttons, and there would be a worldwide outcry. Washington would get nervous, and we would be pulled back.

Neither I nor my military colleagues ever favored hitting targets that would result in the deaths of large numbers of civilians. Indeed, we went to great lengths to avoid killing civilians, even though this often created extra risks for our pilots. Our air campaign was the most precise ever fought. It is worth noting that the communists observed no such restrictions; they have repeatedly lobbed rockets blindly into Saigon and other population centers. From 1957 through 1968, the communists killed more than 27,000 South Vietnamese civilians and kidnaped more than 52,000 others, most of whom have never been heard from again. There is no precise information on the number of civilians who may have been killed in our air raids over North Vietnam, but the North Vietnamese frequently published reports indicating the number of civilian casualties resulting from individual attacks. An analysis of these reports during a 7½-month period at the height of our air campaign in 1967 indicates that fewer than 400 civilians were killed.

When I was Commander in Chief Pacific, I submitted repeated requests to my superiors for permission to bomb additional military targets in order to make the air war really effective. I made these requests about once every two weeks. I have been given to understand that the Joint Chiefs of Staff supported my position 100 percent. But most of my requests were denied when they reached the office of the Secretary of Defense.

When McNamara visited Saigon in July 1967, he was briefed by Gen. William C. Westmoreland, the commander of U.S. forces in Vietnam, by Lt. Gen. William W. Momyer, commander of the Seventh Air Force, and by me. I emphasized what I thought ought to

be done about the air war against the north. On several occasions I also talked with President Johnson about the problem. I thought he was receptive to the arguments of our military leadership, but the Secretary of Defense seems always to have prevailed.

It may well be that our civilian leadership believed that to use our military tools properly, to eliminate the enemy's ability to make war would have been to risk a nuclear confrontation with the Soviet Union. Personally, I believe the risk was minimal; in any case, a nation which is not willing to take calculated risks to achieve its objectives should never go to war in the first place. Further, I believe that once a political decision is made to commit American troops to battle, we are morally obligated to use our military power in such a way as to end the fighting as quickly as possible.

#### POWER ON A LEASH

Our first chance to win the war quickly came in February 1965, when we started bombing the north. At once, we should have launched a sustained, maximum-effort attack on all of the enemy's war-supporting industries, transportation facilities, military complexes, petroleum-storage depots. At that time, the enemy had no Soviet surface-to-air missiles (SAM) sites installed, and his anti-aircraft capability was practically nil. He could not have opposed us in any significant way, and we could have quickly broken North Vietnam's resistance.

If we had launched a maximum-effort air campaign—coupled with heavy pressure on the enemy's troops in South Vietnam—it would not have been long before he would have been forced to ask for negotiations. And it is important to note that these negotiations would have been conducted on terms favorable to us—instead of, as it turned out, our having to coax him to the negotiating table, more or less on his terms. It's also possible that under this extreme pressure the enemy's aggression in the south might just have faded away. Either way, it would have been a victory for us.

But what happened? From the start, our air power was kept on a tight leash. At first, when we sent even a reconnaissance plane over the north, Washington would tell us what route and altitude to fly. We started our operations close to the Demilitarized Zone and worked gradually northward about 30 miles at a time, always under Washington's close control. It was obvious to anybody plotting the course of events that the enemy could expect us eventually to move on up to the heartland of the country. Thus, the vital military elements of surprise and maximum impact were lost.

We also lost valuable time. Our policy of gradualism enabled North Vietnam to mount the most formidable air-defense system that has ever been used in combat history. The North Vietnamese began building SAM sites in 1965, and during that year were able to fire only 125 missiles. Eventually, the North Vietnamese had about 40 SAM battalions, and during 1967 they fired nearly 3500 missiles at our aircraft. The result is that we have lost nearly 1000 planes over North Vietnam. Many of the pilots were killed or captured. Not only did we suffer this needless loss of men and aircraft, but the North Vietnamese were given time to disperse their factories and military installations. This made it all the more difficult to go after them later, and hence prolonged the war.

#### HAVEN IN HAIPHONG

Of all the things we should have done but did not do, the most important was to neutralize the port of Haiphong. During 1967, some 80 percent of North Vietnam's imports came in by sea, mostly through Haiphong. This included arms, ammunition, oil, trucks, generators, machinery, spare parts, steel and cement—all vital to the

<sup>1</sup> As Commander in Chief Pacific from June 30, 1964, to July 31, 1968, Adm. U.S. Grant Sharp had charge of the largest American military command in the world, covering an area extending from the West Coast of the United States to the Indian Ocean. During this period he personally directed the air war against North Vietnam. Though most of his 41-year career in the Navy was spent on surface ships—he was decorated for gallantry under enemy fire as the skipper of a destroyer in World War II—Sharp has long been a strong advocate of air power. Now 63 years old, he lives in San Diego, Calif.

war. We should have blocked the approaches to the harbor with mines laid by aircraft. Closing an enemy harbor is customary and logical in warfare. This was the simplest and most effective measure we could have taken.

All along, our military leaders recommended that the port be neutralized. The recommendation was always vetoed. It was claimed that closing Haiphong would not affect the enemy's capability of waging the war in South Vietnam—that North Vietnam could sustain the war at the same level by means of rail, road and coastal shipments from China. But a reasonable evaluation of our intelligence convinced us that it was next to impossible to move that amount of materiel over North Vietnam's exceedingly limited transportation network. In my opinion closing Haiphong would have shortened the war by many months.

Along with mining the approaches to the harbor, we should have destroyed the enemy's stockpiles of materiel on the docks at Haiphong and in the centers of the cities of Haiphong and Hanoi. The stockpiles were easy targets there—but the Defense Department ruled that we had to wait until the enemy moved this materiel away from the cities and scattered it for 300 to 400 miles along the trails into South Vietnam. Then it was extremely difficult to find, and much of it, including vast amounts of ammunition, reached South Vietnam, where it was used to kill American and other Allied soldiers.

#### LOST TARGETS

Much earlier in the conflict we should have gone after North Vietnam's most important bridge, the Paul Doumer span in Hanoi, which handles all rail traffic between Hanoi and Red China and Hanoi and Haiphong. We hit a lot of minor bridges in North Vietnam before we finally were allowed to go after the Doumer. Even then, we were allowed to hit it only for limited periods of time. Then it would be taken off the list, and the North Vietnamese were given time to build it up again! Whenever we struck anywhere close to Hanoi, people in Washington would complain that we were causing too much disruption in the city—which was exactly what we were trying to do.

We were never permitted to hit the docks along the Red River in Hanoi. We should have kept the Hanoi power station out of commission. We hit it several times. Inexplicably, after each strike it was taken off the target list, and the enemy would put it back into commission. Eventually, we were prohibited from making any more attacks on it—and this was long before the Johnson Administration ended all bombing of the north.

We also should have hit the Hanoi waterworks, which was next door to the power station, but we were never allowed to do it. We hit the railroad yard close to the town of Hongai once; then we were pulled off that. This is another thing that is hard to understand: we were allowed to do something, then two months later it would be off limits—and it stayed off limits for the rest of the air war.

#### PRIVILEGED SANCTUARY

But even with the restrictions, the air campaign was effective as far as it went. By early 1967, we had destroyed or disrupted about 50 percent of North Vietnam's war-supporting industry. The North Vietnamese were hurting far more than most people realized. We had intelligence reports that their morale was suffering. Their whole effort was weakened by the fact that they had to have more than 500,000 people working to rebuild their transportation network—plus 125,000 to man their anti-aircraft defenses. Thus, despite all the restrictions, we really had the enemy on the ropes by late 1967. If we had hit his war-making resources harder all along, he would have been knocked out by

then. In my judgment, the war would have been over.

Once North Vietnam gave up, the Vietcong in the south would have had no choice but to follow suit. The Vietcong are directed and supplied by Hanoi. Vietcong combat units are now two-thirds North Vietnamese; they cannot fight without North Vietnamese regular forces in close proximity, and could not have continued on their own.

If there is no progress in the negotiations with the communists in Paris, and if the communists continue to wage their aggression in South Vietnam at either present or increased intensity, then we should resume the air war. If they are going to continue to fight, I don't think they should be granted the luxury of being able to conduct their aggressions from a privileged sanctuary. We should resume the air war, moreover, on an all-out basis and not in piecemeal fashion. We should finish the whole Vietnam war quickly.

Vietnam is a classic example of how not to fight a war. The "gradual" approach requires the expenditure of much more of one's manpower, resources and prestige than is necessary. Our prestige is by no means as high now as it would have been if we had gone in, cleaned the thing up and made our exit.

If we had fought World War II as we have fought in Vietnam war, we would still be fighting it—if we hadn't lost it.

#### THE POST OFFICE DEFICIT AND THE POSTAL RATE INCREASE PROPOSAL

Mr. McGEE. Mr. President, I rise to address myself to a matter that has been kicked around a good bit in Washington in the last few months. It has to do with taking politics out of the Post Office.

I was in Wyoming during the past week, and it was with some surprise that I discovered, in regard to the Post Office Department, that the new administration was seeking to hang around the necks of its predecessors "a \$1.2 billion deficit," which this administration described as an inheritance from the previous administration.

Apparently, somewhere downtown a conscious decision has been made to take this obviously partisan approach to the conditions in the Post Office Department, at the same time that we in Congress are being asked to take the politics out of the postal service.

Just by coincidence, Mr. President, one of our postmasters in Wyoming placed in my hands the mimeographed orders to every postmaster in Wyoming, and, I assume, in the land. Let me cite the instructions in these mimeographed orders from the Post Office Department of the United States.

This is to Postmaster "blank," and it says, "Fill in your name"; and then a blank, "the name of the town in which you are postmaster."

Then it says, with a special note to the postmaster—

The attached "fill-in" release is designed for use in informing the public. Please fill in the blanks; then be sure that you retype it. Do not just send this off to the press, because you have obviously inserted your name and your local town in it. Make it look like you thought up this release.

Finally, they say:

Don't give out carbon copies. Address an individual letter to each of the news media, so they won't think that somebody cranked it out for you, so that you will be suspected

of having been a smart postmaster and send this great announcement as of your own doing.

Mr. President, I ask unanimous consent that the "fill-in" form sent to all postmasters, to be disguised as original thought from the local postmaster, be printed at this point in the RECORD.

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

NOTE TO POSTMASTERS: The attached "fill-in" release is designed for use in informing the public. Please fill in the blanks, retype and then reproduce on your own news release letterhead normally used for press information. Do not use this form itself, or give carbons to the press.

From (Postmaster).

For release (Time).

An "inherited" postal deficit of \$1.2 billion is responsible for the proposals to raise the postage bill for residents of (Name of City), Postmaster \_\_\_\_\_ said today.

Mr. \_\_\_\_\_ said he had been advised by Postmaster General Winton M. Blount in Washington, D.C. that the record \$1.2 billion 1970 deficit compelled President Nixon to seek postage rate increases. Without higher rates the Department will be left with a staggering deficit that would become an added public tax burden.

In addition to increasing letter mail from 6 to 7 cents, as proposed by the Johnson Administration, President Nixon also asked that second and third-class mailers help reduce the large postal deficit which would otherwise be paid by taxpayers, the postmaster said.

For bulk third-class mail and most magazines and newspapers, the rates would be increased 16 percent to 20 percent above today's levels, he noted. These percentages include rate hikes already scheduled by previous action of Congress.

The President's recommended increases will reduce the 1970 postal deficit by more than \$600 million.

The Postmaster listed these other details on the proposed increases:

**First-class mail:** Letters and post cards would be increased one cent, to 7 cents an ounce and 6 cents a piece, respectively, on July 1, 1969. Airmail postage would remain at 10 cents. This will yield \$557.2 million in new revenues.

**Second-class mail:** A handling charge of 3/10ths of a cent per piece for circulation outside home counties would become effective July 1, 1969. This would yield \$15.3 million annually and would represent a 12 percent increase in addition to the 8 percent rise scheduled to take effect January 1, 1970.

**Third-class mail:** For single pieces, rates would be increased one cent per piece. This would yield \$12.4 million. For regular bulk third-class, the minimum would be increased to a uniform rate of 4.2 cents January 1, 1970, as contrasted with the present rate of 3.6 cents. The 1970 increase would lift revenues by \$46.8 million annually.

Mr. McGEE. Mr. President, I ask unanimous consent that the attached notification to each postmaster also be printed in the RECORD.

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

POST OFFICE DEPARTMENT,  
DENVER, COLO.,  
Date: April 29, 1969.

Reply to Attn of: 401-GSH:mo.

Subject: Fill-in Press Release

To: Postmaster.

Attached is a "fill-in" press release that should be disseminated to your news media. The release in its present form is not to be delivered to members of the press, radio or

TV. Instead, the blanks should be filled in by you and the entire release retyped, double-spaced, and then distributed to each member of the news media in your area.

*In no case should carbon copies be sent to the news media.* Where you have more than one news outlet in your community, you should either retype original copies for each of the news media or, if zerox or similar reproduction equipment is available, you should reproduce the retyped release in sufficient quantities to distribute a good, legible copy to each news outlet.

Obviously, in some cases this will pose a problem. For example, you may have no news media. In this case, no effort should be made to distribute the release, but it should be retained by you for possible use in public speaking appearances. You should also use every means at your command to familiarize your own staff with the information, including posting on work area and public lobby bulletin boards.

In a good many cases, one daily or weekly newspaper or one broadcast station will serve several communities. Here, postmasters of these several communities should get together and draft a joint release in the name of the postmaster whose delivery area includes the newspaper or station.

G. B. HARTSOOK,  
Chief, Organization & Standards Branch  
Denver Region, POD, P.O. Box 1979.

Mr. MCGEE. Mr. President, I wish to call attention to what it says. It says:

You have to exercise extreme caution so that this does not look like a canned operation.

It says, moreover, that "you want to beware, because there may be a post office in your area that relies upon the same newspaper"; and, therefore, the warning is—

Don't both of you postmasters get caught sending the same press release to the press, because it would be word for word, and somebody might think it's canned. Therefore, get together with your fellow postmasters who depend on the same newspaper, and agree on a joint release or just one of you send it out.

What kind of hamming up is this? If we are going to take politics out of the Post Office Department, let us take it out now. If we are not going to, let us at least be forthright about it. If we intend to try to hang around the neck of the preceding administration the numbers game that we have been playing downtown, then I should like to set the record straight.

I have, point by point, the Nixon administration request for postal rate increases, and where they are going to get their income, affecting first-class, second-class, and third-class mail. I have broken it down in each case, so that we can compare what the request and the results were from the Johnson administration and what the request is from the present administration. I believe that in doing this we will discover why the very careful instruction sheet was sent to each postmaster, because the average postmaster would know better than to buy this line. Therefore, they want to make sure that they are all toeing the line.

In the first place, the \$1.2 billion deficit is grossly misleading. The new administration has acquired the habit of referring to the postal deficit as \$1.2 billion when it is proposing rate increases, and as about \$600 million when it is re-

questing appropriations from Congress—a sly old political trick that I would not expect from sound business management.

But whichever figure is used, the Postal Policy Act of 1958, which this Congress enacted and which the Department is constitutionally bound to support and defend, states unequivocally that certain enumerated costs incurred in the operation of the postal service shall not be taken into account as debt in determining rate increases.

The law says:

The sum of such public service items as determined by the Congress should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally. . . .

Now that means that when the Postmaster General or the President propose a rate increase to Congress, they shall not take those costs into account—some of the cost of small post offices, rural service, star route delivery, and an assortment of services and special subsidized rates which apply to religious, scientific, and charitable institutions which cannot, as every Member of this chamber remembers from our last effort to raise rates, afford to pay the full cost of postage, and whose activities are by law determined to be in the public interest.

Of the \$1.2 billion deficit cited in the President's first message on postal matters, \$735 million is the direct cost of public services required by law to be paid out of the general fund of the Treasury and not from postal rates. The actual postal deficit is less than \$500 million.

What remains of that "inheritance" from the Johnson administration and Postmasters General Lawrence O'Brien and Marvin Watson? There is the cost of the recent three-step salary increases for postal employees. As part of the 1967 rate increase statute, Congress insured that postal employees would achieve salary comparability with their neighbors in private enterprise by July 1969. That final increase is now just 2 months away. When it comes, it will be the final phase of a 15.7 percent salary increase for postal employees in 18 months.

We cannot expect to recruit and retain good postal workers to deliver the ever-increasing volume of mail, now 85 billion letters, papers, and parcels every year, if we do not pay going wages. The salary increases will cost nearly \$900 million annually, but the cost of denying pay increases, as was the semi-official policy of the Summerfield postal administration in the 1950's, is far greater. Allow me to quote just a brief passage from a letter sent me by a postal letter carrier last week:

I have about 20 years of career Federal service, the last 14 years as a letter carrier. I love my work and would not do anything else with a similar pay scale. I have two girls in school, ages 10 and 13. My youngest child will need teeth braces this year which will cost between \$900 and \$1200. I wish I knew where the money will come from to pay this monthly expense. My present salary does not come anywhere near providing for these sudden economic emergencies. And we don't make ends meet now with my take-home pay of \$238.00 every two weeks.

So, we have the "inheritance" of badly needed pay increases for postal workers from the Johnson administration.

Compare the specific proposals of the present administration with the recorded accomplishments of the Johnson administration.

Public Law 90-206, the postal rate increase act of December 14, 1967, increased first class postage rates by 1 cent per ounce, or 20 percent, and produced an additional \$521 million in rates. In exchange for the favorable consideration and incredibly fast enactment of that postage rate increase, the Committee on Post Office and Civil Service was assured by Postmaster General O'Brien that every possible effort would be made to begin and accomplish an air mail service for all first class mail going more than 200 miles. "Air lift" as that program is called, is a fact, and overnight delivery of first class mail, without an air mail stamp, is virtually assured now, particularly on long distance mailings. The path was cleared for the elimination of air mail as a separate class at the higher rate of 10 cents an ounce—4 cents higher than first class. Postmaster General Watson, in his final request of the Congress, recommended that air mail as a separate class be abolished, and all letter mail go as first class with air service.

The new administration bought half of that suggestion, that postage be increased from 6 to 7 cents on letters, but abandoned the other half, which was to eliminate air mail as a separate, more expensive class of mail. The elimination of air mail would have taken \$72 million in revenue from the new budget figures, and that was apparently unacceptable to the administration. So the inheritance was modified to recommend a rate increase of 16 percent on first class mail—another penny for letters—but no improvement in service.

The inheritance from the Johnson administration for the mailing of second class publications was that the 1967 rate increase imposed a 25 percent rate increase, adding \$33.2 million to postal revenues.

The Nixon administration proposal is to tack a per-piece surcharge on second class mailings to become effective 14 months from now, do nothing whatsoever to reduce the postal deficit in fiscal year 1970, and eventually add \$15 million to postal revenues—less than half of the Johnson rate increase enacted under the old rate and volume figures of 1967.

I hesitate to make a comment on the wisdom of such a proposal before the administration has an opportunity to be heard, Mr. President, but I would at least remind my colleagues that the surcharge on second class mailings has been proposed before, and has been found about as popular as the tea tax. Since it applies only to out-of-county mailings, thus placating the small newspapers in the country, it sounds politically feasible. But I might add it raises serious questions of constitutionality. In any case, it looks good in a budget message.

The Johnson "inheritance" on controlled circulation mail rate was a 300-percent increase in the minimum rate, so that this form of magazine advertising

would pay the same minimum rate as third class mail. The rate produced an additional \$6.4 million.

The Nixon proposal recommends no increase at all in the rate for controlled circulation.

The Johnson "inheritance" on third-class rates was a major achievement. Third-class rates, which went up only 15 percent in the 1962 rate bill, were increased 40 percent, producing a whopping \$264 million additional revenue from this class of business and advertising mail. I do not intend to dwell on this subject; it falls upon the tender ears of its admirers as well as its detractors; but I think it is significant that the present administration proposes a 5-percent increase in third-class rates. They are quick to point out that the increase scheduled for this coming year is a total of 16 percent for third-class mail, thus claiming the Johnson "inheritance" of an 11-percent increase already written in law to take effect in July of this year. But the Nixon third-class-rate bill is only a 5-percent increase, producing \$63 million.

The Johnson "inheritance" on mailing fourth-class books and records was a 20-percent increase on the postage for mail that is called "educational materials"—including library books, scientific treatises, Beatle record albums, and "Portnoy's Complaint," a current best seller with the book clubs. Since 1958, volume for this class of mail has grown from 85 million pieces to a staggering 243 million pieces in 1968—a 300-percent increase. The subsidy paid by the taxpayers has increased from \$20 million to \$91 million—nearly 500 percent.

The Nixon administration does not propose any increase in the rates for books and records.

In summary, Mr. President, here is the record of the Johnson "inheritance" and the Nixon remedy:

The Johnson rate increase in 1967 produced \$518.4 million additional revenue from first-class mail; \$49.7 million additional revenue from airmail; \$33.2 million additional revenue from second-class mail; \$6.4 million additional revenue from controlled circulation; \$264.7 million additional revenue from third-class mail; \$12.6 million additional revenue from fourth-class mail.

The proposal from the Nixon administration would produce, if enacted by July 1, just 56 days from now, \$557.2 million additional revenue, or \$39 million more from first class than the Johnson rate bill.

The Nixon proposal recommends a \$15.8 million increase for second-class mail; \$17.4 million less than the Johnson rate bill, and only \$300,000 of which would be effective in fiscal year 1970.

The Nixon proposal recommends no increase in controlled circulation, \$6.4 million less than the Johnson rate bill.

The Nixon proposal recommends a 5-percent increase in third-class mail, producing \$63 million, \$201.7 million less than the Johnson rate bill, and only \$37.5 million of which would be effective in fiscal 1970.

The Nixon proposal recommends no in-

crease in books and records, \$12.6 million less than the Johnson rate bill.

In all, excluding non-first-class mail, the Johnson rate bill raised rates by \$396.2 million; the Nixon proposal by \$105.8 million, of which only \$74.3 million would have any effect whatever on the postal deficit in fiscal year 1970.

Mr. President, I regret raising postal issues which might be viewed by some as partisan and political, but recent press releases from the Department require that those of us who worked hard in 1967 to enact into law President Johnson's and Postmaster General O'Brien's postal programs answer the strange arithmetic and innuendo which the nonpolitical Post Office Department has engaged in in the past few days. The American people are entitled to hear the other side of the story.

I ask unanimous consent to have printed in the RECORD at this point a copy of sections 2302 and 2303 of title 39, United States Code, relating to the Postal Policy Act of 1958, and its provisions concerning public services.

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

#### Sec. 2302. Declaration of Policy

(a) The Congress hereby emphasizes, reaffirms, and restates its function under the Constitution of the United States of forming postal policy.

(b) It is hereby declared to be the policy of the Congress, as set forth in sections 2301-2305 of this title—

(1) that the post office is a public service;

(2) to provide a more stable basis for the postal-rate structure through the establishment of general principles, standards, and related requirements with respect to the determination and allocation of postal revenues and expenses; and

(3) in accordance with these general principles, standards, and related requirements, to provide a means by which the postal-rate structure may be fixed and adjusted by action of the Congress, from time to time, as the public interest may require, in the light of periodic reviews of the postal-rate structure, periodic studies and surveys of expenses and revenues, and periodic reports, required to be made by the Postmaster General as provided by section 2304 of this title.

(c) The general principles, standards, and related requirements referred to in subsection (b) of this section are as follows:

(1) In the determination and adjustment of the postal-rate structure, due consideration should be given to—

(A) the preservation of the inherent advantages of the postal service in the promotion of social, cultural, intellectual, and commercial intercourse among the people of the United States;

(B) the development and maintenance of a postal service adapted to the present needs, and adaptable to the future needs, of the people of the United States;

(C) the promotion of adequate, economical, and efficient postal service at reasonable and equitable rates and fees;

(D) the effect of postal services and the impact of postal rates and fees on users of the mails;

(E) the requirements of the postal establishment with respect to the manner and form of preparation and presentation of mailings by the users of the various classes of mail service;

(F) the value of mail;

(G) the value of time of delivery of mail; and

(H) the quality and character of the service rendered in terms of priority, secrecy, security, speed of transmission, use of facilities and manpower, and other pertinent service factors.

(2) The acceptance, transportation, and delivery of first class mail constitutes a preferred service of the postal establishment and, therefore, the postage for first class mail should be sufficient to cover (A) the entire amount of the expenses allocated to first class mail in accordance with sections 2301-2305 of this title and (B) an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating thereto.

(3) Those services, elements of service, and facilities rendered and provided by the postal establishment in accordance with law, including services having public service aspects, which, in whole or in part, are held and considered by the Congress from time to time to be public services for the purposes of sections 2301-2305 of this title shall be administered on the following basis:

(A) the sum of such public service items as determined by the Congress should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally; and

(B) nothing contained in any provision of section 2301-2305 of this title should be construed as indicating any intention on the part of the Congress (i) that such public services, or any of them should be limited or restricted or (ii) to derogate in any way from the need and desirability thereof in the public interest.

(4) Postal rates and fees shall be adjusted from time to time as may be required to produce the amount of revenue approximately equal to the total cost of operating the postal establishment less the amount determined under section 2303 of this title to be attributable to the performance of public services.

#### Sec. 2303. Identification of public services and costs thereof

(a) The following shall be considered to be public services for the purposes of sections 2301-2305 of this title—

(1) the total loss resulting from the transmission of matter in the mails free of postage or at reduced rates of postage as provided by statute, including the following:

(B) penalty mailings of the Pan American Union and the Pan American Sanitary Bureau as provided by section 4152(a) of this title;

(C) second class mailings at postage rates as provided by section 4358 of this title;

(D) free postage on reading matter and other articles for the blind and other handicapped persons as provided by sections 4653 and 4654 of this title;

(E) free mailing privileges for members of the diplomatic corps of the countries of the Postal Union of the Americas and Spain as provided by section 4168 of this title;

(F) free mailing privileges granted to individuals by the Act of May 7, 1945 (59 Stat. 707) and other provisions of law;

(G) reduce third-class postage rates to certain organizations as provided by section 4452 of this title;

(H) section 302 of The Federal Voting Assistance Act of 1955 (5 U.S.C. 2192), granting free postage, including free airmail postage, to post cards, ballots, voting instructions, and envelopes transmitted in the mails under authority of that Act; and

(I) reduce postage rates on books, films, and similar material as provided by section 4554 of this title.

(2) 10 per centum of the gross cost of the operation of third-class post offices and the star route system, and 20 per centum of the

gross cost of the operation of fourth-class post offices and rural routes.

(3) the loss incurred in performing non-postal services, such as the sale of documentary stamps for the Department of the Treasury;

(4) the loss incurred in performing special services such as cash on delivery, insured mail, special delivery, and money orders; and

(5) the additional cost of transporting United States mail by foreign air carriers at a Universal Postal Union rate in excess of the rate prescribed for United States carriers.

The terms "total loss" and "loss" as used in this section mean the amounts by which the total allocated costs incurred by the postal establishment in the performance of the public services enumerated in this subsection exceed the total revenues received by the postal establishment for the performance of such public services.

(b) The Postmaster General shall report to the Congress, on or before February 1 of each year beginning with the year 1963, the estimated amount of the losses or costs (or percentage of costs) specified in subsection (a) incurred by the postal establishment in the then current fiscal year in the performance of the public services enumerated in such subsection. The aggregate amount of the losses or costs (or percentage of costs) specified in subsection (a), incurred by the postal establishment in any fiscal year in the performance of such public services, shall be excluded from the total cost of operating the postal establishment for purposes of adjustment of postal rates and fees, including any adjustment pursuant to the provisions of section 207(b) of the Act of February 28, 1925, relating to reformation of classification (39 U.S.C., 1958 ed. 247).

#### CENTENNIAL OF THE GOLDEN SPIKE

Mr. McGEE, Mr. President, in May of this year, America will celebrate the 100th anniversary of an event which perhaps marked the real beginning of the United States as a united country. The event was the driving of the historic "golden spike" at Promontory, Utah, and the opening of the first transcontinental railroad system.

On the first day of January, this year, another event of importance took place. Four operating railroad unions gave up their individual identities and became the United Transportation Union.

Only men who do not know the history of the railroad industry and the history of the United States will fail to recognize the connection between those two events.

The four merging unions have histories dating all the way back to the first years of transcontinental rail travel. Their forebears built that first coast to coast railroad and, at the risk of life and limb, operated it until people and freight could travel in perfect safety from New York to San Francisco.

On the occasion of this centennial of the "golden spike," we would do well to recall that the celebrating will be done by all Americans, but the toasts on the anniversary date should be raised chiefly to the men who made it possible.

The country will never adequately reward these men who saw their fellow workers perish in the snows of winter and the fevers of summer; who felt the arrows of Indians incensed over the loss of their lands; who worked around the clock, hundreds and thousands of miles

from home, urged on in some cases by whips in the hand of the straw bosses.

The job done, they found glory only among themselves. Nameless men, they shared not at all in the fantastic accumulations of wealth that followed their achievement. They saw their wages cut and their work hours increased, as they did jobs so dangerous that no insurance company would insure them. They passed the hat to give railroad widows burial money, and they went right on working.

More and more they turned to the unions, and the men who had given the Nation its great railroads laid the groundwork for the Nation's great union movement.

A lot of history will be recalled in 1969. Let us be thankful that it happened. Let us remember who made it happen.

#### ANARCHY IS ANARCHY

Mr. WILLIAMS of Delaware. Mr. President, at a time when our Supreme Court is under such heavy criticism it is refreshing to be able to pay a compliment to one of our Justices.

Justice Thurgood Marshall deserves a compliment on his recent address as delivered to an audience at Dillard University in New Orleans.

Justice Marshall has brought dignity to the Court at a time when it is most needed, and I am glad to join David Lawrence and the Washington Evening Star in paying a well-deserved tribute to his statesmanship.

I ask unanimous consent to have printed in the RECORD both the editorial as published in the Washington Evening Star of May 6, 1969, entitled "Anarchy Is Anarchy," and David Lawrence's article entitled "Justice Marshall's Public Service."

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

[The Evening Star, May 6, 1969]

#### ANARCHY IS ANARCHY

Supreme Court Justice Thurgood Marshall's remarks on black separatism were timely and very much to the point.

Justice Marshall told a predominantly Negro audience at Dillard University in New Orleans that it makes no difference who practices anarchy, "it is bad, it is punishable and it should be punished."

To frequent applause, he also said that "you can't use color as an excuse for not doing what you should be doing. Race is not an excuse for not keeping up your home properly, nor is race an excuse for not keeping your children in school, even though they may still be segregated."

Finally, this Negro justice who has risen to the top of the legal profession in this country bore down hard on the importance of education, not just studies in African culture. "You are not going to compete in the world," he warned, "until you have training exactly like everyone else, and hopefully, better. Because when you're a Negro you've got to be better."

Other Negro leaders, perhaps somewhat belatedly, have been saying much the same thing. Bayard Rustin is one of them. Roy Wilkins is another. Whether the young black militants will listen is an open question. But the things that are being said should be said. And if enough Negro leaders will speak out, there is good reason to believe that the great majority of young Negroes will come

to understand that an adequate education is essential if they expect to make their way in this highly competitive world—and that they will get it.

#### JUSTICE MARSHALL'S PUBLIC SERVICE

(By David Lawrence)

For several years now, it has been evident that there would be no lessening of racial friction in America unless white people talked to whites and black people talked to blacks about the fundamental principles essential to good behavior, and members of the two races then worked together to maintain harmony.

Thurgood Marshall, who is the first Negro to become a member of the Supreme Court of the United States, has just made a speech to a Negro audience at the centennial celebration of Dillard University in New Orleans, in which he said some plain things that both whites and blacks need to take to heart if there is to be stability in the life of the nation.

Justice Marshall criticized black militants, as he declared that "nothing will be settled with guns, firebombs or rocks." He admitted, of course, that people were frustrated, but his advice was clearcut. He declared:

"You are not going to compete in the world until you have training exactly like everyone else, and hopefully better, because when you are a Negro, you have to be better."

Marshall graduated at the head of his class from Howard University law school, and, as chief legal officer of the National Association for the Advancement of Colored People, won the famous desegregation case in the Supreme Court in 1954. He was appointed by President Kennedy to the U.S. Circuit Court of Appeals and was later named by President Johnson to be solicitor general in the Department of Justice in Washington. In 1967, President Johnson appointed him to the highest court in the land. In the New Orleans speech, Justice Marshall said:

"Race is not an excuse for not keeping up your house properly, nor is race an excuse for not keeping your children in school, even though they may still be segregated."

While Justice Marshall agreed that he believes "black is beautiful," he doesn't think that it is the only color that is beautiful. He continued:

"I think we Negro Americans have just as many beautiful people in mind and body, as well as skin, as any other group—and that we have just as many stinkers as any other group. . . ."

"Anarchy is anarchy, and it makes no difference who practices it—it is bad, it is punishable, and it should be punished."

This blunt way of talking will serve as an example for leaders of all races who have an influence in their communities. Not enough has been done to bring peoples of different races together informally to discuss what can be done to diminish the bitterness that exists.

There is, unfortunately, a lack of information about how Negroes and whites who do respect each other in the everyday life of the community. Many Negroes who live in the south, for instance, have long had a close friendship with white families. This happens in the North, too. This correspondent recalls that a Negro athlete was perhaps the most popular student in high school he attended in Buffalo, N.Y.—a quiet and unostentatious individual who treated others with respect and earned the respect of everybody.

Communities throughout America have been indifferent to the organizations which have publicized friction and stirred up emotions. Again and again some of the disturbances in American cities have started in Negro neighborhoods, primarily because militant leaders have emphasized race prejudice and told Negroes they must use any means,

including violence, to attain their "rights" and settle alleged grievances against the whites. Something of the same kind has happened in white neighborhoods.

The disorders in America today are largely the result of emotions stirred up as the Negro population has grown in size and as schools have been desegregated. Artificial steps to bring about integration have produced uneasiness and hard feelings, mainly because the citizens, both white and black, have not tackled the problem with an understanding of what can be done when there are voices of reason and conciliation.

Justice Marshall has performed a public service in speaking out on the subject of how racial friction is intensified by militants and in pointing to the prerequisite of harmony in any community—the recognition of one's own responsibility, irrespective of race, to be a law-abiding citizen.

#### THE PROPOSED SAFEGUARD ABM SYSTEM

Mr. SAXBE. Mr. President, I have refrained from getting technical in my statements about the proposed Safeguard anti-ballistic-missile system. Statements larded with facts and figures seldom shed much light on subjects already complex. But recently I was impressed with a detailed technical response to arguments being offered by those in favor of the ABM.

I believe this response will be of interest not only to my colleagues, but to most Americans. They should have the benefit of both sides of this great and significant debate.

This response has been prepared by an independent group of men and women who harbor doubts about the feasibility, effectiveness, and desirability of deployment of the ABM. I have discussed the material in this response with some of my Senate colleagues. I commend its authors for an impressive job.

Mr. President, I recognize the prime responsibility of the President to defend our country. I commend his zeal in trying to perfect the best possible combined offense and defense. I am convinced that complete and full discussion of all aspects is the best way the Senate can assist the President and his advisers in this critical position.

Mr. President, I ask unanimous consent to have printed in the RECORD the detailed technical response to arguments being offered by those in favor of the ABM.

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

(NOTE.—April 7, 1969, on White House stationery, a "Question & Answer" fact sheet on the Safeguard Anti-Ballistic Missile system was sent to newspaper editors across the nation. The following has been prepared as a means of presenting an alternate view.)

1. Question: Why do we need the Safeguard System?

White House answer: (A). "To protect our ability to strike back after a heavy attack. . . . If an enemy knows that his attack on us will result in his own destruction, he will not attack: that's the meaning of 'deterrent' . . ."

Response: The Administration's position rests on three premises of very questionable validity: first, that without our land-based missiles, we have no credible deterrence; second, that the Safeguard system will be

technically effective; and third, that the Soviets have both the intention and the capability of launching a "first strike" attack so effective that we are unable to retaliate.

First, we do not, in fact, need Safeguard. Our nuclear forces consist of three separate weapons systems: land-based missiles, intercontinental bombers, and Polaris submarines. Even if the United States suffered a heavy attack and one system—the land-based Minutemen missiles—was destroyed, our "ability to strike back" would still be preserved through our Polaris submarine fleet and our bombers.

Polaris submarines are considered by many defense experts, including Senator Stuart Symington (D. Missouri), former Air Force Secretary and currently a member of the Armed Services and the Foreign Relations Committees, as our greatest strategic weapon because of their mobility and invulnerability to enemy attack. And Admiral Moorer, Chief of Naval Operations, has testified that he has "very high confidence" that the invulnerability of Polaris will be maintained. The 41 Polaris submarines carry a total of 656 missiles with an average of about 500 missiles on station at any given time. These missiles give the United States the capability to destroy, *ten times over*, the 50 largest Soviet cities and kill the 50 million people living in them. As Senator Albert Gore (D) of Tennessee has pointed out, destroying their 50 largest cities would "destroy" the Soviet Union as a "functioning society."

The United States also has 646 intercontinental bombers armed with nuclear weapons. As in the past, a substantial portion of this Strategic Air Command force could be kept in the air at all times during future periods of crisis.

In addition to the strategic nuclear capability of our submarines and bombers, the United States possesses thousands of tactical nuclear weapons—7,700 in Europe alone—and many of these can be delivered to targets in the Soviet Union.

In his final posture statement in 1968, former Secretary of Defense Robert McNamara estimated that 400 one-megaton warheads could kill 30 percent of the population of the Soviet Union—or 74 million people—and destroy 76 percent of its industrial capacity. McNamara explained that "beyond 400 . . . would not meaningfully change the amount of damage." So, even in the highly unlikely event that a Soviet first strike took out every single Minuteman, the U.S. would still have a potential second-strike force of 500 Polaris submarine missiles and 646 bombers—or nearly three times the maximum number of warheads McNamara estimated could "meaningfully" damage the Soviet Union. And once we complete the process of replacing the single warhead each missile now carries with multiple warheads which can be independently targeted (Multiple Individually Targetable Reentry Vehicle, MIRV), our Polaris fleet shall be armed with over 5,100 warheads. Dr. George Rathjens (until June 1968, Director of the Systems Evaluation Division of the Institute for Defense Analyses and former Special Assistant to the Director of the U.S. Arms Control and Disarmament Agency) has stated very simply and unequivocally that "Even if there were a pre-emptive attack by the Soviet Union weighted heavily toward attempting to destroy American strategic offensive capabilities [our Minutemen], the United States could with high confidence inflict over 50 percent fatalities [on the Soviet Union] in retaliation." Is this not "deterrence?"

Not only is the Safeguard system designed to protect our land-based missiles unnecessary because our deterrent is preserved in our two other strategic forces, this system is founded on a second premise of very questionable validity. The Administration assumes that Safeguard will be technically

effective. (Although they do admit to the possibility that—even with Safeguard—70 percent of our Minutemen missiles may be destroyed.)

This assumption has been challenged by many of the nation's leading scientists. They have questioned the effectiveness of ABM on three grounds: Its questionable reliability; the vulnerability of its radar; and the relative ease with which the system can be penetrated and overwhelmed.

**Reliability:** The ABM would be the most complicated weapons system ever developed and its reliability could never truly be tested under attack conditions with many weapons exploding within a short time; with hundreds of incoming missiles to be tracked and their trajectories to be calculated; and with, perhaps, a break in communications due to radar "blackout." Dr. Jerome Wiesner, Provost of Massachusetts Institute of Technology, Science Advisor to President Kennedy, and a long-time radar expert, has predicted that there is small likelihood of the system performing properly the first time it is called upon. (See expanded discussion of Safeguard's reliability under Question 10.)

His judgment, and similar judgments by other scientists, are supported by our actual experience with less complex weapons. Several years ago, for instance, our early warning radar system mistook the rising moon for a massive Russian attack. More recently, the malfunctioning of our Intercontinental Ballistic Missiles (ICBM or Minutemen) prevented four scheduled practice launchings of Minutemen missiles to be carried off successfully. (The Air Force scheduled a test shot for October 12, 1966, "but four days before the test" according to the *New York Times* "a malfunction was discovered." Rescheduled for October 19, the launch failed because of a substandard resistor in the launching power supply. The demonstration was rescheduled, for a third time, on October 28, and again was unsuccessful because of a miniature capacitor in the guidance and control mechanism. Finally, on October 14, 1968, the Air Force tried again. This time, a faulty pin in one of the umbilical connectors prevented the launch.) If pre-arranged test launches of our ICBMs, which are considerably less complex than the Safeguard system, have this much technical difficulty, how reliably can we expect our ICBMs to perform?

**Vulnerability:** The key component of the Safeguard system is the Missile Site Radar (MSR) which controls the firing of the ABM. While the Minutemen are in hardened silos that can withstand a megaton explosion less than a half mile away, the MSR installations is nowhere near as hard. It is therefore, very vulnerable to smaller offensive missiles with less than pin-point accuracy. (The Soviet Union has approximately 1,000 such missiles—the SS-11—which is relatively inaccurate and ill-suited for many other offensive purposes.) Large numbers of our ABMs will have to be deployed for the sole purpose of protecting this Achilles Heel of the Safeguard system. As Dr. Rathjens pointed out in his testimony before the Subcommittee on International Organization and Disarmament Affairs of the Senate Committee on Foreign Relations during its March 1969 hearings: "One must have the same kind of perfect defense of the radars that would normally be required for cities, for if the radars are destroyed the whole defense collapses and the missile sites are as vulnerable as if there had been no defense at all." It should be remembered that this "perfect defense" of the cities has been discounted by the Administration as "not possible."

**Penetration aids:** A study paper of the Members of Congress for Peace Through Law points out that to penetrate missile defenses—such as Safeguard—"It was necessary to improve only slightly on World War II anti-aircraft penetration technology. Clouds

of metallic 'chaff,' balloons, or other light-weight decoys . . . can be devised and deployed with relative ease. . . . By such tactics, defenses can be rapidly exhausted, the attacker can successfully penetrate them with enough surviving warheads to destroy the target." Even if we build into our missiles the capacity to distinguish decoys from real warheads, the enemy then only has to send in more warheads than we have ABM's and exhaust our defense in this way. (It is several times less expensive to produce an offensive missile than it is to produce a defensive one.)

In addition to penetration aids used to decoy ABM's, it is technically quite easy to "black out" our radar and blind Safeguard for several minutes. A nuclear explosion in the upper atmosphere produces a huge electron cloud that bends and absorbs radar waves to such an extent that an object behind it might not be seen by defensive radar. Black out can be easily produced by an enemy warhead designed to trigger in the upper atmosphere or by our defensive Spartan missiles which intercept offensive warheads by destroying them in a nuclear explosion.

The Administration's third assumption—that it is the Soviet intention and capability to develop a first-strike force to destroy our Minutemen—is also open to serious question.

Secretary of Defense Melvin Laird testified on March 21 before the Senate Foreign Relations subcommittee that the Soviets are building their huge SS-9 missile in order to make a pre-emptory, "first-strike" against the United States. "The Soviets are going for a first strike capability," he said, "and there is no question about it." This appears to be without foundation. Senator Symington has called the Foreign Relations subcommittee's attention to the fact that the Assistant Secretary of Defense for Systems Analysis had testified before the Senate Armed Services Committee only a few months earlier that "the SS-9 was built for a second strike purpose." Dr. Wolfgang Panofsky, director of the Stanford Linear Accelerator Center, former White House science advisor and one of the best briefed and most experienced defense planners in the country also contradicted Laird's analysis. In testimony before the Foreign Relations subcommittee he stated that there was "no basis" in available intelligence to indicate intent on the part of the Soviets to consider the SS-9 a first-strike weapon and he supplied three other plausible reasons for the deployment of the SS-9 as a retaliatory weapon.

Even if the Soviets intended to develop a "first-strike" capability—or the ability to hit us first and destroy our potential to retaliate—it is very questionable that they will be technically capable of launching a successful pre-emptory attack. A number of witnesses before the subcommittee considered it "almost unimaginable" that the Soviets would be able to destroy our deterrence for some time to come. They shared Dr. Panofsky's doubt that the Soviet's had the capacity to launch a first-strike so huge and "so highly synchronized that it would, at the same time, take our Polaris fleet, our strategic bombers, and our Minuteman force out of action" before any portion of these deterrent forces could strike back. It must be remembered that each of our 41 Polaris subs is equipped with 16 missiles—5,100 warheads when these missiles are equipped with MIRV's. If just one Polaris submarine survived a first strike, it would currently have the capacity to destroy 16 Soviet cities—ten times that many during the early 1970's. The potential damage of just one Polaris submarine would certainly produce unacceptable casualty levels.

While it is extremely unlikely that the Soviets shall be able to eliminate the entire Polaris fleet, it is also unlikely that they will

even have a sophisticated enough missile to knock out our Minuteman force. The Administration predicts that they will have only 500 SS-9's by 1975 with which to destroy our 1000 Minutemen. And, as Dr. Panofsky pointed out during the hearings "Even if the SS-9 warhead employed MIRV's the numbers of missiles required to target the entire Minuteman force with confidence exceeds reasonable projections of current intelligence to 1975."

In conclusion, the Administration's argument for Safeguard is based on three assumptions: that without our Minuteman missiles we have no credible deterrence; that the Safeguard system will be technically effective; and that the Soviets have the intention and capability of launching a successful first strike. If any one of these assumptions is judged to be invalid, then the Administration's basic argument that Safeguard is necessary to protect our deterrent is also invalid.

White House answer: (B). We need Safeguard . . . to successfully intercept a light attack. . . .

Response: It is extraordinarily difficult to conceive of the Soviet Union launching a light attack. Such an action would be about as logical as the deliberate wounding of a charging bull elephant. The Soviets are aware that we would retaliate and destroy them as a modern civilization and turn much of their territory into a radioactive wasteland.

In order to consider a "light" attack from China as a credible threat, we have to assume that the Chinese are totally irrational and suicidal and that the concept of "deterrence" has no meaning to them. While Chinese propaganda statements have often been belligerent, China scholars constantly point out that her foreign policy has been cautious. It appears highly unlikely that the Chinese would launch a handful of missiles against the U.S. knowing that we would retaliate and totally destroy their society and kill hundreds of millions of their people. It would only take ten percent of our SAC bomber force to kill 200 million Chinese.

Even if we consider that the possibility of the Chinese acting in a completely irrational manner is a credible threat, it is questionable that Safeguard can provide an effective defense. Nobel prize winner Dr. Hans Bethe, currently Professor of Physics at Cornell, testified in hearings before the Senate Foreign Relations subcommittee that Safeguard would only be capable of stopping a Chinese missile attack "for a short time after the first Chinese ICBM deployment." (Intelligence experts don't expect the Chinese to be able to launch an ICBM for another 18 months and China will have only 20-30 missiles by the mid-1970's) Dr. Bethe pointed out that the technology to develop chaff, balloons, decoys, electromagnetic pulses, blackout, clustered warheads and other devices to penetrate and confuse our Safeguard system is neither highly complex nor exceedingly costly and well within the resources and ability of the Chinese. In fact, according to Dr. Jack P. Ruina, Vice President of MIT and designer of Nike-X, there is "general agreement" that the Chinese could eventually penetrate our thin defense "with relative ease." Whether it would take a few years or more would depend, he said, on what efforts the Chinese wanted to make.

Also, a "light" attack of a couple dozen missiles with penetration aids, focused on one or two strategic areas such as two of our major cities, might easily overwhelm our defenses.

Our best protection against a nuclear attack from the Chinese is the same as it is from the Soviets—our offensive deterrent or ability to retaliate devastatingly.

White House answer: (C). We need Safeguard . . . to protect the continental U.S. from accidental or irrational attacks."

Response: The White House asserts that the chance of accidental explosion for an ABM on the pad is "essentially nil" and notes that we have had, so far, no accidental explosions of "any nuclear weapon." There have never been any accidental missile firings either.

Additionally, the chance of self-inflicted damage during the interception of an accidentally launched missile seems about as likely as the prospect of avoiding damage from an accidental launch. One of the Safeguard antiballistic missiles, the Sprint, intercepts enemy missiles at relatively low altitudes and it was revealed in testimony during the Senate hearings that it is very possible that incoming nuclear warheads would be equipped with a "proximity fuse" set to trigger a nuclear explosion as the Sprint approached, thus "incinerating" everything below it.

There is also the possibility of self-inflicted damage with the other anti-ballistic missile of the Safeguard system, the Spartan. While testifying before the Senate Foreign Relations subcommittee, Dr. John Foster, the Defense Department's Director of Research and Engineering, denied that the explosion of a Spartan missile during an interception of an enemy missile in the upper atmosphere would cause eye damage. However, a Defense Department publication—*The Effects of Nuclear Weapons*—flatly contradicts Dr. Foster's statement. The publication refers to tests conducted in which retinal burns occurred "at slant distances up to about 345 miles." "In fact," the report stated, "it is possible that a high-altitude nuclear explosion in the megaton range could produce effects on the eye at all distances up to the line of sight permitted by the earth's curvature."

While protection against accidental launches is a worthy goal, it is clear that the amount of damage caused by intercepting an accidentally fired missile may approach the damage it is capable of inflicting. Weighing the cost of the ABM system, in both dollars and its affect on the arms race, makes the protection against accidental launches a questionable justification for Safeguard. It would be much safer and less expensive to reach an arms agreement with the Soviet Union related to building into our ICBM's the capability to be de-fused in air as a safeguard against destruction due to accidental launches.

According to the Administration, Safeguard is also designed to protect against irrational attacks. If the "irrational" attacks are large, coming from the Soviet Union, then they would overwhelm Safeguard. If the "irrational" attack was small, coming from China, then easily developable penetration aids such as discussed earlier, could also render the Safeguard system useless:

2. Question: Does Safeguard protect our cities from nuclear attack?

White House answer: "It will protect us from the kind of attack Red China would be able to launch in the Seventies" and "accidental attacks."

Response: Safeguard would not protect the cities to any assured degree from Chinese missiles if easily developed penetration aids were used. As many scientists pointed out during the Senate hearings, it takes only one Chinese missile making it through our defenses and hitting its urban target to destroy that city. Additional warheads hitting the city are largely "overkill." If the Chinese concentrated their missiles on a limited number of cities, say New York and Chicago, they might be capable of overwhelming our missile defenses by sending in more warheads and decoys than we have ABM's available to protect these targets.

Also, if the Chinese were determined to commit national suicide by attacking us, our missile defenses would not be capable of preventing them from using any number of

"suitcase-bombing" techniques. For instance, nuclear weapons could be smuggled onto neutral ships, dropped into the waters of our major ports, and set to explode after the ship was safely out of the harbor. As the Union of Concerned Scientists pointed out in their publication *ABM-ABC*: "It is almost impossible to protect oneself completely against a determined assassin. . . ."

The possible liabilities of relying on Safeguard to protect against "accidental" launchings are discussed above.

3. Question: Won't this be interpreted by the Soviets as a provocation and only continue the upward spiral of the arms race?

White House answer: "No, Soviet reaction to the President's decision indicates that they clearly understood that our deployment was defensive, not designed to provoke future increases in strategic arms."

Response: This is simply incorrect. True, the Soviet Union has not announced that its expressed willingness to start talks "as soon as the Nixon Government declares its readiness to do so" has been withdrawn. But there has been considerable comment in the Soviet press and it has been uniformly unfavorable. Safeguard has been called a sign that the Nixon Administration has decided to "launch another round of preparations for a bigger war". It has been called "a drive for arms with all the dangerous consequences that it spells . . ." and the beginning of a "new and expensive round of the arms race." Many Soviet spokesmen have warned of trying to negotiate from a position of strength through accelerating the arms race.

4. Question: Doesn't any spending on more missiles create a bad atmosphere for talks?

White House answer: "No, not unless it seems to create the need for a response . . . Our Safeguard approach makes clear that we are primarily defending our own retaliatory power. . . . This does not threaten the Soviet's own deterrent."

Response: In his testimony before the Senate Foreign Relations Subcommittee Secretary of Defense Laird repeatedly referred to the need to prepare for all possible Soviet capabilities and intentions. Likewise, the Soviets feel that they must be prepared for all possible U.S. contingencies. Therefore, it is highly likely that they will view Safeguard as possibly the first step in an ABM system that can be comparatively rapidly expanded into a full-blown missile defense system designed to protect our cities. (After all, it must be remembered that such an expansion would merely fulfill the long-stated, vigorous demands of Pentagon officials and prominent members of the House and Senate for a full ABM defense.) And if, as they probably fear, we developed an ABM system around our cities, coupled with our program to more than double our offensive warheads through MIRV, it would very definitely "threaten the Soviet's own deterrence." Conceivably, we could launch a first strike, destroy a significant portion of their ICBM's, and then defend ourselves against their stunted retaliatory strike. Since our expansion of the "thin" Safeguard system into a "thick" city defense system is very possible, this may, from the Soviet's view, "create the need for a response."

They will probably feel compelled to prepare for such a contingency by enlarging their offensive force in order to assure their ability to overwhelm and penetrate our defenses. If the Soviets added offensive missiles to their nuclear forces, the U.S. would undoubtedly match their increase and thus the arms race would be escalated.

It must also be recalled that one of the primary reasons the United States developed MIRV was in "response" to our estimate, now considered incorrect, that the Soviets were deploying an extensive ABM system. If our reaction to a feared Soviet defense system was to greatly expand the number of our deliverable warheads, can we expect the Soviet reaction to similar fears to be any

different than ours? As Dr. Rathjens observed during the Senate hearings: "Thus we must expect the Soviet Union to react to even a 'light' or 'thin' deployment as we have to their Moscow defenses by very substantially improving offensive capabilities, not because an ABM system will be effective and not because it will be expanded, but simply as a conservative hedge against those possibilities. The result will almost certainly be an expensive expansion in the arms race with no increase in protection, and, indeed, possibly with a diminution in security for both sides."

Another factor which will accelerate the arms race is the Administration's ambition to protect against possible Chinese attack. As the number of Chinese ICBM's increase and as they develop sophisticated penetration aids, the U.S. will be forced to expand Safeguard to meet this evolving Chinese threat. As Dr. Bethe pointed out in his testimony, a race between our ABM's and Chinese penetration methods would produce a rapid and continuous upgrading of the U.S. ABM program on a nation-wide basis "that would appear threatening to the Soviet Union," forcing them to protect their deterrent by raising the nuclear ante and escalating the arms race.

5. Question: "Why don't we just wait and see if the arms talks succeed before going ahead?"

White House answer: "The risk would be too great to our national security. By beginning now, we should have some missile defense by 1973; if we were to shut down production facilities now and decide later to go ahead, the cost in time would not be months, but years—two or three years. Meanwhile, the Soviet system is operational. . . ."

Response: First, it is not necessary to "shut down production facilities" in order to give the arms control talks a chance to succeed. Research and development could proceed but deployment delayed so as not to further complicate the talks with uncertainty and the difficult problem of inspecting and limiting a brand new weapons system. It would be very difficult to dismantle already existent ABM facilities, so arms control agreements would probably establish limits on further development of ABM's. This would be a more unstable situation than if ABM systems did not exist in the first place because limitation agreements could be easily circumvented by up-grading existing ABM's. This, and the exploitation of other possible "loopholes" provided by an existing ABM technology and deployment, might create enough distrust and suspicion to undermine arms control arrangements.

Additionally, even if control arrangements could be worked out that would satisfy both sides that the other wasn't expanding its already deployed system, each side would not be certain as to the effectiveness of the other's existing system. Each might be reluctant to bargain away the possibility that it might later want to expand its offensive missile forces if it discovers that these are inadequate.

It is senseless to unnecessarily interject a new barrier, a new source of friction into delicate arms control talks. Those who suggest that by deploying Safeguard we are gaining a "bargaining card" do not present a convincing case. As Dr. Carl Kayser, Director of the Institute for Advanced Study at Princeton, pointed out in the Senate hearings: "The future capacity to deploy, and perhaps to deploy a better conceived and designed system is all the bargaining card we need." If there is to be any chance for success in arms control talks, they must grow out of a sizable dose of mutual trust, a recognition of mutual self-interest, and confidence in the control arrangements. It is difficult to see how entering arms negotiations with the most militant stance possible,

and attempting to sack the deck before the game gets underway, serves these goals.

Although the Soviet ABM systems (Galosh) may be partly completed, intelligence sources indicate that it is only deployed around Moscow, that construction has slowed down, and that the system is of even more dubious value than Safeguard. Dr. Foster of the Defense Department has testified that the Soviet system is "very similar" to the one we discarded in the period "1959-1961"—or a decade ago. The Galosh system contains only 67 missile interceptors that would be incapable of defending Moscow against thousands of U.S. warheads that could be directed at this city. Although intelligence estimates indicate that Soviet research is continuing in the anti-ballistic missile area, it is highly unlikely that the present Galosh system will be greatly extended because it is too ineffective.

6. Question: How can we be sure that Safeguard is indeed "adjustable"—that it can be changed if there is progress in arms talks?

White House answer: "In addition to the continuing review . . . the Foreign Intelligence Advisory Board [will make] an annual review."

Response: Suggesting that the Foreign Intelligence Advisory Board can be expected to produce an objective review of Safeguard is like expecting an author to write an objective review of his own book. This board represents precisely those elements in the country most enthusiastic about the ABM and with the greatest vested interest in its continued deployment. As columnist Joseph Kraft pointed out recently, membership of the Board, except for Governor Rockefeller and former UCLA President Franklin Murphy, "reads like a small roster of the military-industrial complex". Mr. Kraft noted "not a few Government officials think of the Board as a protective agency—a kind of public relations cover—for the intelligence community." He concluded that "Plainly, the Intelligence Advisory Board is in no position to do any serious independent review of how changing international conditions affect the priorities attached to deploying an anti-ballistic missile."

Dr. James Killian, Chairman of the Board at MIT and a former Chairman of the President's Science Advisory Committee, proposed the creation of an "ad hoc," "independent" task force of citizens "free of organizational loyalties" and free "from vested interests" to study the ABM issue. This is a much sounder proposal.

7. Question: What will the Safeguard system cost?

White House answer: ". . . between six and seven billion dollars if the system is completed."

Response: The Administration produced this figure by only including the funds necessary for procurement and construction. Not included in this \$6-7 billion figure are research and development costs, costs for operating and maintaining the system, and the cost of the warheads for the Sprint and Spartan missiles. Safeguard will cost \$11 billion—not \$6-7 billion.

The price tag on Safeguard through 1975 will be (in millions):

Perimeter acquisition radar (PAR) . . . . .	\$560
Missile site radar (MSR) . . . . .	1,500
Spartan missile . . . . .	1,050
Sprint missile . . . . .	560
Data processing subsystem . . . . .	1,500
Command, control and communication subsystem . . . . .	500
Warheads . . . . .	210
Construction . . . . .	2,100
Research and development . . . . .	2,400
Operations and maintenance . . . . .	790
<b>Total . . . . .</b>	<b>11,080</b>

This \$11 billion projection assumes that Safeguard will not be expanded or upgraded and that there will be no cost overruns. These assumptions are highly questionable and Safeguard will probably cost a great deal more.

First, since the system does not protect against decoys and the possibility of a sophisticated Chinese threat, it will require more counter-counter-measures as time goes on. Also, there will be continued pressure to expand Safeguard into a population defense system.

Second, the possibility of holding Safeguard to its originally planned costs is quite remote. A survey of 12 weapons systems—picked at random—gave a 220 percent average increase in costs over original estimates. The prestigious Brookings Institution completed a recent study which showed weapon systems cost increases from 300 to 700 percent over original estimates. . . .

8. Question: How do we know this won't mushroom into a "thick" system costing much more?

White House answer: "This may have been a legitimate concern when the previous plan called for a 'thin' system of trying to defend the cities, which carried the possibility of adding to that defense. But the new strategy is to locate missile and radar sites away from our cities, and there is no longer an open-ended possibility of increasing the costs by adopting a 'thick' system."

Response: There still exists "the possibility of adding to that defense." A "thick" system defending urban areas is just a "thin" missile site system with some radars and interceptors added near cities. While the Joint Chiefs of Staff publicly reversed their position some weeks ago and settled for a "thin defense only" they could easily return to their long-standing, unanimous position. The thin system is a "viable base" for adding the Sprints and interceptors near cities if the Administration returned to the appropriate view. A candid and authoritative recent article in *Foreign Affairs* supporting missile defenses admitted that "much of the support (both inside and outside the Government)" for ABM came from those who believed it would "eventually have significant capability against large Soviet attacks."

Dr. George Kistiakowsky, a former Special Assistant to the President for Science and Technology and now a professor at Harvard University, believes that, contrary to the Administration's assertion, deployment of a "thin" system would, indeed, be "open-ended." ". . . I cannot remain unaware of the very substantial momentum that a technological development of the magnitude of our ABM creates. I am therefore concerned that even a limited deployment would be open ended and, with assembly lines operating. . . ."

9. Question: Wouldn't it be less costly and just as effective to defend our missile sites by "hardening" the sites in which they are hidden?

White House response: "Missile hardening would be at least as costly. Also, it would probably be more provocative, because the Russians would observe us digging new silos and might regard it as the beginning of a major offensive buildup. Hardening cannot defend our ICBMs against the increased accuracy of incoming missiles that is possible in the years ahead."

Response: The total cost of hardening each missile site very probably would be less costly than the ABM system. Dr. Rathjens pointed out in his testimony during the Senate hearings, that "conservative" estimate of the cost of saving one Minuteman would be between \$28 and \$40 million. This is a great deal more than it would cost to "harden" the missile sites.

The digging of new silos for our missiles

need not be provocative if it were done within the conditions of an arms agreement. It should be much easier for negotiators to fashion control agreements for silo hardening than it would be for ABM deployment.

The Administration's assertion that hardening would be ineffective is contradicted by many knowledgeable men. In testimony before Congress last year, the Secretary of the Air Force—the service that "owns" the missiles and has a primary concern in their protection—argued that an ABM defense would be less effective than superhardening of the ICBM silos.

10. Question: How do we know it will work?

White House answer: "Both Spartan and Sprint have already been successfully flown. The prototype Missile Site Radar is in test operation now. Perimeter Acquisition Radar is a variant of a radar already in existence. Complex computer systems needed to operate these components together are feasible and have been demonstrated for example, in Apollo."

Response (see also Question 1, "Reliability"): Unfortunately, the fact that each component of the Safeguard system is individually workable is not particularly reassuring. If an attack should ever come, the fact that each part can operate independently will be irrelevant. The only thing that matters ultimately, is how well they work together in a crisis where there is no room for error. Unhappily, we will never know for sure in advance how well the total system will function because it is untestable. (The Nuclear Test-Ban Treaty precludes a test under actual conditions of nuclear attack and it would be virtually impossible for our strategists to anticipate and simulate every possible penetration device and strategy that an enemy might use in order to test the system against all contingencies.)

Dr. Rathjens made this point very well in the recent booklet published by the Carnegie Endowment *The Future of the Strategic Arms Race*: "It must be recognized that while component tests will be possible, it will never be feasible to test the full system against a satisfactory simulation of an operation environment. This fact, together with the history of initial failures of far less complicated systems, leads many experts to believe that the probability of a catastrophic failure of . . . any . . . ABM system, is high (and much higher than for strategic offensive systems which are, by comparison, simpler and more susceptible to adequate testing)."

Dr. Jerome Wiesner asserted in an article in *Look Magazine* that "few competent people expect the extremely complex ABM system to work the first time; yet it must to have any effect."

Dr. Kistiakowsky noted that the "performance of complex military systems is frequently lower than promised by the contractors, even after modifications have been made upon field trials." His judgment was documented by a recently prepared Government document which examined 13 major aircraft and missile programs, all with "sophisticated" electronic systems to determine their reliability. The study concluded: "Less than 40 percent of the effort produced systems with acceptable electronic performance—an uninspiring record. . . ." Indeed!

The Administration points out that computers needed to operate the system are feasible and have been demonstrated in Apollo. But the Union of Concerned Scientists very astutely points out that: "The Apollo program has required numerous tests, even though the moon's orbit cannot be modified by the tactics of a clever adversary. Remember also that Apollo flights have day-long countdowns with interruptions for unexpected adjustments."

11. Question: Can penetration aids such as chaff, balloons, nuclear explosions and depressed trajectories defeat Safeguard?

White House answer: ". . . we are familiar with the most advanced techniques of missile attack. We make no pretense of 100% effectiveness against a heavy, sophisticated attack on cities. But if even thirty percent of our missiles survive they will pose an unacceptable risk. The Safeguard system will assist this effort."

Response (see also Question 1, "Penetration aid"): The White House answer effectively admits that penetration aids can defeat Safeguard. As Dr. Rathjens pointed out in his Senate testimony, Safeguard must be able to guarantee "100% effectiveness" in defending our missile site radars or the entire ABM system is totally crippled. If Safeguard cannot assure protection of this component of the system—which, ironically, is the most vulnerable to attack—then we can have very little confidence in our ABM's.

Finally, if thirty percent—or 315—of our Minutemen would be effective deterrent, we have more than twice this number in our Polaris submarines, alone.

12. Question: How long will Safeguard system last before becoming obsolete?

White House answer: "We expect Safeguard to be effective well into the 1980's . . ."

Response: This statement is flatly contradicted by Dr. Foster, present Director of Defense Research and Engineering in the Defense Department who testified in 1967 Congressional hearings concerning the Sentinel system which had the same basic hardware, or components, as Safeguard. He said: "Because of . . . the very rapid rate at which the technology changes to maintain an effective system, one would essentially have to turn over the whole system . . . every few years." So, due to changes in technology, the system would be obsolete in a "few years."

Dr. Jeremy Stone made this same point in a recent monograph from the highly regarded London Institute of Strategic Studies. He observed that "1985" is as far in the future as 1952 is in the past and since the first Soviet hydrogen bomb was detonated in 1952, "it has become clear that an awful lot of technical advance is possible in time spans of this order."

Other experts familiar with weapons systems have made this same observation, including Senator Margaret Chase Smith (Maine), senior Republican member of the Armed Services Committee. She has stated that "There are strong possibilities, if not probabilities, that by the time this so-called 'thin' defense . . . is completed, it will have become obsolete because of the rapid rate of development and change in the state of the art."

During the early 1960's the Defense Department pushed for an ABM system called Nike-Zeus but the proposal was shelved by President Kennedy. Subsequently, former Secretary of Defense McNamara testified that this system "would have had to be torn out and replaced almost before it became operative. By the same token," he continued, "other technological developments in offensive weapons in the next seven years may make obsolete the system presently envisioned."

Finally, it seems hard to believe that U.S. defense planners will not find a way to defeat our own Safeguard defense of Minutemen in the next fifteen years; once they do find such a method, the Safeguard system will cease to be reliable out of fear that the Soviets have found the same soft spot.

12. Question: The decision to use Safeguard must be made in a matter of minutes; can we be sure this decision is made by the President and not by a computer?

White House response: "We cannot discuss publicly the specific details of how we make these decisions, but . . . in no case could the

human factor be removed and a computer only involved."

Response: Dr. Herbert York, former Director of Defense Research and Engineering for the Defense Department and Vice-Chairman of the President's Scientific Advisory Committee stated during the Senate hearings: "Any active defense system such as the ABM must sit in readiness for 2 or 4 or 8 years and then fire at the precisely correct second following a warning time of only a few minutes. This warning time is so short that systems designers usually attempt to eliminate human decisionmakers, even at low command levels, from the decisionmaking system." Dr. York noted that "the power to make certain life-and-death decisions is inexorably passing from statesmen and politicians to more narrowly focused technicians, and from human beings to machines." His testimony closed on the assertion: "an ABM deployment would speed up this process."

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

Mr. SAXBE. I yield.

Mr. COOK. Mr. President, I wish to join the Senator in his remarks and to thank him for having this material printed in the RECORD. I think it is extremely important that these fine remarks be called to the attention of Senators.

#### J. EDGAR HOOVER

Mr. DODD. Mr. President, last Monday I attended the meeting of a Rotary Club in Connecticut. I was asked by someone in the audience whether or not I thought J. Edgar Hoover would retire. I responded by saying that I hoped he would not, and that he would serve as long as he felt well enough to do so.

Mr. President, I was heartened to see on the news ticker this morning the statement that J. Edgar Hoover will continue in the office in which he has served with distinction for so many years.

The Associated Press dispatch quotes Mr. Hoover as saying:

I have many plans and aspirations for the future. None of them includes retirement.

As long as God grants me the health and the stamina to continue, I have no ambition other than to remain in my post as Director of the FBI.

Mr. President, this statement is good news to the American people. J. Edgar Hoover has had a most distinguished career, and the announcement that he will continue to head the FBI is good news. It is bad news for hoodlums and criminals, and it is bad news for Communists, and those who are disturbing our society.

I am happy that J. Edgar Hoover has stated that he will continue to serve, because I believe him to be one of the truly great men of his generation. He is a man whose name has deservedly become synonymous with law enforcement in the eyes of the American people.

#### ORDER OF BUSINESS

Mr. ALLEN. Mr. President, I ask unanimous consent that I may be recognized for 10 minutes.

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

#### LURLEEN WALLACE COURAGE CRUSADE

Mr. ALLEN. Mr. President, yesterday, May 7, 1969, a day on which the Senate did not meet, was the first anniversary of the death of Lurleen Burns Wallace, late Governor of Alabama, who was one of our Nation's truly great personalities. She was projected into national prominence as the first woman to be elected Governor of Alabama and the third woman to be elected Governor of a State in the history of our Nation.

It is a measure of her greatness that even in a grim battle against cancer she inspired others to constructive actions, the good effects of which will live after her from generation to generation. A good example of such inspiration is illustrated by these facts. Shortly after the passing of Gov. Lurleen Wallace a number of prominent Alabamians expressed a desire to establish an appropriate memorial to perpetuate her memory. A multimillion-dollar cancer hospital and research center was suggested. The idea caught fire. A statewide organization was created and a host of top Alabama leadership was recruited to head the drive for funds. This drive is officially designated the "Lurleen Wallace Courage Crusade," and it is chaired by the present Governor of Alabama, the Honorable Albert P. Brewer.

Mr. President, my remarks on this occasion are prompted partially by a desire to call public attention to the crusade, but primarily by a desire to further acquaint the American people with the personality and extraordinary qualities of character of Lurleen Burns Wallace.

Mr. President, I shall pass lightly over the better known aspects of the life of Gov. Lurleen Wallace in order to call attention to less known aspects which may better reflect her character and explain her unprecedented popularity.

In this connection, Mr. President, it is useful to know that the lady whose memory we honor today was the wife of Gov. George C. Wallace—one initiated into Alabama politics as a page in the Alabama Senate. In the course of 20 years, following World War II, George C. Wallace rose in rapid succession to the office of assistant State attorney general, followed by election to two terms in the Alabama Legislature, after which he was elected the youngest circuit court judge in Alabama history—followed by election to the office of Governor of Alabama. Finally, he proved a formidable candidate for the office of President of the United States.

Throughout the 20 years of this remarkable political career, Lurleen Burns Wallace was a devoted wife and mother. She was active in church and civic affairs, a gracious hostess, but one who could still find time to enjoy her favorite hobbies of flying and fishing.

Mr. President, as admirable as her accomplishments were in the role of a wife and mother, they do not account for the outpouring of public admiration which swept Lurleen Wallace in a landslide vic-

tory into the office of Governor of Alabama. Neither does it account for the fact that public admiration and respect for candidate "Lurleen" quickly transformed itself into public affection for Gov. Lurleen Wallace.

Mr. President, with each passing day in office, Gov. Lurleen Wallace grew in stature. With each public appearance, in all of her official dealings with the Alabama Legislature, in all her actions and decisions, official and unofficial, and in all her contacts with the public and with the press, she demonstrated a poise and graciousness spiced on appropriate occasions with wit and humor. A quick and penetrating mind enabled her to hold her own in give-and-take repartee with political reporters and politicians alike.

In short, Mr. President, she fulfilled and exceeded the highest expectations of the people of Alabama.

Mr. President, even seasoned political reporters were compelled to yield respect which soon turned into unashamed admiration. For the press had quickly discovered, as had the people of Alabama, a warm, personable, and genuine person whose grace and charm and native intelligence and refreshing sincerity, admirably equipped her to deal with political realities of State government and to capture the spirit and highest aspirations of the people.

Mr. President, the depth of her character was reflected in absolute integrity of purpose. This quality was combined with qualities of humility, graciousness, and sincere compassion. The duties and responsibilities of the office of Governor provided an arena for the fullest development of these qualities.

Mr. President, the element of human compassion so prominent in the character of Lurleen Wallace was reflected by her deep concern for the welfare of children and for the plight of all who were helpless to help themselves. Among other things, as Governor of Alabama she spearheaded a drive for a \$15 million bond issue earmarked for enlargement and improvement of facilities for the care of mentally retarded. Due to her commitment to this cause and by reason of the inspiration of her leadership, the people of Alabama voted overwhelming approval of the bond issue—not alone because of an admitted need, but also and principally by reason of a quickened sensitivity to need which Lurleen Wallace had awakened in the breasts of all Alabamians.

Mr. President, the career of Gov. Lurleen Burns Wallace was brought to a premature and tragic end. She lost a long and heroic struggle against the still unconquered scourge of cancer. Mr. President, she accepted fate's final judgment with stoic calm, befitting a noble character. She was undaunted, unawed, unafraid, and cheerful to the end. Her example of unbounded courage in the face of grim adversity kindled a spirit which lives today in the hearts of a bereaved people.

Mr. President, one result of that living spirit is manifested in the Lurleen Wallace Courage Crusade, the object of

which is to forge a weapon for use in her behalf in the continuing battle to conquer cancer.

Mr. President, Lurleen Burns Wallace firmly established herself as one of the world's most admired women. It is not surprising that an overwhelming majority of the people of Alabama shared that admiration.

Mr. President, Lurleen Burns Wallace was awarded an honorary doctorate degree by Judson College in Marion, Ala., in recognition of her achievements as Governor. On this occasion she spoke to the graduating class of 1967. Among other things she discussed her hobbies of fishing and flying and related these experiences to the subject of perspective. Mr. President, I have excerpted from her speech a few thoughts which may provide an insight into the source of her strength of character and of her great popularity.

We believe that these remarks may be worthy of thoughtful consideration by all of us.

Mr. President, I ask unanimous consent to have printed in the RECORD the excerpts to which I have referred and a statement by my distinguished colleague from Alabama (Mr. SPARKMAN).

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

EXCERPTS FROM A SPEECH BY GOV. LURLEEN WALLACE DELIVERED AT JUDSON COLLEGE, MARION, ALA.

Most of you probably know that I enjoy flying and fishing as hobbies. I find both to be sources of many pleasures. As dissimilar as flying and fishing may be, they do have an element in common. Both are sources of fresh perspective.

For example, when one flies in an airplane and thereby breaks the barrier of gravity . . . it is possible to acquire a view of reality which can be acquired in no other way.

Picture yourself at a rural crossroads. Your vision is necessarily limited by the terrain. You see only a relatively short distance in any direction. What you do see is real and it is factual.

On the other hand, picture yourself flying at an elevation of 10,000 feet. Look at that same crossroads. You can see not only what is seen at ground level but also you can see what is approaching and what has passed the crossroads. Your picture is completely different from that of a ground view.

Yet, what is seen from different perspectives is both real and factual, but vastly different.

I sometimes wonder if prophecy may not be the gift of an elevated perspective of the mind which permits one to rise above the here and now, and to judge rather accurately what is around the bend in the road which may limit our view.

Of course, there is more to flying than perspective, as valuable as that is. There is an exhilarating sense of detachment from the laws of nature which otherwise bind plant life to a homestead . . . and animals by bounds of a physical domain.

Fishing does just the opposite. It confines us to a physical environment. With pole and line, or with rod and reel, one voluntarily and joyfully enters a union with nature and surrenders the choice of action to the dictates of nature's laws.

In such a surrender, our bodies are bound but our minds are released from petty distractions. The mind may soar free and unimpeded. This, too, is a source of fresh perspectives. A contented mind may produce

perspectives as varied as those of Keats, when he captured the images which became "Ode on a Grecian Urn," or the visions of Milton, put to verse in "Paradise Lost." Or, one may gain the perspective of Sir Izaak Walton, or of Thoreau. All are points of view having an origin in perspective.

I know that none of you will misunderstand me by thinking that I advocate flying and fishing as a formula for acquiring a right perspective . . . perspective alone it not enough. What is right and what is wrong are judgments—judgments based not alone on perspective, facts, experience, or knowledge, but primarily on moral and ethical values.

It is this factor which I believe accounts for sound judgments which we call "wisdom."

But values are instilled—not inherited. Many of us acquired our values at our mothers' knees. These include the values of our religious heritage. For you, this training in values has been continued at Judson. For this you may count yourself fortunate, for many of your contemporaries have not received such training. Instead, you will find, that many have been exposed to diametrically opposite values of Atheistic Materialism.

One result of materialistic indoctrination is that some are led to believe implicitly that man can build a tower to Heaven and bring its benefits to earth by the mechanics of a managed economy and by returning mankind to a condition of a sort of serfdom, under lords and masters of a central government.

Is it possible that God, in this instance, has seen fit to inflict us not with another babel of tongues, but to teach us humility by permitting a babel of values?

#### STATEMENT BY SENATOR SPARKMAN

Mr. SPARKMAN. Mr. President, a year has passed since Governor Lurleen Burns Wallace passed away after her long and gallant fight with cancer.

I do not need to dwell on the character and achievements of Mrs. Wallace or on her courage and tenacity, or even on her contributions to the State during her tenure as Governor and during the four years in which she was First Lady of Alabama when her husband was the governor of our State. The facts of her life are well known.

While still a girl, Lurleen Burns became interested in health services and wanted to become a nurse. Although this ambition was not realized, her interest in the ill and her desire to assist them continued during her tenure as Governor of the State of Alabama. She visited hospitals throughout the State and worked for improved conditions in these hospitals. Fortunately for Alabama and for the nation, her fight for help for the sick did not end when her personal battle against disease was ended. Others picked up the fight and now a new hospital is to be created for the treatment of cancer. This new hospital results from the efforts of the Lurleen Wallace Courage Crusade, under the Chairmanship of Governor Albert Brewer of Alabama. Some 15 million dollars will be required to convert the plans for this hospital into reality. A third of this money is to come from the public and the remaining two-thirds is to come from private and federal sources.

The Lurleen B. Wallace Memorial Hospital and Tumor Institute will be located in Birmingham, Alabama, where it will become a key part of the medical center now developing there. Nothing of its kind exists today anywhere in the southeast. The need is great, and I am confident that the planning and construction of this institution will go forward.

Its realization will be a fitting tribute to a great lady.

#### CHURCHILL MEMORIAL DEDICATED AT FULTON, MO.

Mr. EAGLETON. Mr. President, on March 5, 1946, one of the towering figures of modern history, Sir Winston Churchill, traveled to Westminster College in Fulton, Mo., to deliver one of the most important speeches of this century.

Shortly before his death, Sir Winston recalled with a smile the invitation which brought him to this town of some 13,000 people.

In 1946, Dr. Franc L. McCluer, president of Westminster College at the time, forwarded a letter of invitation through President Harry S. Truman.

President Truman added this postscript:

This is a wonderful school in my home state. Hope you can do it. I'll introduce you.  
Best regards,

HARRY S. TRUMAN.

Sir Winston accepted, noting that with such an eloquent and persuasive recommendation, how could he refuse?

On that day, he delivered his famous "Sinews of Peace" speech in which he spoke these words:

A shadow has fallen upon the scene so lately lighted by the Allied victory. From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended across the continent, and behind that line lie all the capitals of the ancient states of central and eastern Europe.

I was in attendance that day when Sir Winston so eloquently warned the students at Westminster, citizens of the United States, and free men throughout the world of the danger of an expansionist Russia.

It is an experience I will never forget, and although the experience cannot be shared, the stirring words of Sir Winston can be, and I therefore ask unanimous consent that the text of his "Sinews of Peace" speech be entered in the RECORD.

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

#### SINews OF PEACE

(Address of Sir Winston Churchill at Fulton, Mo., March 5, 1946)

I am glad to come to Westminster College this afternoon and am complimented that you should give me a degree. The name "Westminster" is somehow familiar to me. I seem to have heard of it before. Indeed it was at Westminster that I received a very large part of my education in politics, dialectic, rhetoric, and one or two other things.

It is also an honor, perhaps almost unique, for a private visitor to be introduced to an academic audience by the President of the United States. Amid his heavy burdens, duties, and responsibilities—unsought but not recoiled from—the President has traveled a thousand miles to dignify and magnify our meeting here today and give me an opportunity of addressing this kindred Nation, as well as my own countrymen across the ocean and perhaps some other countries too. The President has told you that it is his wish, as I am sure it is yours, that I should have full liberty to give my true and faithful counsel in these anxious and baffling times. I shall certainly avail myself of this freedom and feel the more right to do so because any private ambitions I may have cherished in my younger days have been satisfied beyond my wildest dreams.

Let me, however, make it clear that I have no official mission or status of any kind and that I speak only for myself. I can, therefore, allow my mind, with the experience of a lifetime, to play over the problems which beset us on the morrow of our absolute victory in arms; and try to make sure that what has been gained with so much sacrifice and suffering shall be preserved for the future glory and safety of mankind.

The United States stands at this time at the pinnacle of world power. It is a solemn moment for the American democracy. With primacy in power is also joined an awe-inspiring accountability to the future. As you look around you, you feel not only the sense of duty done but also feel anxiety lest you fall below the level of achievement. Opportunity is here now, clear and shining, for both our countries. To reject it or ignore it or fritter it away will bring upon us all the long reproaches of the after-time. It is necessary that constancy of mind, persistency of purpose, and the grand simplicity of decision shall guide and rule the conduct of the English-speaking peoples in peace as they did in war. We must and I believe we shall prove ourselves equal to this severe requirement.

When American military men approach some serious situation they are wont to write at the head of their directive the words "Over-all strategic concept." There is wisdom in this as it leads to clarity of thought. What, then, is the over-all strategic concept which we should inscribe today? It is nothing less than the safety and welfare, the freedom and progress of all the homes and families of all the men and women in all the lands. And here I speak particularly of the myriad cottages or apartment homes where the wage earner strives amid the accidents and difficulties of life to guard his wife and children from privation and bring the family up in the fear of the Lord or upon ethical conceptions which often play their potent part.

#### MUST SHIELD HOMES

To give security to these countless homes they must be shielded from the two gaunt marauders—war and tyranny. We all know the frightful disturbance in which the ordinary family is plunged when the curse of war swoops down upon the breadwinner and those for whom he works and contrives. The awful ruin of Europe, with all its vanished glories, and of large parts of Asia, glares in our eyes. When the designs of wicked men or the aggressive urge of mighty states dissolve, over large areas, the frame of civilized society, humble folk are confronted with difficulties with which they cannot cope. For them all is distorted, broken, or even ground to pulp.

When I stand here this quiet afternoon I shudder to visualize what is actually happening to millions now and what is going to happen in this period when famine stalks the earth. None can compute what has been called "the unestimated sum of human pain." Our supreme task and duty is to guard the homes of the common people from the horrors and miseries of another war. We are all agreed on that.

Our American military colleagues, after having proclaimed the "over-all strategic concept" and computed all available resources, always proceed to the next step, namely, the method. Here again there is widespread agreement. A world organization has already been erected for the prime purpose of preventing war. United Nations, the successor of the League of Nations, with the decisive addition of the United States and all that that means, is already at work. We must make sure that its work is fruitful, that it is a reality and not a sham, that it is a force for action and not merely a frothing of words, that it is a true temple of peace in which the

shields of many nations can some day be hung and not merely a cockpit in a tower of Babel. Before we cast away the solid assurances of national armaments for self-preservation, we must be certain that our temple is built, not upon shifting sands or quagmires, but upon the rock. Anyone with his eyes open can see that our path will be difficult and also long, but if we persevere together as we did in the two World Wars—though not, alas, in the interval between them—I cannot doubt that we shall achieve our common purpose in the end.

I have, however, a definite and practical proposal to make for action. Courts and magistrates cannot function without sheriffs and constables. The United Nations Organization must immediately begin to be equipped with an international armed force. In such a matter we can only go step by step; but we must begin now. I propose that each of the powers and states should be invited to dedicate a certain number of air squadrons to the service of the world organization. These squadrons would be trained and prepared in their own countries but would move around in rotation from one country to another. They would wear the uniform of their own countries with different badges. They would not be required to act against their own nation but in other respects they would be directed by the world organization. This might be started on a modest scale and grow as confidence grew. I wished to see this done after the First World War and trust it may be done forthwith.

It would nevertheless be wrong and imprudent to entrust the secret knowledge or experience of the atomic bomb, which the United States, Great Britain, and Canada now share, to the world organization, while it is still in its infancy. It would be criminal madness to cast it adrift in this still agitated and ununited world. No one in any country has slept less well in their beds because this knowledge and the method and the raw materials to apply it are at present largely retained in American hands. I do not believe we should all have slept so soundly had the positions been reversed and some Communist or neo-Fascist state monopolized, for the time being, these dread agencies. The fear of them alone might easily have been used to enforce totalitarian systems upon the free democratic world, with consequences appalling to human imagination.

God has willed that this shall not be, and we have at least a breathing space before this peril has to be encountered, and even then, if no effort is spared, we should still possess so formidable a superiority as to impose effective deterrents upon its employment or threat of employment by others. Ultimately when the essential brother of man is truly embodied and expressed in a world organization, these powers may be confided to it.

I now come to the second danger which threatens the cottage home and ordinary people, namely tyranny. We cannot be blind to the fact that the liberties enjoyed by individual citizens throughout the United States and British Empire are not valid in a considerable number of countries, some of which are very powerful. In these states control is enforced upon the common people by various kinds of all-embracing police governments, to a degree which is overwhelming and contrary to every principle of democracy. The power of the state is exercised without restraint, either by dictators or by compact oligarchies operating through a privileged party and a political police. It is not our duty at this time, when difficulties are so numerous, to interfere forcibly in the internal affairs of countries whom we have not conquered in war, but we must never cease to proclaim in fearless tones the great principles of freedom and the rights of man, which are the joint inheritance of the English-speaking world and which, through

Magna Carta, the Bill of Rights, the habeas corpus, trial by jury, and the English common law find their famous expression in the Declaration of Independence.

All this means that the people of any country have the right and should have the power, by constitutional action, by free, unfettered elections, with secret ballot, to choose or change the character or form of government under which they dwell, that freedom of speech and thought should reign, that courts of justice, independent of the executive, unbiased by any party, should administer laws which have received the broad assent of large majorities or are consecrated by time and custom. Here are the title deeds of freedom, which should lie in every cottage home. Here is the message of the British and American peoples to mankind. Let us preach what we practice and practice what we preach.

#### POVERTY IS AHEAD

I have now stated the two great dangers which menace the homes of the people. I have not yet spoken of poverty and privation, which are in many cases the prevailing anxiety, but if the dangers of war and tyranny are removed, there is no doubt that science and cooperation can bring, in the next few years, to the world, newly taught in the hard school of war, an expansion of material well-being beyond anything that has yet occurred in human experience.

Now, at this sad, breathless moment, we are plunged in the hunger and distress which are the aftermath of our stupendous struggle; but this will pass and may pass quickly, and there is no reason except human folly or subhuman crime which should deny to all the nations the inauguration and enjoyment of an age of plenty. I have often used words which I learned 50 years ago from a great Irish-American orator, Mr. Bourke Cockran: "There is enough for all. The earth is a generous mother; she will provide in plentiful abundance food for all her children if they will but cultivate her soil in justice and in peace."

So far we are evidently in full agreement. Now, while still pursuing the method of realizing our over-all strategic concept, I come to the crux of what I have traveled here to say. Neither the sure prevention of war nor the continuous rise of world organization will be gained without what I have called the fraternal association of the English-speaking peoples. This means a special relationship between the British Commonwealth and Empire and the United States. This is no time for generalities. I will venture to be precise.

Fraternal association requires not only the growing friendship and mutual understanding between our two vast but kindred systems of society but the continuance of the intimate relationships between our military advisers, leading to common study of potential dangers, similarity of weapons and manuals of instruction and interchange of officers and cadets at colleges. It should carry with it the continuance of the present facilities for mutual security by the joint use of all naval and Air Force bases in the possession of either country all over the world. This would perhaps double the mobility of the American Navy and Air Force. It would greatly expand that of the British Empire forces and it might well lead, if and as the world calms down, to important financial savings. Already we use together a large number of islands; more may well be entrusted to our joint care in the near future.

The United States already has a permanent defense agreement with the Dominion of Canada, which is so devotedly attached to the British Commonwealth and Empire. This agreement is more effective than many of those which have often been made under formal alliances. This principle should be extended to all the British Commonwealths

with full reciprocity. Thus, whatever happens, and thus only, we shall be secure ourselves and able to work together for the high and simple causes that are dear to us and bode no ill to any. Eventually there may come the principle of common citizenship but that we may be content to leave to destiny, whose outstretched arm so many of us can clearly see.

There is, however, an important question we must ask ourselves. Would a special relationship between the United States and the British Commonwealth be inconsistent with our overriding loyalties to the world organization? I reply that on the contrary, it is probably the only means by which that organization will achieve its full stature and strength. There are already the special United States relations with Canada and between the United States and the South American republics. We also have our 20 years' treaty of collaboration and mutual assistance with Soviet Russia. I agree with Mr. Bevin that it might well be a 50-year treaty. We have an alliance with Portugal unbroken since 1884. None of these clash with the general interest of a world agreement. On the contrary they help it. "In my Father's house are many mansions." Special associations between members of the United Nations which have no aggressive point against any other country, which harbor no design incompatible with the Charter of the United Nations, far from being harmful, are beneficial and, as I believe, indispensable.

#### MUST BUILD TEMPLES

I spoke earlier of the temple of peace. Workmen from all countries must build that temple. If two of the workmen know each other particularly well and are old friends, if their families are intermingled and if they have faith in each other's purpose, hope in each other's future and charity toward each other's shortcomings, to quote some good words I read here the other day, why cannot they work together at the common task as friends and partners? Why cannot they share their tools and thus increase each others' working powers? Indeed they must do so or else the temple may not be built, or, being built, it may collapse, and we shall all be proved unteachable and have to go and try to learn again for a third time, in a school of war, incomparably more rigorous than that from which we have just been released.

The Dark Ages may return, the Stone Age may return on the gleaming wings of science, and what might now shower immeasurable material blessings upon mankind, may even bring about its total destruction. Beware, I say; time may be short. Do not let us take the course of letting events drift along till it is too late. If there is to be a fraternal association of the kind I have described, with all the extra strength and security which both our countries can derive from it, let us make sure that that great fact is known to the world, and that it plays its part in steadying and stabilizing the foundations of peace. Prevention is better than cure.

A shadow has fallen upon the scenes so lately lighted by the Allied victory. Nobody knows what Soviet Russia and its Communist international organization intends to do in the immediate future, or what are the limits, if any, to their expansive and proselytizing tendencies. I have a strong admiration and regard for the valiant Russian people and for my wartime comrade, Marshal Stalin. There is sympathy and good will in Britain—and I doubt not here also—toward the peoples of all the Russias and a resolve to persevere through many differences and rebuffs in establishing lasting friendships.

We understand the Russian need to be secure on her western frontiers from all renewal of German aggression. We welcome

her to her rightful place among the leading nations of the world. Above all, we welcome constant, frequent, and growing contacts between the Russian people and our own people on both sides of the Atlantic. It is my duty, however, to place before you certain facts about the present position in Europe.

From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended across the continent. Behind that line lie all the capitals of the ancient states of central and eastern Europe. Warsaw, Berlin, Prague, Vienna, Budapest, Belgrade, Bucharest, and Sofia, all these famous cities and the populations around them lie in the Soviet sphere and all are subject, in one form or another, not only to Soviet influence but to a very high and increasing measure of control from Moscow. Athens alone, with its immortal glories, is free to decide its future at an election under British, American, and French observation.

#### NO DEMOCRACY EXISTS

The Russian-dominated Polish Government has been encouraged to make enormous and wrongful inroads upon Germany, and mass expulsions of millions of Germans on a scale grievous and undreamed of are now taking place. The Communist parties, which were very small in all these eastern states of Europe, have been raised to preeminence and power far beyond their numbers and are seeking everywhere to obtain totalitarian control. Police governments are prevailing in nearly every case, and so far, except in Czechoslovakia, there is no true democracy.

Turkey and Persia are both profoundly alarmed and disturbed at the claims which are made upon them and at the pressure being exerted by the Moscow government. An attempt is being made by the Russians in Berlin to build up a quasi-Communist party in their zone of occupied Germany by showing special favors to groups of left-wing German leaders. At the end of the fighting last June, the American and British Armies withdrew westward, in accordance with an earlier agreement, to a depth at some points of 150 miles on a front of nearly 400 miles, to allow the Russians to occupy this vast expanse of territory which the western democracies had conquered.

If now the Soviet Government tries, by separate action, to build up a pro-Communist Germany in their areas, this will cause new serious difficulties in the British and American zones, and will give the defeated Germans the power of putting themselves up to auction between the Soviets and the western democracies. Whatever conclusions may be drawn from these facts—and facts they are—this is certainly not the liberated Europe we fought to build up. Nor is it one which contains the essentials of permanent peace.

In front of the iron curtain which lies across Europe are other causes for anxiety. In Italy the Communist Party is seriously hampered by having to support the Communist-trained Marshal Tito's claims to former Italian territory at the head of the Adriatic. Nevertheless, the future of Italy hangs in the balance. Again, one cannot imagine a regenerated Europe without a strong France. All my public life I have worked for a strong France and I never lost faith in her destiny, even in the darkest hours. I will not lose faith now.

#### GROWING CHALLENGE

However, in a great number of countries, far from the Russian frontiers and throughout the world, Communist fifth columns are established and work in complete unity and absolute obedience to the directions they receive from the Communist center. Except in the British Commonwealth, and in the United States, where communism is in its infancy, the Communist parties or fifth

columns constitute a growing challenge and peril to Christian civilization. These are somber facts for anyone to have to recite on the morrow of a victory gained by so much splendid comradeship in arms and in the cause of freedom and democracy, and we should be most unwise not to face them squarely while time remains.

The outlook is also anxious in the Far East and especially in Manchuria. The agreement which was made at Yalta, to which I was a party, was extremely favorable to Soviet Russia, but it was made at a time when no one could say that the German war might not extend all through the summer and autumn of 1945 and when the Japanese war was expected to last for a further 18 months from the end of the German war. In this country you are all so well informed about the Far East and such devoted friends of China that I do not need to expatiate on the situation there.

I have felt bound to portray the shadow which, alike in the West and in the East, falls upon the world. I was a minister at the time of Versailles Treaty and a close friend of Mr. Lloyd George. I did not myself agree with many things that were done, but I have a very strong impression in my mind of that situation, and I find it painful to contrast it with that which prevails now. In those days there were high hopes and unbounded confidence that the wars were over, and that the League of Nations would become all-powerful. I do not see or feel the same confidence or even the same hopes in the haggard world at this time.

On the other hand, I repulse the idea that a new war is inevitable, still more that it is imminent. It is because I am so sure that our fortunes are in our own hands and that we hold the power to save the future, that I feel the duty to speak out now that I have an occasion to do so. I do not believe that Soviet Russia desires war. What they desire is the fruits of war and the indefinite expansion of their power and doctrines. But what we have to consider here today while time remains, is the permanent prevention of war and the establishment of conditions of freedom and democracy as rapidly as possible in all countries.

Our difficulties and dangers will not be removed by closing our eyes to them; they will not be removed by mere waiting to see what happens; nor will they be relieved by a policy of appeasement. What is needed is a settlement, and the longer this is delayed, the more difficult it will be and the greater our dangers will become. From what I have seen of our Russian friends and allies during the war, I am convinced that there is nothing they admire so much as strength, and there is nothing for which they have less respect than for military weakness. For that reason the old doctrine of a balance of power is unsound. We cannot afford, if we can help it, to work on narrow margins, offering temptations to a trial of strength. If the western democracies stand together in strict adherence to the principles of the United Nations Charter, their influence for furthering these principles will be immense and no one is likely to molest them. If, however, they become divided or falter in their duty, and if these all-important years are allowed to slip away, then indeed catastrophe may overwhelm us all.

Last time I saw it all coming, and cried aloud to my own fellow countrymen and to the world, but no one paid any attention. Up till the year 1933 or even 1935, Germany might have been saved from the awful fate which has overtaken her and we might all have been spared the miseries Hitler let loose upon mankind.

There never was a war in all history easier to prevent by timely action than the one which has just desolated such great areas of

the globe. It could have been prevented without the firing of a single shot, and Germany might be powerful, prosperous, and honored today, but no one would listen and one by one we were all sucked into the awful whirlpool.

We surely must not let that happen again. This can only be achieved by reaching now, in 1946, a good understanding on all points with Russia under the general authority of the United Nations and by the maintenance of that good understanding through many peaceful years, by the world instrument, supported by the whole strength of the English-speaking world and all its connections.

Let no man underrate the abiding power of the British Empire and Commonwealth. Because you see the 46,000,000 in our island harassed about their food supply, of which they only grow one-half, even in wartime, or because we have difficulty in restarting our industries and export trade after 6 years of passionate war effort, do not suppose that we shall not come through these dark years of privations as we have come through the glorious years of agony, or that half a century from now, you will not see seventy or eighty millions of Britons spread about the world and united in defense of our traditions, our way of life, and of the world causes we and you espouse. If the population of the English-speaking Commonwealth be added to that of the United States, with all that such cooperation implies in the air, on the sea, and in science and industry, there will be no quivering, precarious balance of power to offer its temptation to ambition or adventure. On the contrary there will be an overwhelming assurance of security. If you adhere faithfully to the Charter of the United Nations and walk forward in sedate and sober strength, seeking no one's land or treasure, or seeking to lay no arbitrary control on the thoughts of men, if all British moral and material forces and convictions are joined with your own in fraternal association, the high roads of the future will be clear, not only for us but for all, not only for our time but for a century to come.

Mr. EAGLETON. Mr. President, as Sir Winston warned the world that day he also honored Westminster College and Fulton, Mo. Yesterday, on May 7, Fulton returned that honor by dedicating a fitting memorial and museum to his memory.

To honor this great man and his words, officials of Westminster College have reconstructed a war-damaged Christopher Wren church from London on the campus. Through the efforts of Dr. Robert L. D. Davidson, president of Westminster College, over \$1,300,000 has been raised to complete this imaginative and noble project.

Today, the U.S. Department of the Interior, recognizing the significance of Sir Winston's speech is designating the Westminster College Gymnasium, where it was delivered, a National Historic Landmark.

The Churchill Memorial at Westminster College and the designation of the Westminster College Gymnasium as a National Historic Monument are fitting tributes to the man whose words will be long noted and well remembered by free men everywhere.

I ask unanimous consent that the following article from the Kansas City Star describing the Winston Churchill Memorial in more detail be entered into the RECORD at this time.

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

#### FULTON'S ECHO OF HISTORIC SPEECH APPARENT IN FINE CHURCH STRUCTURE

FULTON, Mo.—It was seven years ago that Dr. Robert L. D. Davidson, president of Westminster college, suggested that a war-damaged Wren church be brought from London and rebuilt here as a memorial to the famous "Iron Curtain" speech Sir Winston Churchill delivered on the campus March 5, 1946.

Since that time \$1,300,000 has been contributed by friends of the British statesman and the college to help move the shell of the church that remained after the Nazi blitz from London to Fulton.

As the home of the Winston Churchill Memorial and Library in the United States, 300-year-old St. Mary the Virgin, Aldermanbury, promises to become one of the greatest travel attractions anywhere between Chicago and the Rockies.

The structure will be dedicated May 7. Lord Louis Mountbatten will head the British representatives at the ceremony and will deliver the dedication speech.

An already fascinating collection of Churchillianiana is developing in the museum beneath the church—paintings, photographs including an original print of the famed Karsh portrait, letters from Queen Elizabeth, General Eisenhower, Presidents Truman and Johnson, and the signed John F. Kennedy proclamation declaring Churchill an honorary American citizen.

Entrance is free. The church and museum are open from 10 o'clock to noon and from 1 to 4 o'clock each afternoon when the college is in session, and from 9 to 4:15 o'clock during the summer.

Dr. Davidson has decreed that the chandelier over the circular stairway leading to the museum and library in the undercroft will remain lighted each night in memory of the world leader who helped keep the lights burning in the free world. This also will illuminate a bronze bust of Sir Winston, which has been mounted in a niche in the wall of the stairway.

The bust is by Bryant Baker of New York City, one of America's outstanding sculptors. It was given to the memorial by two anonymous donors.

The church has not led a charmed life, but it probably has the honor of having been restored more often than any other edifice. The restoration, here marks the third time St. Mary has been rebuilt after having perished by fire.

The first church St. Mary, erected in London between the 11th and 12th centuries, was a victim of the Great Fire of 1666. Rebuilding was completed in 1677 by Sir Christopher Wren and the church served its parish until the night of September 8, 1915, when a fire bomb dropped by a German Zeppelin scored a hit.

This was one of the few Zeppelin raids on London in World War I, but St. Mary was severely damaged by the fire bomb and the clear glass windows, which reflected Wren's scheme of window lighting, were shattered.

After the war, St. Mary was restored and redecorated, and celebrated its 250th anniversary in 1927, a memorial chapel having been erected to the memory of those from the united parishes of St. Mary and St. Alphege who fell in the war.

However, St. Mary felt the searing flames from a German incendiary bomb again on December 29, 1940. The church took a direct hit during one of the Luftwaffe's heaviest air blitzes of the war and only the bare stone walls and the 12 Corinthian columns inside remained standing.

A total of eight Wren churches was destroyed by fire that night, and the London Times said the next day:

"Waves of enemy aircraft attacked London for some hours last night, raining hundreds of incendiary bombs indiscriminately over a wide area of the capital and outskirts."

And then on the following day, the Times said:

"All eight of the city churches which were destroyed by fire or severely damaged in Sunday night's raid were the work of Sir Christopher Wren, and included examples of his finest architecture. They had many historical and beloved associations, and with one exception were built on the sites of ancient churches that perished in the Great Fire. By fire they have perished again."

In the same issue, the newspaper carried another report that the day after the bombing Mr. Churchill, accompanied by Mrs. Churchill, visited the area in which St. Mary's was located and made a 2-hour inspection tour. As they passed along, they were greeted with cheers and Churchill smiled and lifted his hat. He said:

"This monstrous product of former wrongs and shame has resolved to try to break our famous island by process of indiscriminate slaughter and destruction.

"What he has done is to kindle a fire in British hearts which will glow long after the traces of the conflagration he has caused in London have been removed."

Soon after V-E day Churchill was defeated for re-election to Parliament and when he was invited to speak at Westminster college, he accepted President Truman's offer to come to Fulton with him. Here he delivered his "Sinews of Peace" speech in which he said:

"A shadow has fallen upon the scene so lately lighted by the Allied victory. From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended across the continent, and behind that line lie all the capitals of the ancient states of Central and Eastern Europe."

Almost 10 years later, in a letter to a Westminster college official, Sir Winston wrote:

"It was within your hospitable walls, more than nine years ago, that I had the honour or speaking about the perils and opportunities of the world as I saw them. Since then we have experienced many of the dangers about which I spoke, and even now the benefits of lasting peace and freedom from tyranny are still denied to millions of people. There have been many changes in the world in the last nine years, but although in recent months some of the clouds seem to have rolled away, we still require that constancy of mind and persistence of purpose which I described when I spoke to you.

"The years which have passed since then have also seen continued co-operation between our two great English-speaking peoples. This close and fraternal relationship which I suggested was necessary for our mutual strength and security will, I know, be continued in the future."

And then, in 1962 when Westminster's President Davidson called on Sir Winston and told the latter of his plan to bring the church to the campus as a memorial to his famous speech, the aging statesman said:

"I am honoured that Westminster college should wish to commemorate the speech I made at Fulton. The removal of a Christopher Wren church, largely destroyed by enemy action in London, and its reconstruction and re-edification at Fulton, is an imaginative concept. It may symbolise in the eyes of the English-speaking peoples the ideas of Anglo-American association on which rest, now as before, so many of our hopes for peace and the future of mankind."

This message, along with the approval of the London Council for the Care of Churches to remove the church that was to be razed because it was in an industrialized section of London and no longer served a parish, set in motion the project that led to the moving of the shell of the church, stone by stone, from London to Fulton.

Actual construction on the modern undercroft was started in the fall of 1965, and the

first stones arrived here in April, 1966, after having made the journey from London by steamship and rail.

**PROGRAMS TO COMBAT ORGANIZED CRIME—ADDRESS BY RICHARD W. VELDE, ASSOCIATE ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION**

Mr. DIRKSEN. Mr. President, organized crime is a monstrous enemy to American society. It is an enemy that is especially threatening because it has adopted many disguises. In some large cities it is cloaked in respectability and has allied itself with elected officials, while throughout the country it has taken over legitimate businesses. In its illegal and extra-legal operations, organized crime makes a mockery of our democracy.

We have ignored and tolerated organized crime for too many years. We have pretended it did not exist. We have deluded ourselves that petty gambling and the numbers game are not connected with the mob. We have put up with loan sharking and usury. This country has been napping while organized crime put its roots down, implanted itself in all forms of vice from drug traffic to prostitution, took over businesses and entire industries, and wormed its way into labor unions.

Although organized crime has now become a billion-dollar enterprise with great power, it is still vulnerable. Mafia hoodlums fear Federal laws, Federal agents, and Federal expertise. They fear the hard-hitting integrity of organizations like the Chicago Crime Commission which is making progress in Illinois. They may have laughed at State and local law enforcement and puny State laws, but they will not be laughing much longer.

The Federal Government is now going to help States launch battles—on every front—against organized crime. The Federal Government will share its expertise, help train and organize agents, and work with States to beef up their laws. It will help finance the war on organized crime at the State and local level.

Some of the efforts we are going to launch against the underworld will come from the Law Enforcement Assistance Administration, a grants program in the Justice Department that was established by the Omnibus Crime Control and Safe Streets Act. I am proud to say I was partly instrumental in passing this law. I cosponsored the section of the act—the Hruska amendment—that gives priority to fighting organized crime. This section of the law, section 301(b)(5), provides funds for special law enforcement units, organized crime prevention councils, recruiting and training of investigative and prosecuting personnel, and for collecting and disseminating information on organized crime control.

The Law Enforcement Assistance Administration has already laid the groundwork for a larger-scale effort against organized crime. This work was described last month in Chicago by the newly appointed LEAA Associate Administrator, Mr. Richard W. Velde. As Mr. Velde described it, the LEAA is geared

for the program President Nixon announced on April 23—a campaign against organized crime that gives hope to our Nation.

The LEAA has established an Organized Crime Programs Division. It will mastermind the training of law enforcement units that will fight organized crime at the State and local level. It will begin by holding training conferences throughout the Nation—conferences of key police officials and prosecutors. I am pleased that the first conference, in July, will be in Illinois and will be cosponsored by the LEAA, the State of Illinois, and the State of Michigan. There will be over a hundred police and prosecutors from 15 States—Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming. In addition to these conferences, the LEAA will create training teams of organized crime specialists—police, prosecutors, and intelligence experts—who will go to States where the mobs are operating.

The LEAA will also help expose organized crime operations. It is funding the development of a prototype computerized crime intelligence system that will contain data on the activities and even the personalities of underworld figures. And the LEAA is already fostering an interstate exchange of information on organized crime and criminals.

Mr. President, these activities were described by Mr. Velde in an address before the Illinois Law Enforcement Commission on April 18. I ask unanimous consent that his address be printed in the RECORD.

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

ADDRESS BY RICHARD W. VELDE, ASSOCIATE ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, BEFORE THE ILLINOIS LAW ENFORCEMENT COMMISSION, AT THE CIRCLE CENTER, UNIVERSITY OF ILLINOIS, CHICAGO

I would like to say, first of all, how personally pleased I am to have been invited to speak to this very important meeting of the Illinois Law Enforcement Commission. It is heartening to us in the Law Enforcement Assistance Administration to see the vigorous activities being carried on by Illinois for planning comprehensive law enforcement improvements under the Omnibus Crime Control and Safe Streets Act of 1968. Your work is of great importance both to the LEAA and to the entire country, for Illinois is a pivotal state in the program now getting underway to make a safer America. One of the obvious facts is the size of Illinois. Planning grants and the action grants to carry out those plans are allocated on a population basis, and your state has the fourth largest amount in both categories. The planning funds for Illinois this fiscal year total \$833,050 and the action grants total \$1,338,495. Our national hopes hinge in large measure on the success of the largest states in meeting their pressing crime problems. Top performances by those states are essential if the streets are to be made really safe again, if the country's entire criminal justice system is to be modernized and improved.

Illinois and the other large states also contain the reservoirs of ability so badly needed to make meaningful inroads on crime. You have, I am certain, more than your fair share of the experts in police, courts, and corrections. We need that knowledge. We

need your advice and suggestions. We need your help. The LEAA program cannot be a full success if only a state here and a state there carries its share of the load. Several different, but equally important, levels of cooperation are required. Each state must work meaningfully with its own system of local governments. States must work with each other. And they must, of course, work with the federal government. This latter approach, I suggest to you, is certainly not a one-way street. We in LEAA want to do everything within our power to help Illinois. That is not an idle pledge.

**ORGANIZED CRIME PROGRAMS**

Though the LEAA program has many facets it is our work in organized crime that I would like to discuss now. It is not only an important area of concern by itself but I think our programs both existing and planned in this field will give you a good idea of our general approach in creating an effective meaningful partnership with the states. I want to begin this discussion of organized crime with an ending and would like to read this to you:

"In many ways organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble by luring the troubled to destroy themselves with drugs by extorting the profits of honest and hardworking businessmen by collecting usury from those in financial plight by maiming or murdering those who oppose them by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated to subverting not only American institutions but the very decency and integrity that are the most cherished attributes of a free society. As the leaders of Cosa Nostra and their racketeering allies pursue their conspiracy unmolested in open and continuous defiance of the law they preach a sermon that all too many Americans heed: "The government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers. The extraordinary thing about organized crime is that America has tolerated it for so long."

That is the concluding paragraph of the National Crime Commission's study on organized crime two years ago, and the question of why America has tolerated organized crime for so long is a haunting one. It prompts us, in turn, to ask other questions: Why is organized crime permitted to reap up to \$50 billion a year from gambling, many billions a year from loan-sharking, more than \$350 million a year from heroin sales alone, many millions more from prostitution? Why is organized crime permitted to use those fantastic revenues to put many policemen, judges, and elected officials in the mob's hip-pocket, corrupt our institutions, taint our system of justice? Why is organized crime permitted to take over large sections of legitimate business, control some labor unions, commit murder with the same impunity as it receives a \$2 bet? Why have so many police and public officials, along with large sections of the public, taken an "I don't give a damn attitude?" One reason is a seeming contradiction. Much of organized crime's activities are very visible. But most of their effects on most Americans are invisible. The average American may say that organized crime does not affect him. He does not place bets with the mob's book, he does not go to a loan-shark, his business is run by honest men, his union is run by honest men, he does not consort with the mob's prostitutes, he does not buy the mob's heroin. But he is affected, nevertheless. His trash may be picked up by the mob's trash company, and he pays an extra \$2 a month. The place where he buys his meat or other food may be operated by the Cosa Nostra, and he pays a dime more a pound for an inferior, mis-labeled product.

## EFFECTS ON LAW ENFORCEMENT

These sort of things may hurt a little, but only a little. But he may be damaged in more substantial ways. The business he works for may be manipulated or controlled by the mob. The huge pension funds of his union may be used to finance vast illegal enterprises. This average man ought to look at another aspect. He wants safe streets. But if the mob has bought the policeman on his beat, that policeman may well turn and look the other way whenever any kind of crime is committed—from a burglary to a mugging to a murder. For a bribed policeman never knows whether a crime is being committed by somebody on the mob's payroll or under the mob's protection. If he makes an arrest, he may get into trouble with the Mafia man from whom he receives payoffs. That policeman will be very wary of doing much of anything. Multiply that policeman by 100 or 500 or 1,000 in a large city, and the problem begins assuming enormous proportions. Add to that the corrupt police supervisors, who have control over hundreds of policemen and their investigations. Add to that corrupt judges who dismiss charges or go easy on those few Cosa Nostra hoodlums who are arrested by local authorities. Add to that corrupt state and city officials and legislators who refuse to pass effective laws or appropriate the proper funds for organized crime programs.

And all that, if I may borrow a line from *The Music Man*, means that we've got big trouble, and not only in River City. One indication of the dimensions of the problem is that some major cities in the United States have never brought an organized crime prosecution. There also are other aspects of the problem. We are all aware of the complexities of the problems facing Negroes in the ghetto in major cities today. One of the problems is whether the nation's law enforcement system is trusted by those Negroes, whether they have faith in it being fair and impartial, whether they have faith that it is efficient and will protect them. Look at the world for a moment through the eyes of a 12-year-old Negro youth in the slums. One of the things he may likely see is that the policeman looks the other way as the mob operates its books and numbers operations, as it sells it heroin. Can he respect that policeman of the Department the policeman represents? He also sees the numbers runner or the corner bookie wearing \$300 suits and driving a \$10,000 car. How is that going to shape his values?

I do not intend to suggest for a moment that most policemen, public officials, and judges are anything but honest. The fact is that most are. But it also is a fact that organized crime cannot exist without corrupting a certain number of public servants of one sort or another. It is a perplexing problem, and one that must be met squarely and honestly if organized crime's grip on this country is to be ended.

## A MAJOR FEDERAL RESPONSE

My description of organized crime is by no means intended to be definitive, but rather merely an indication of the scope of what faces us. Fortunately, since the National Crime Commission gave us its grim findings, attitudes have started to undergo a meaningful change. Many more people—both public officials and private citizens—are concerned, and want effective programs. A major response of Congress and the federal government is the establishment of the Law Enforcement Assistance Administration. We are not, it should be made clear, an operational agency. The LEAA does not go out and investigate and accumulate evidence and prosecute individual cases. That is the responsibility of other parts of the federal government, and, of course, state and local governments. But we do have a clear role assigned by the Omnibus Crime Control and Safe Streets Act, which created the LEAA.

In part, the Act says this:

"The Administration is authorized to make grants to States having comprehensive State plans approved by it under this part, for—

"The organization, education, and training of special law enforcement units to combat organized crime, including the establishment and development of State organized crime prevention councils, the recruiting and training of special investigative and prosecuting personnel, and the development of systems for collecting, storing, and disseminating information relating to the control of organized crime."

This provision, the Hruska amendment, is being translated into one of the major programs begun by the LEAA. We have established an Organized Crime Programs Division. Though it is just getting underway, we see these as some of its priority activities. Expert training, administered and supervised by experts, is essential if every state and every major city are to have the capabilities to substantially reduce organized crime. The LEAA has already scheduled its first training conference—and I would like to congratulate Illinois for taking a very major role in it. The five-day meeting, co-sponsored by LEAA, the State of Illinois and the State of Michigan, is tentatively scheduled for June 16 to 20 at the Illinois Beach State Park. We expect more than 100 key police officials and prosecutors to attend from these 15 important states: Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming.

## A VARIETY OF EXPERTS

Similar meetings embracing the other regions of the country will be held later in the year. Though our own LEAA staff is small at this point, we will bring to these meetings organized crime experts from a number of state, local, and federal agencies. We also will bring experts from other than police disciplines—for instance, experts in statistics, computer programming, business, and economics. We want to discuss with the police and prosecutions officials the scope of organized crime, how we can deal with it, what will be effective, what should be planned. We want their views. We will give them our views. But we plan much more than that.

The LEAA will create teams of prosecutors, police, intelligence specialists, statisticians, and accountants who will travel to every major state where organized crime presents a significant problem for intensive training sessions with scores of law enforcement agencies. In cooperation with city and state agencies, we plan to assign similar specialists for fairly extended periods for on-the-spot, on-the-job training programs. One of the organized crime experts in the LEAA recently told me, for instance: "The temporary assignment of a policeman to an intelligence gathering unit, a prosecutor to a rackets bureau, or an accountant to an office that specializes in organized crime data analysis or tax fraud investigations would reap numerous benefits."

A continuing series of conferences is planned at our offices in Washington, D.C., with policemen and other officials attending from around the country. We also hope that part of the organized crime program can be aided by the LEAA academic assistance program, where funds are given to law enforcement personnel to pursue college degree studies. The curriculum should include courses directly related to strengthening organized crime activities by teaching such things as how to uncover infiltration of legitimate business, how to recognize false entries in corporate records, statistical analysis of intelligence information.

## BROAD APPROACHES

Broader approaches also exist. For instance, it is our hope that states with organized

crime problems will devise good programs to fight organized crime in their over-all plans for law enforcement improvements that are now being formulated. Organized Crime Prevention Councils also should be a reality in states with organized crime problems, and include a wide range of police, prosecutors, state and local officials, criminologists, accountants, and other experts. The members obviously must be of high caliber, carefully screened, and be representative of the many different state and local interests. Other projects should be even more comprehensive. Every state with an organized crime problem, or that finds it has Cosa Nostra leaders as residents, should think very seriously about the great advantages of creating a special law enforcement unit with state-wide powers of investigation, state-wide powers of arrest, and state-wide powers of prosecution.

I am confident that such an agency could make major inroads on organized crime. Since the Cosa Nostra does not recognize the city line, it makes sense that the mob be attacked on something more comprehensive than a city-by-city basis. Such a decision, of course, is for each state to make. But rest assured that the LEAA will be very candid in giving you its views on the worth of such an approach and on the possibility of our financial support.

One of the great problems in coping with organized crime is the lack of intelligence data. I don't mean, in this context, the lack of evidence to make a particular case, though that is always a pressing need. I mean the kind of data that will give us a thorough, comprehensive look at all elements of organized crime in a city or a state—and, hopefully, at some point, in the entire nation. At present, no state has anything that resembles even remotely an automated organized crime intelligence system. Every police department has rooms full of file cards that have to be examined manually, a time-consuming, often fruitless process. Within a state, cities have no way of quickly getting good information to each other. But consider this: What if we could devise a system where all of the information available within a state could be stored in a computer, to be retrieved and examined at a moment's notice. What interesting and valuable information might be learned. For instance: how many organized crime figures are in the liquor business, the meat business; how many members of the mob have government contracts; what banks do they do business with; what legitimate businesses do they own; what unions do they control; who holds the mortgages on their homes and who gives them loans.

## LACK OF KNOWLEDGE

Again, this is not a definitive description of what such an automated intelligence center might come up with. I merely want to point out that at present no state has the capability to take an over-all, detailed look at anything in the structure of organized crime, at its every facet. We simply do not know very much about organized crime. An automated system can substantially help us to know. If we knew all those things, then we could act on them. Many more prosecutions would eventually result. Organized crime could be hit in its weak spots. As of now, nobody knows enough about the business and economic structure of organized crime to know what those weak spots may be. But what if we had statisticians and business experts examining all of this material? What if we broadened the base of sources of intelligence information? Not only receive information from police but such rich sources as, say, the country recorder's office, that could feed in all the data about business transactions, real estate sales, and other activities involving the mob. I think the automated data system would be an historic step.

I am happy to be able to tell you today that the possible creation of a prototype

automated intelligence system is now being seriously discussed by the LEAA and several states, including Illinois. If the project can get underway, we would hope to give LEAA grants for extensive studies and testing—actually putting material into the computers and seeing what we can learn. If this prototype system should work out well, the LEAA then would make the plans available to the states. We also could give some additional grants for hiring the experts to help set it up. Most of the costs would be carried by the states. The states, for instance, would have to buy the hardware, the computers. They would have to hire the men to operate the system. LEAA would provide the plans and enough technical assistance to get it all started. It is an exciting prospect.

In this short time, I have tried to give you some idea of the programs the LEAA is beginning. We are deadly serious that effective programs become a reality. We need your help, for this great venture is, indeed, a partnership in the truest sense. We must not only work on specific programs. The public must be made fully aware that the stakes are great indeed, and that is something every state should do.

I cannot stress too strongly the need for another vital ingredient in the fight against organized crime. President Nixon, in a speech in Chicago last October, discussed a number of the priorities, and then said this: "Most of all, we need leadership which will pledge that organized crime is finished in this country—that the battle we are in will be won by the forces of order."

I hope our presence here today is one small indication that we are not going to tolerate organized crime any longer.

#### SPEECHES BY THE HONORABLE HUBERT H. HUMPHREY

Mr. CRANSTON. Mr. President, in two recent speeches before the League for Industrial Democracy and the Anti-Defamation League of B'nai B'rith, former Vice President Hubert H. Humphrey has focused on the policy decisions which will determine this Nation's future.

Too frequently, these choices are phrased and debated in the neutral terms of budgetary analysis. It is true that our resources are not unlimited, but so-called dispassionate analysis may be a rationalization for treading the worn paths of tradition. Too often, we blindly enlist behind the banner of national security only to find that we have been led to expensive military commitments which not only fail to increase our security but bring us to the verge of a ruined environment and nuclear suicide.

Clearly this is a time of choice. We can let our society drift on its path to polarization. The affluent can enjoy their material comfort oblivious to the suffering of the invisible poor—for a while. We can retreat to the grassy safety of the suburbs, isolated from the violence of our deteriorating cities—for a while. We can let our military decisions become mere reflexes in a self-perpetuating spiral—for a while. But our complacency will be short lived. The suburbs are nourished by the cities, and the arms race is not only insatiable but, unchecked, logically leads to nuclear disaster.

Now new directions are possible without the passionate conviction that human needs must take first priority. Few men are better able to translate political decisions into human terms than Hubert

H. Humphrey. He knows that good things do not come without a fight and he has never backed off from battle. I ask unanimous consent that Mr. Humphrey's speeches be printed in the RECORD.

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

REMARKS OF THE HONORABLE HUBERT H. HUMPHREY, BEFORE THE LEAGUE FOR INDUSTRIAL DEMOCRACY, NEW YORK CITY, APRIL 19, 1969

We meet today at a time of great crisis and challenge in the affairs of this nation.

During the Presidential campaign Senator Muskie and I talked about two issues which, in our opinion, superseded all others in their long-range effect on the health, if not the survival, of our democracy: the issue of racial justice in America and the issue of controlling the nuclear arms race among the nations of the world.

Nothing has happened in the three months which have passed since January 20 to indicate that our evaluation of the critical nature of these two issues was erroneous.

To the contrary: we have been presented with compelling evidence that what we, as a nation, do about the twin imperatives of racial justice and nuclear arms control, *this year*, will likely commit America for the foreseeable future to either one of two paths:

Will we choose the admittedly difficult and often frustrating path leading to a deceleration of the strategic arms spiral with a corresponding acceleration of our efforts to attack the root causes of deprivation and unrest in this country?

Or will we follow the far easier path, at least in the short run, of acceding to the backlogged requests of the military for an entirely new generation of offensive and defensive strategic weapons and thereby mortgage our chances of mobilizing a far greater proportion of America's resources in the cause of humanity, both at home and abroad?

This is the fundamental decision now facing the Congress and the country.

This is the issue which should now be uppermost in the minds of those persons, like yourselves, who have sustained the struggle for social justice in America for the past three decades.

A little more than a year ago the National Advisory Commission on Civil Disorders—the Kerner Commission—released its historic report and recommendations. On the first anniversary of this report, Urban America and The Urban Coalition released a study, *One Year Later*, which evaluated our progress to date in meeting the goals of the Kerner Commission.

This appraisal stated that: "Poverty remains a pervasive fact of life . . . and the continuing disparity between this poverty and the general affluence remains a source of alienation and discontent.

"Ghetto schools continue to fail. The small amount of progress that has been made has been counterbalanced by a growing atmosphere of hostility and conflict in many cities.

"At present, there are no programs that seriously threaten the continued existence of the slums."

And as the Kerner report had warned a year earlier, the study concluded: "For a year later, we are a year closer to being two societies, black and white, increasingly separate and scarcely more equal."

I was distressed at the meager attention given this important evaluation when it was released six weeks ago. For this report outlined, as did the Kerner Commission before it, the specific actions which must now be taken in America to reverse this alarming pattern of social disintegration.

We must understand the dimensions of our basic challenge: to achieve not only equity

in opportunity but equity in results. And equity in results refers to very concrete goals—the right to a job at decent pay, the right to an adequate income if one cannot work, the right to an education which releases rather than destroys human creativity, the right to decent housing in safe neighborhoods, the right to good health care and sufficient nutrition.

Clearly, if America is going to remedy the inequality and injustice of our society, we must begin conducting our public business in a largely different manner than we have in the past.

Above all else, we are going to have to reorder our priorities and start putting first things first.

Yes, we stand at a critical moment in the history of the United States—a moment when the right decisions taken forcefully and courageously can dramatically alter the priorities of our national life.

Let us be absolutely clear about what is riding on these decisions: no less than whether America can ever remedy the deep-seated social ills diagnosed by the Kerner Commission over one year ago—and known to the distinguished members of this assemblage for many years.

The opening skirmish in this battle over national priorities will be fought over money for the initial deployment of the Safeguard anti-ballistic missile system. But this debate is only symptomatic of the more fundamental decisions that must be reached in the coming year over military spending.

This is why negotiations with the Soviet Union over the reduction of offensive and defensive strategic weapons are so critical.

If we can freeze this strategic weapons race at its present levels, and then begin the process of mutual phased reductions of the nuclear arsenals, there is a chance of winning the battle of priorities . . . there is a chance that we can indeed begin putting first things first.

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.

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.

It is especially important that prior to the negotiations we exercise great restraint in word and action on matters relating to strategic weapons.

My concern for restraint causes me to regret very much those statements of Secretary of Defense Melvin Laird imputing to the Soviets a commitment to achieve a first-strike capability in strategic nuclear weapons.

Less than four months ago, Secretary Clark Clifford reached quite different conclusions as to the Soviet strategic posture. And Secretary of State Rogers clearly contradicted these forecasts of a Soviet first-strike capability in his testimony before the Senate Foreign Relations Committee and at his first press conference in Washington two weeks ago.

If there is any substance to Secretary Laird's view, I believe President Nixon should lay these facts before the country with all the detail and gravity that a change of this magnitude in Soviet strategy commands.

If these forecasts are *not* accurate, then the Secretary of Defense should stop raising

these specters before the American people just at the time when conditions appear ripe for productive Soviet-U.S. negotiations.

This is serious—yes, deadly—business. We cannot tolerate ill-considered expressions from highly-placed governmental officials which could trigger a new round in the strategic arms race.

Statements which depart markedly from earlier U.S. pronouncements can only raise doubts in the Soviet mind about our strategic objectives.

A far wiser course, in my opinion, would be one of watchful waiting, until we have determined through direct talks with the Soviets their actual willingness or unwillingness to decelerate the arms race. Then we will not have to speculate on such critical matters. We will know.

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 and segments of the military and defense establishment. Any meaningful agreements reached with the Soviets concerning the freezing or reduction of our strategic weapons will almost certainly be fought once again.

In my view, a Presidential decision to postpone deployment of the A.B.M. system at this time would have been upheld in the Congress and supported by a significant majority of the American people. And this positive decision would have been a valuable prelude to the more difficult battles that will surely follow any major agreement with the Soviet Union over the mutual reduction of strategic forces.

This nation, however, cannot afford to postpone certain critical actions that are essential now—even though the outcome of arms control talks with the Soviets will, in the end, be a major factor in deciding the proportion of our gross national product that will be available for domestic needs.

In these areas—jobs, welfare and housing—the groundwork has been laid for meaningful progress now.

To date, the present Administration has given little evidence of its intention to seize the initiative in a decisive fashion. The issue, nevertheless, must be drawn. And if this is done in the Congress, I believe the people of America will understand and support our efforts.

The right to guaranteed employment is attainable. This means that some jobs that do not now exist must be created. And this largely means public service employment—the creation of health, police, housing, recreation, education, jobs—at the state and local levels and among non-profit private organizations.

We are also learning that for a portion of our population employment, in itself, is not a sufficient answer. For example, if a male head of a family with three or more children works 40 hours a week 52 weeks a year at the minimum wage, he will be beneath the poverty line. Fully one-third of the poor are already working poor. And employment is of little help to those persons who are too young, or too old, or too sick to hold a job.

As Ben W. Heineman, Chairman of the Commission on Income Maintenance Programs, recently stressed, a new income maintenance system must directly transfer incomes to all of the poor, but must also explicitly preserve incentives for the poor to augment their income through employment, where that is possible.

Indeed, direct income transfers can permit other mechanisms—education, training, health, and employment—to operate effectively.

Both candidates in the Presidential election pledged a total overhaul of our welfare system. The time for action has now arrived.

The third critical issue where movement can occur is the elimination of substandard housing and the building of livable communities.

In the next 10 years this will require subsidizing 6 million dwelling units for those who cannot afford the rent or mortgage payment for decent housing.

But this involves more than Congress appropriating funds. It requires a national land use policy that works to reduce land costs and makes land use conform to public needs rather than speculative ones. It requires a monetary policy that successfully competes for the housing investment dollar. It requires a commitment by the whole public sector and the relevant private sectors to work at assembling sufficiently large housing markets so that technological breakthroughs are made to reduce substantially our construction costs.

Let us be crystal clear. The labor movement must help also by continuing to organize its structure and practices to increase the availability of additional construction workers, on the site or in the factory.

The liberal coalition—all its parts—must begin talking and acting as a movement. This means talking about the politically unthinkable. It means making the politically risky politically proximate. And it means stretching the politically impossible and making it possible.

Today the issue of military spending—highlighted now by the question of deploying the Safeguard A.B.M. system but extending far beyond this immediate issue—has the potential for creating in America an organized force for social justice comparable to the coalition which carried on the civil rights battle for two decades.

Unless this battle is won, this year, the outcome of subsequent encounters over the allocation of resources for cities, for education, for health care, for jobs and housing, and for food will be largely decided even before the issues get to Congress.

Our military budgets will continue to expand; our domestic allocations will become proportionately smaller. This is precisely the outcome of President Nixon's recent cutbacks in the Federal budget.

We now have the chance to reverse this traditional pattern if we focus our efforts on ending the insanity of the strategic nuclear arms race, while we begin simultaneously the difficult job of securing these resources for urgent domestic needs.

This is our opportunity in this moment of crisis and challenge . . . Can we now summon the courage and faith so clearly demanded by the times?

REMARKS OF THE HONORABLE HUBERT H. HUMPHREY BEFORE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH, WASHINGTON, D.C., APRIL 21, 1969

Last September I addressed the Anti-Defamation League of B'nei B'rith in the opening speech of my campaign for the Presidency of the United States.

In this speech I discussed what I considered to be one of the two principal issues of the campaign—the issue of racial justice in America.

I asked this question: Shall we—as a nation—move forward toward one society of opportunity and justice . . . or shall we abandon this commitment out of fear and prejudice and move instead toward a fractured and separated society—black against white, rich against poor, comfortable against the left-out?

The campaign has ended. The Presidency has changed hands. But this question still prevails . . . with an intensity even greater than when I raised the issue last September.

A little more than a year ago, the National Advisory Commission on Civil Disorders—the Kerner Commission—released its historic re-

port and recommendations. On the first anniversary of this report, Urban America and the Urban Coalition released a study, *One Year Later*, which evaluated our progress to date in meeting the goals of the Kerner Commission.

This appraisal stated that:

“Poverty remains a pervasive fact of life . . . and the continuing disparity between this poverty and the general affluence remains a source of alienation and discontent.

“Ghetto schools continue to fail. The small amount of progress that has been made has been counterbalanced by a growing atmosphere of hostility and conflict in many cities.

“At present, there are no programs that seriously threaten the continued existence of the slums.”

And as the Kerner report had warned a year earlier, the study concluded: “For a year later, we are a year closer to being two societies, black and white, increasingly separate and scarcely less equal.”

I was distressed at the meager attention given this important evaluation when it was released six weeks ago. For this report outlined, as did the Kerner Commission before it, the specific actions which must now be taken in America to reverse this alarming pattern of social disintegration.

We must understand the dimensions of our basic challenge: to achieve not only equity in opportunity but equity in results. And equity in results refers to very concrete goals—the right to a job at decent pay, the right to an adequate income if one cannot work, the right to an education which releases rather than destroys human creativity, the right to decent housing in safe neighborhoods, the right to good health care and sufficient nutrition.

The accumulated wrongs and deprivations of generations cannot be swept away overnight. But this obvious fact must not become an excuse for making anything less than the maximum effort to do as much as we can—now.

We hear a lot these days about not promising more than we can deliver—about not raising peoples' expectations over society's capacity to remedy long-standing injustices. All of this is wise and prudent talk . . . up to a point.

Up to the point of permitting such sentiments to become rationalizations for doing less than the absolute maximum of what we are capable of doing.

Up to the point that this approach suggests to the American people that these terribly urgent and difficult problems can be solved without considerable sacrifice and commitment on their part.

And up to the point that we believe our basic error has been in saying to the American people that all should share equitably in the wealth and opportunity of this nation . . . and forgetting that, in fact, our basic error has been the protracted failure to mobilize the resources and energies of this country to reach this goal.

Let's face one fact squarely: television and advertising will do the job of raising peoples' expectations, regardless of what the government may do or what our political leaders may say. But it is the special responsibility of government and our political leadership to make the decisions and generate the support and confidence that will get this job done.

On the basis of the Administration's reductions of the federal budget in critical domestic areas—cities, education, health care, the Job Corps and the poverty program—I can only conclude that they fail to grasp the urgency of our present circumstances . . . and that they are profoundly mistaken in believing that gradualism and patience are sufficient in these days of crisis.

The Administration's confusing and often contradictory performance over the enforcement of existing civil rights statutes, moreover, can only create the most serious doubts about their basic commitment to healing the divisions and eradicating the inequities of this society.

To illustrate briefly:

The same day that the NAACP Legal Defense Fund went into Federal Court over the Pentagon's refusal to demand equal hiring and housing practices by three textile companies, the Justice Department sued a textile mill for precisely these violations of federal law.

And the Administration announced its intention to fire Clifford Alexander, the Chairman of the Equal Employment Opportunity Commission, the day after Minority Leader Dirksen threatened Alexander with replacement for allegedly "harassing" employers who are violating the Civil Rights Act of 1964.

As you know, Mr. Alexander has now resigned his position as Chairman, rather than submit to dismissal under these most unfortunate circumstances.

As one of the principal authors of this legislation, I want to commend Mr. Alexander for his faithful and fair conduct of his responsibilities. And I think the vocal advocates of law and order in this society should recognize the severe damage that is wrought by such efforts to intimidate public officials who are only exercising their statutory duties in a responsible and effective manner.

The inconsistency of this record—the marked disparity between words and deeds—will only encourage those elements in our society which seek to perpetuate racist policies in jobs, housing, education and public services generally.

The time has arrived for those groups like the Anti-Defamation League to demand publicly that our civil rights laws be enforced to the letter.

Any other course by the federal government can only deal a grievous blow to this nation's efforts to root out the bigotry and racism which increasingly threaten to divide this land and people.

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In the course of the Presidential campaign another issue arose of overriding importance: the issue of controlling the strategic arms spiral which threatens the survival of all mankind.

Congress and the American people are now faced with a basic decision: Will we accede to the backlogged requests of the military for an entirely new generation of offensive and defensive strategic nuclear weapons . . . or will we attempt to negotiate with the Soviet Union an end to the nuclear arms race and thereby open the door for a far greater mobilization of America's resources in the cause of humanity, both at home and abroad?

The opening skirmish in this struggle over national priorities will be fought over money for the initial deployment of the Safeguard anti-ballistic missile system. But this debate is only indicative of the more fundamental decisions that must be reached in the coming year over military spending.

One thing is certain: 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 and segments of the military and defense establishment. Any meaningful agreements reached with the Soviets concerning the freezing or reduction of our strategic weapons will almost certainly be fought once again.

But unless *this* battle is won, the outcome of subsequent encounters to secure additional resources for cities, for education, for health care, for jobs and housing, and related activities will be largely decided—in the negative—even before the issues get to Congress.

Our military budgets will continue to expand; our domestic allocations will become proportionately smaller. This is precisely the outcome of President Nixon's recent cut-backs in the federal budget.

We now have the chance to reverse this traditional pattern if we focus our efforts on ending the insanity of the strategic nuclear arms race, while we begin simultaneously the difficult job of securing these resources for urgent domestic needs.

This is our opportunity in this moment of crisis and challenge. . . . Can we now summon the courage and faith so clearly demanded by the times?

#### TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA, OPPOSING PAY RAISES FOR OFFICERS OF THE CONGRESS

Mr. BYRD of West Virginia. Mr. President, on May 2, 1969, I made a statement for television regarding pay raises for officers of the Congress.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

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

##### BYRD OPPOSES PAY INCREASES

A majority of the Senate has voted to send the proposal to increase the salaries of the Vice President, and certain officers of the Congress back to committee. I voted to recommit the proposal and I shall vote against the proposed salary increases if they come before the Senate again. I voted against the bill increasing the salary of the President of the United States. I voted against the bill increasing the salaries of Members of Congress, U.S. Supreme Court judges, and Cabinet officials. I do not believe that it is right to increase the salaries of Members of Congress at a time when inflation is a threat to the economy and at a time when many taxpayers have a greater load than they can carry.

#### TECHNOLOGY, MAN AND THE ENVIRONMENT—A SENATE STUDY UNIT IS CRITICAL

Mr. MUSKIE. Mr. President, yesterday the Subcommittee on Intergovernmental Relations held its final hearing on Senate Resolution 78, to establish a Select Committee on Technology and the Human Environment. During the past several months, we have heard from eminent scientists and representatives of professional organizations, including the National Academy of Science, the National Academy of Engineering, the National Association of Manufacturers, and the U.S. Chamber of Commerce.

The support for the proposed select committee has been most gratifying. There is a common theme running through all the testimony—that both the benefits and hazards of technology are escalating at such a pace that a central forum is necessary to assess technological impact on man and his environment. In particular, the witnesses have stressed that the Senate should have a mecha-

nism for informing itself on an across-the-board basis, rather than the present fragmented approach.

Mr. President, in this connection, I should like to place in the RECORD at this point in my remarks an editorial by the New York Times, May 3, 1969, concerning hearings on Senate Resolution 78, which, I believe, will be of interest to the Members of the Senate and to the public.

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

##### BY LAND, SEA, AND AIR

By land, sea, and air, the enemies of man's survival relentlessly press their attack. The most dangerous of all these enemies is man's own undirected technology. The radioactive poisons from nuclear tests, the runoff into rivers of nitrogen fertilizers, the smog from automobiles, the pesticides in the food chain, and the destruction of topsoil by strip mining are examples of the failure to foresee and control the untoward consequences of modern technology.

"The new technological man carries strontium-90 in his bones, iodine-131 in his thyroid, DDT in his fat, and asbestos in his lungs." That was the graphic description offered by Dr. Barry Commoner of Washington University in his testimony the other day to the Senate subcommittee on Intergovernmental Relations. Under the leadership of Senator Muskie of Maine, this subcommittee is holding hearings on the multiple threats to the environment.

Dr. Commoner cited a wide range of evidence to demonstrate that the laboratory and the assembly line such as the internal combustion engine and the powerful chemical fertilizers have upset the sensitive balance of nature by which life renews itself. The economic benefits and the technical ingenuity are obvious to everyone but the hidden ecological costs are not.

The difficulty is that the environment is everybody's business but nobody's responsibility. Another subcommittee witness, W. H. Ferry, vice president of the Center for the Study of Democratic Institutions, suggests a National Ecological Authority with legal power to forbid any activity which seriously menaces the environment, Congress and the nation, however, are not ready to establish a superagency with such a sweeping grant of power. Two more modest proposals are immediately feasible and would do much to lay the basis for better public understanding and improved public policy.

The first is Senator Muskie's resolution to establish a Senate select committee to study the effects of technology on the environment. The second is a complementary proposal sponsored by Senator Jackson of Washington to create a council on environmental quality. Modeled on the existing Council of Economic Advisers, it would advise the President on environmental issues, provide an independent review of departmental programs, and issue an annual report on the state of the environment.

The Nixon Administration reportedly has under consideration an interdepartment Cabinet Committee on the Environment to be chaired by the President. This would be the wrong approach. The President is much too busy and many environmental issues are too technical for him to give the kind of personal direction which a chairman should provide. Moreover, Cabinet committees tend to dwindle into polite incoherence because no member likes to attack a colleague's policy if he can avoid it. However, a council of experts with an independent staff of its own could give the President and Congress the necessary guidance on the environmental outlook. Such a council is an essential agency if this country

is to develop what Senator Jackson has termed "a national strategy for the management of the human environment."

#### BIRTHDAY TRIBUTE TO FORMER PRESIDENT HARRY S. TRUMAN

Mr. EAGLETON. Mr. President, today marks the birthday of a great American, a great President and a great Missourian. On May 8, 1884, Harry S. Truman was born in Lamar, Mo. Harry S. Truman, farmer, Army officer, haberdasher, presiding judge, Senator, Vice President, and 33d President of the United States, is a man who believes in America and symbolizes that which is best in the American character and American Spirit.

Harry Truman possesses rare qualities of greatness—the greatness of leadership—the greatness which comes with the ability to exercise great power wisely in making difficult decisions. Perhaps, President Truman described it best:

Decisions that the President has to make often affect the lives of tens of millions of people around the world . . . Some men can make decisions and some cannot. Some men fret and delay under criticism. I used to have a saying that applies here . . . "If you can't stand the heat, get out of the kitchen."

Harry S. Truman could stand the heat—and he got plenty. During his Presidency, he led the United States through a period of change seldom matched in the annals of history. His Presidency spanned a period in which America emerged as the most powerful nation in a world just entering the atomic age. Through great decision and petty squabbles, Harry Truman maintained a perspective, a sense of humor, and humility seldom matched by other leaders.

As he himself said:

The President hears a hundred voices telling him that he is the greatest man in the world. He must listen carefully indeed to hear the one voice that tells him he is not . . .

Harry Truman's own words honor him far more than could those of friends and admirers. They reflect the wisdom and understanding which he brought to bear on the problems of our times. They are still relevant today.

Mr. President, I ask unanimous consent that the following statements of Harry S. Truman be entered into the RECORD at this time.

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

#### ON DEMOCRACY

Democracy is based on the conviction that man has the moral and intellectual capacity, as well as the inalienable right, to govern himself with reason and justice . . .

Democracy maintains that government is established for the benefit of the individual, and is charged with the responsibility of protecting the rights of the individual and his freedom in the exercise of his abilities . . .

Democracy has proved that social justice can be achieved through peaceful change . . .

Democracy holds that free nations can settle differences justly and maintain lasting peace.

#### ON THE MILITARY

I have always believed that the civilian control of the military is one of the strongest

foundations of our system of free government. Many of our people are descended from men and women who fled their native countries to escape the oppression of militarism . . .

One reason that we have been so careful to keep the military within its own preserve is that the very nature of the service hierarchy gives military commanders little if any opportunity to learn the humility that is needed for public service.

#### ON DISCRIMINATION

Those who sincerely desire to see the fullest expression of our democracy can never rest until the opportunity for an education, at all levels, has been given to all qualified Americans, regardless of race, creed, color, national origin, sex or economic status . . .

We have only recently completed a long and bitter war against intolerance and hatred in other lands . . . Yet, in this country today there exists disturbing evidence of intolerance and prejudice similar in kind . . . Discrimination, like a disease, must be attacked wherever it appears.

#### ON GOVERNMENT

Government is an instrument of the people, and unless the people want to support measures, and controls necessary for effective and efficient government, representative government will not mean much. I don't believe in government for special privilege. Our resources should be used for the benefit of all the people.

Mr. EAGLETON. Mr. President, real security will be found only in law and justice. Throughout his political career, Harry S. Truman maintained high principles. As he stated in his memoirs:

#### ON SECURITY

Any man who has come up through the process of political selection, as it functions in our country, knows that success is a mixture of principles steadfastly maintained and adjustments made at the proper time and place—adjustments to conditions, not adjustment of principles.

And throughout his steady rise in politics, he was always aware of his responsibility to history. Harry S. Truman once stated:

It isn't polls or public opinion alone of the moment that counts. It is right and wrong, and leadership—men with fortitude, honesty and a belief in the right that make epochs in the history of the world.

By this or any other standard, Harry S. Truman is one of the great figures of our times. His fortitude, honesty, and belief in the right is a part of our history—a part of which we can all be proud.

#### VIETNAM—ARTICLE BY FORMER SENATOR GRUENING

Mr. McGOVERN. Mr. President, I am very much pleased to note that our former colleague from Alaska, Senator Ernest Gruening, is continuing to supply guidance on how we can extricate ourselves from the tragic conflict in Vietnam.

In the current issue of the Nation, he writes:

The disaster there will only be magnified and intensified unless President Nixon reverses the policy that has brought our nation to unfathomable depths.

Like Senator Gruening, I am deeply concerned over the prospect that the new administration might, like its predecessor, become entrapped by the discredited

advice which says we will prevail if we will only persevere in our military efforts. We share the conviction that the route out of Vietnam is through facing realities, admitting our mistakes, and shifting our direction.

The Senator's fight against our deep involvement in Vietnamese affairs was a long and lonely one, joined initially only by one other Member, Senator Morse of Oregon. Yet few would suggest today that we listened to the right advice 5 years ago, or that the architects of the Vietnam war can claim as much foresight as its critics.

Perhaps we will be more attentive now. In that hope, I ask unanimous consent that the article to which I have referred, "How President Nixon Can End Our War in Southeast Asia," be printed at this point in the RECORD.

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

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

(By Ernest Gruening)

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 in 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, in 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 extricated 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 Asia 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 National aspirations.

Would there be a blood bath? One is going on now and it will continue as long as 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 Agreement predicated and we had agreed to support.

President Nixon has the opportunity to end the war and end it honorably by re 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.

#### THE MACHIASPORT PROJECT

Mr. KENNEDY. Mr. President, on Monday there appeared in the National Observer an excellent article entitled "Very High Stakes Make Very Anxious Players." This article is, I think, a very fair, balanced, and objective report of the proposed Machiasport refinery and its relationship to the mandatory oil import program. This article asks many of the questions that the Antitrust Subcommittee and we New Englanders have asked

and shall continue to ask about the wisdom and administration of that program. I request that it be made a part of the RECORD.

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

**VERY HIGH STAKES MAKE VERY ANXIOUS PLAYERS—WHY THE MACHIASPORT DEAL AND TAXPAYERS SHAKE UP AN INDUSTRY**

(About this article: The oil industry occupies a unique position in America—a position that is at once colorful, contradictory, and increasingly controversial. Its influence—political and social, as well as economic—is powerfully pervasive, as evidenced in recent public conflicts over production controls, import quotas, industry tax shelters, and bitter behind-the-scenes feuding over a startling new project proposed for Machiasport, Maine.

(This is the first of several articles that explore first-hand and in depth the industry's singular position and prerogatives. The material was prepared by staff writers August Gribbin, Michael Malloy, Patrick Young, and senior editor Edwin A. Roberts, Jr. The reporting and research was done in Washington, D.C.; New York City; Machiasport and Augusta, Maine; New Orleans and Baton Rouge, La.; and Dallas, Longview, Houston, and Austin, Texas.)

The American oil industry, which registered more than \$60 billion in sales in 1968, is the giant of giants in the business community. But it is an anxious giant, clanking about in several suits of armor and thus conspicuously protected from many of the rigors that are the spice and spark of enterprise.

But it soon may be stripped of its mail and a gauntlet or two. There is mounting evidence that Congress, reacting to customer and taxpayer indignation, will divest the industry of some of its distinctive assortment of protections. These protections can be listed under three headings: the oil-import quota system, state regulation of domestic production, and an unequalled variety of tax advantages.

The challenge to the industry is advancing on two fronts. One is a congressional review of the import-quota system, a review given important impetus by the proposal of Occidental Petroleum Corp., Los Angeles, to erect a huge refinery, using foreign oil, at Machiasport near the northeast tip of Maine. The other is the Government effort to reduce the multiple tax loopholes that, in size and sum, have been the particular privilege of the oil industry.

**THE MOST POWERFUL BUSINESS LOBBY**

The industry, for its part, is fighting any trimming of its advantages. The oil and natural gas lobby is the most powerful business lobby in Washington, and the industry counts scores of congressmen and Federal officials as its surrogates in the halls of Government. The oil companies have traditionally based their case for preferential treatment on the proposition that the nation's security requires a prosperous domestic oil industry, and a prosperous oil industry—so it is argued—is dependent upon tax incentives for exploration and import controls to save the United States from becoming dependent upon oil from politically unstable countries.

Those are the issues in their most elemental form. But underlying the general arguments on both sides is the frenetic history of the oil business. And out of this history has grown a huge, contorted industrial mechanism, prodigiously complex in the working of its parts and complicated still further by its tight meshing with the gears of government. It is a Chinese puzzle whose pieces are strewn throughout a labyrinth of law.

And behind the forests of oil derricks, the pipelines and giant tankers, the vast refineries and tank farms, the corporate edifices and millions of gasoline pumps—behind all the familiar hardware of this basic industry—lies the biggest gambling game ever devised by man, a game in which \$1,000,000 is a token wager, a game that can determine the health and wealth of many nations.

Very high stakes make very anxious players, so it's not surprising that the companies that take the risks look about for all the protection possible. One way of protecting the price of domestic oil is to keep all but a trickle of foreign oil out of the country. This the industry has successfully done since 1959 when mandatory oil import quotas went into effect. Today this protectionist program is endangered. President Nixon has promised to decide by autumn of this year whether the Administration will support the revolutionary proposal called "Machiasport."

**FAVORED BY A FEW WEALTHY FAMILIES**

Machiasport, the town, is typically Maine. With a population of 1,370, it consists of a couple of stores, a rayon mill, a lumber mill, some piers for lobster boats, a cluster of neat-but-weathered houses, and rocky fields that roll down to the sea. Although it is far to the northeast of Maine's principal seashore communities, Machiasport has long been known to and favored by a few wealthy families who maintain summer estates in the vicinity.

It is the kind of rural community that had been most notable for its remoteness and obscurity. But the politics of oil have suddenly thrust the village into the national spotlight, and the technology of oil may turn Machiasport into a hub of industry. Machiasport is blessed with a remarkable harbor; it is 140 feet deep at mean low tide, meaning it could accommodate the largest ships in the world, including the new 300,000-ton super tankers.

But why build an oil refinery in a piney little village so far from the buyers of oil products? Because the plan involves an ingenious way of blowing a hole in the import-quota dike.

Aided by Kenneth Curtis, the 39-year-old governor of Maine, and enthusiastically abetted by the entire New England congressional delegation, Occidental Petroleum is hoping to build at Machiasport the largest crude oil refinery of its kind. The plant capacity would be 300,000 barrels a day. Its daily production would include some 90,000 barrels of home-heating fuel; 10,000 barrels of gasoline; 75,000 barrels of residual fuel used by heavy industry, especially for the generation of electricity; 30,000 barrels of jet fuel for the military; and 10,000 barrels of special Navy fuel.

Occidental would bring in crude oil from its wells in Libya. Therein lies the heart of the Machiasport controversy, and it is a controversy in which not only Occidental, but Maine and the entire nation have an important stake.

Under present law, no U.S. company is permitted to ship into the United States any oil produced in a foreign country, even if the company pumped the oil out of the ground and owns every drop of it, unless the company has been granted a special quota by the U.S. Interior Department. This restriction is contained in what is commonly known as the U.S. oil import-quota system.

The system is now under wide attack, not only because it forces Americans to pay artificially high prices for oil products, but because it is wrenched by so many exceptions, special provisions, and amendments that it no longer can be viewed as a coherent program.

The Secretary of the Interior, using figures developed by the Oil Import Administration in his department, decides every six months how much foreign crude, refined, and partially refined oils can come into the United States. The total generally hovers

around 761,000 barrels a day, and it represents 12.2 percent of the projected U.S. domestic production—excluding oil from Mexico, which is considered a special exception, and oil from Canada, which is also considered a special exception, and that oil from Venezuela entering the United States via Hawaiian refineries, which represents still another special exception.

**DIVVYING UP THE QUOTA**

The Secretary divides the 761,000 barrels a day among the 150 companies that now qualify for quotas. Some companies get bigger quotas than others. The amount of oil a company is permitted to import depends on a so-called historic quota, and also on the company's refinery production capacity as well as on a complicated "sliding scale" formula.

When a company that has not been on the import list is given a quota, every other company on the list must contribute a fraction of its share to help make up the newcomer's allotment. Since every barrel of foreign oil in a company's quota is worth \$1.25 cash—the difference between the foreign and domestic price—companies already on the list are not anxious to share the largess with newcomers.

The "historic quota" criterion, like almost everything else about the oil business, merits explanation.

At the end of World War II, American industry returned to peacetime production of automobiles, and many new homes were equipped with oil instead of coal furnaces. The market for oil in the United States quickly expanded and the price of oil zoomed. With demand outrunning supply, the oil industry began vast exploration and development programs. By the early 1950s, the situation was reversed; the companies were producing more oil than they could sell.

While U.S. oilmen were moving from a position of shortage to surplus, oilmen in other countries—in South America and the Middle East—were doing the same thing. The international companies, realizing the United States presented the best market for oil, cut prices and began exporting their less-expensive oil into the United States on a large scale.

Domestic producers were furious. Responding to pressure from the oil lobby, President Eisenhower acted. He acted not only to mollify American oil interests but also to assure the nation the oil it might need in a military emergency. If the United States used so much cheap foreign oil that discovery and exploitation of U.S. oil fields dwindled, the country might become largely dependent of foreign sources for its military fuel. Given the political instability of most of the foreign nations that produce oil, reliance on foreign crude could endanger American security.

In 1955, a Cabinet-level committee much like the one recently established by President Nixon recommended that the President limit oil imports to about their 1954 level. For two years the Eisenhower Administration urged the seven major international companies to limit their imports. They didn't, and they didn't because it is not in the nature of businessmen to intentionally eschew easy and obvious profit opportunities.

So, in 1957, Mr. Eisenhower set up the Voluntary Import Control Program. He assumed the power to take this action from the National Security Amendment of the Trade Agreement Extension Act of 1955. This is one of the reasons import quotas are so often discussed in the context of national security.

The voluntary program provided for limiting imports of oil and refined oil products to 12 percent of domestic production. The 12 percent limit applied to the East and Midwest, known as U.S. Districts I-IV. There are five such districts in the nation, with District

V including Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii.

#### CALCULATING DISTRICT V'S QUOTA

The District V states traditionally have been unable to get enough domestic oil for their needs, so in those states the quota restrictions were made more flexible than those applying to Eastern and Midwestern states. They were based on estimates of District V's demand in relation to available domestic supply. That's essentially the way the District V quota is calculated today.

The total amount of quota oil allowed into the United States was to be allocated to "established" importers, meaning the seven major oil importing companies, which, in order of size, are: Standard Oil (New Jersey), Royal Dutch Shell, Mobil Oil, Texaco, Gulf Oil, Standard Oil (California), and British Petroleum.

The program also provided for the addition of newcomers to the ranks and specified, just as the present mandatory program does, that the seven established companies' quotas would be reduced to accommodate allotments to newcomers.

The voluntary program had a fatal flaw. It was voluntary. While the established importers complied with its provisions, smaller companies disregarded them. Imports continued to rise. In March 1959, the Mandatory Oil Import Quota Program was enacted.

In the past decade the quota program has worked. It has guaranteed domestic producers high prices for oil pumped from U.S. reserves; domestic crude oil prices, in fact, are the highest in the world—about 60 per cent higher than world prices. This arrangement has successfully protected domestic producers from foreign competition, but the cost to the American economy has been staggering. An economist with the Senate Antitrust and Monopoly subcommittee estimates that cost at \$7.2 billion annually. Oil industry spokesmen say the cost is "only" \$2.7 billion. Independent economists put the figure somewhere in between, but usually closer to the higher estimate.

The industry argument is that the extra billions American consumers and businesses pay for oil products represent part of the cost of national security. Where would the nation be, they ask, if domestic facilities were to lie idle because of a flood of cheap foreign oil? Where would the nation's oil come from in a crisis that cut off access to the fields of the Middle East?

Critics of the present system respond with their own rhetorical questions. Is it wise for the United States to use up its own reserves when it could save them while buying far cheaper oil from abroad? And if national security is indeed the issue the industry spokesmen say it is, is there not some more efficient way to guarantee the United States a ready supply of oil in an emergency?

Another element has recently been introduced into debate. There is evidence that the discovery of major oil fields in northern Alaska will expand U.S. reserves to the point where it is unlikely this country will run out of oil in this century—or the next century. Then, too, there is the new technology that could make economic the processing of huge, domestic oil shale deposits. And what of the likelihood that atomic energy will eventually replace oil as an industrial power source? And what of the current experimentation with automobiles powered by other than internal combustion engines?

These questions are part of the general argument. The particular argument hinges upon Occidental's attempt to obtain an import quota of 100,000 barrels of oil daily to feed its projected facility at Machiasport.

Companies already on the import list are naturally hostile to the idea. They note that 100,000 barrels is equal to almost 20 per cent of the quotas presently allocated to all other companies. They contend the Occidental plan would destroy the import quota system, ruin

the domestic oil industry, and unfairly present Occidental with a windfall variously estimated at between \$35,000,000 and \$65,000,000.

When opponents speak of the "Occidental Deal" or the "Machiasport Deal," however, they are referring to much more than a big import-quota application. They are referring to a series of maneuvers that resemble a brilliant chess attack, the kind of master plan that has been associated with the oil industry since the halcyon days of John D. Rockefeller.

Here is the grand strategy: Maine's Governor Curtis has energetically sought new industry for his state, which badly needs an economic boost. Maine's roads are poor; its school system is inferior; its services minimal.

Governor Curtis says Maine has the highest incidence of poverty in New England. Per capita income figures calculated for 1966 show that Maine residents earn an average of \$2,438 annually, compared with the New England average of \$3,223. The low-income cycle is particularly pernicious because the state lacks cheap electrical power. Residual oil, rather than water power, turns its electricity-producing turbines. Industry does not usually seek out new plant sites in areas where power costs are high.

#### A MASTERFUL PROMOTER

Governor Curtis called in John K. Evans to help find a way to get Maine moving. Mr. Evans, who was formerly an executive with Royal Dutch Shell, is an expert in international oil operations. And he is a masterful promoter. It was Mr. Evans who devised the imaginative Machiasport project, although it soon became too big for him to handle, and in July 1968 he turned the plan over to Occidental, no doubt for a satisfactory consideration.

The main purpose of the Machiasport deal is to reduce power costs in the state and thereby attract new industry. Since the state depends on oil for electrical power, it must get cheap oil to reduce power rates. Since oil itself is a basic industry and raw material, it seemed reasonable that if Maine could tap a big supply of cheap oil, it might signal the beginning of a state-wide boom.

The oil for the Machiasport refinery could not come from the United States because U.S. oil is the most expensive in the world. Maine, furthermore, is almost as far from domestic sources of supply as it is from foreign wells that produce cheaper oil and transport it less expensively in foreign ships.

By law, U.S. oil must be carried in American-flag tankers. Thus, the oil for Maine had to originate outside the United States if the grand strategy were to work.

The planners knew they could eventually get a quota for foreign oil; any petroleum company with a refinery can manage that. But the quota system is so designed that the large refineries get proportionately less oil than the smaller ones. The quota system serves as a special protective device for the smaller operators.

Maine—and Occidental—had to find a way around the import-quota system, because that system wouldn't allow nearly enough foreign oil to enter Machiasport to make the facility practicable. Occidental not only wants to bring in huge quantities of foreign oil; it wants to bring it to Machiasport in the holds of huge foreign tankers that are almost three times the size of the largest American tanker. Economies thus would be spread throughout the whole arrangement.

Even America's relatively small 100,000-ton tankers can't sail into most U.S. harbors because they draw nearly 90 feet of water. The bigger foreign tankers, in service and on the drawing boards, require still greater depths. The need for an extremely deep harbor was clear.

Files of the Army Corps of Engineers and

the Coast Guard provided a likely answer: Machiasport. The water around the tiny spit of land on which the village stands, at more than 140 feet deep, is deep enough to handle anything afloat or on the drawing boards. What's more, Machiasport and a few other New England ports are the only ones in the nation offering at least two-mile turn-around room, which the super tankers need. Machiasport, in fact, has a four-mile turn-around area.

#### THE BIG PROBLEM

Machiasport's natural endowments solved one problem. But the greater problem was, and is, the import-quota system. How to get around that?

By setting up a free trade zone in the state of Maine.

A free trade zone is a technical term applied to a geographic area of the country that has been specifically exempted from certain import laws. Though physically a part of the United States, customs laws don't apply in these zones. Importers can bring in raw materials or other goods into a free trade zone, process them, store them, manipulate them, and export them without paying a nickel in import duty. Products shipped from the zone into the rest of the United States, however, are subject to regular customs charges.

Until 1965, oil could be shipped into a free trade zone in the manner of any other commodity. In that year, however, President Johnson issued a proclamation requiring petroleum importers to obtain a license from the Interior Secretary before importing foreign oil into a free trade zone.

It might be noted here that during the years the late Sam Rayburn was Speaker of the House, and when Lyndon B. Johnson, another Texan, was Majority Leader of the Senate and later President, the domestic oil industry had two of its most devoted friends in positions of surpassing power.

Maine's first move was to apply to have a section of the state declared a free trade zone. It then had to apply for a license to import foreign oil into the zone. This the state has done, requesting that the Portland area be designated a free trade zone with Machiasport declared a "subzone" having the same privileges.

The decision on the free-trade-zone application will be made officially by the Foreign-Trade Board, composed of the secretaries of Commerce, Treasury, and the Army. In fact, however, the final decision will be made by President Nixon.

Maine supports its case with several arguments.

The plan, it is argued, would enhance national security because the new refinery would add to the nation's oil-processing facilities; moreover, the refinery would be built in a part of the nation where no refineries now exist, thus dispersing the facilities of a vital industry.

The nation's balance-of-payments problems would not be aggravated because Occidental would build a refinery in the United States that it will build abroad if the trade-zone application is denied.

The Machiasport refinery would contribute to a lessening of air pollution in the Eastern United States. Libyan oil is lower in sulphur content than domestic crudes, and the emission of sulphur from burning residual oil is a major cause of air pollution.

Area consumers would save money on gasoline and heating fuel. Occidental has agreed to sell its gasoline in the "unbranded market" at approximately 2.5 cents per gallon below major company prices. Company officials say this will save gasoline customers \$4,000,000 a year and heating-fuel customers \$22,000,000 a year. This is an important aspect of the plan to New Englanders who pay high heating-fuel rates throughout their long, cold winters.

Occidental would also provide the military with lower-cost petroleum products.

The plan would provide the nation with a new deep-water port, which it may need for military and commercial purposes.

U.S. tanker trade would be stimulated because, though Occidental would haul its raw material in foreign ships, the company would export some of its products in American vessels.

If the plan is approved, Occidental has agreed to finance in New England a new, nonprofit oceanographic research and development foundation.

The project would provide 350 jobs immediately and would attract industry to a depressed area.

While the Machiasport deal would be good for New England better for Maine and entirely superb for Occidental the rest of the oil industry is dead set against it. Leading the way in a propaganda campaign to counter the Maine-Occidental propaganda campaign are three giant oil companies—Humble the marketing subsidiary of Jersey Standard Gulf and Shell. Too, if all the Democratic and Republican congressmen from New England are for Machiasport the Texas and Louisiana delegations are strongly opposed to it.

One of Machiasport's most avid supporters is Massachusetts Sen. Edward M. Kennedy perhaps the second most influential politician in the nation. Aligned with him and the rest of the New England delegation are the governors of the six New England states. Machiasport represents one of the few times since 1620 that practically everybody in New England is in agreement on an issue.

Squabbling between the New England and Texas-Louisiana factions began as soon as the proposal was announced and it's still raging. Last February President Nixon declared he was personally assuming responsibility for all decisions relating to oil. On March 26 he named a Cabinet-level committee to review the nation's oil-import policy. The committee, headed by Labor Secretary George Schultz, expects to finish its survey by October. Some time after that the President plans to make a decision about Machiasport.

What little opposition exists in New England has been localized and minute.

Bernard Cheney, an insurance adjuster, was asked what he thought of the Machiasport plan as he stepped from a bank on Center Street in the nearby village of Machias.

"I don't like it. I don't think it can solve the economic problems of Washington County (in which Machiasport is located). It won't create enough jobs. Even if it did we've got people around here who wouldn't work if you gave them \$500 a week.

"But the biggest objection is that they want to build the refinery on the most beautiful section of the coast. Don't you realize that this country around here is one of the last places you can go to get away from the pollution and gook of the cities. You look forward to your kids coming back to escape from the city and bringing the grandchildren to a place with some beauty. Why it's like getting \$1,000,000 to get out in your car and drive around this country. Now they're going to bring pollution here."

Fear of pollution—of both air and water—is uppermost in the minds of all local opponents of the plan. Even many who favor it do so with mixed feelings. Says lawyer Wesley Vose: "I can see that the refinery and the other industries it will attract will be an excellent source of jobs and tax revenue. But it's bound to change the community and most of us like it the way it is. Still I'm for the proposal. We need it."

Charles Kilton, manager of the sardine cannery in Machiasport, remarks: "I've always thought it was a good idea. Sure the refinery will hurt our cannery. It will bring changes. But we've got to have help. We've

got to have better roads. Where's the money going to come from? The people around here are afraid of strangers coming in. I say let 'em come."

The poverty, or near-poverty, of many Maine residents is not the apparent kind. It is not the poverty of filthy, crumbling city slums. Nor is it the wretched hopelessness of barefoot mountain folk. It is rather an absence of amenities in old, rickety—but clean—houses that have known too many Maine winters. Most important of all, most poor people in rural Maine do not consider themselves poor. And they possess the Yankee knack of making do. Poverty is not always a matter of money; sometimes it is a matter of attitude.

One opinion widely held throughout New England is that New Englanders are forced to pay too high a price for home heating fuel. Seventy per cent of the residents of the six states heat their homes with oil. They use more than 900,000 barrels of oil a day, 21 per cent of the heating oil used by the entire nation. Since 1964 the price of that fuel has risen an average of a half-cent a gallon a year—at a cost to New Englanders of an additional \$20,000,000.

Heating oil costs more in Boston, some 50 to 80 cents more a barrel, than it does in Chicago, Milwaukee, or Detroit, which also have long, frigid winters.

The cost of heating their homes is a particular irritant to New Englanders, and it is a major reason why most people in the area favor the Machiasport plan. There are smaller irritants, too, that contribute to a general feeling of dissatisfaction with the curious workings of the oil industry.

Governor Curtis says that people living in Portland resent the fact that though a major oil pipe line runs through Portland carrying oil from that city to Montreal, the price of heating oil in Montreal is 3.59 cents a gallon less than it is in Portland. The harbor at Montreal is too shallow to accommodate ocean-going tankers, so oil bound for the Canadian city is brought into Portland, the second biggest (after Philadelphia) oil port on the East Coast, and immediately transhipped to Montreal. But it's foreign oil that pours through those pipes and Portlanders aren't allowed to tap any of it.

The Machiasport proposal raised so many questions about the import-quota system that the Senate Antitrust and Monopoly subcommittee began hearings on March 11 with a view to recommending changes in the present policy. The subcommittee, an offshoot of the Senate Judiciary Committee, is headed by Sen. Philip Hart, Michigan Democrat. Eighteen economists and educators appeared before the senators, and almost all of them were extremely critical of the quota system. In fact, Senator Hart observed during the hearings that his subcommittee had been unable to find any economist not connected with the oil industry who was willing to argue in favor of the present system.

The most telling points made by the expert witnesses were these:

The import-quota system is the "capstone" of a network of regulations that greatly benefit the oil industry and keep the price of U.S. petroleum products artificially high.

The cost of U.S. oil is so high that domestic prices could be reduced by more than 30 per cent and still permit 95 per cent of the oil produced in this country to be sold at a profit.

The import-quota system no longer makes a significant contribution to national security. It may, in fact, jeopardize national security because it forces the United States to drain its own reserves—reserves that might be more valuable as a wartime asset.

#### CREATING A CARTEL

The quota system preserves what Walter Adams, acting president of Michigan State University, calls a "Government-created, supported, and subsidized cartel." He said the

Federal Government "does for the oil companies what they could not legally do for themselves." He means that Government policies have the effect of fixing prices, something the companies could not do on their own with impunity.

The present system keeps the most efficient wells from operating at capacity while encouraging the development and operation of the least efficient wells. If the restrictions on imports were moved, the per-barrel price of oil would drop from \$3 to \$2, and 5.4 per cent of domestic production would be lost. The most efficient companies would expand their production facilities and the marginal operators would be forced out of the market. The marginal operators contribute a small fraction to total production.

The witnesses before Senator Hart's subcommittee rarely equivocated; although their language was properly polite, the force of their arguments bespoke a barely muted anger.

At one point, Senator Hart asked Prof. Henry Steele of the University of Houston if he meant that the Government was subsidizing 95 per cent of domestic production just to safeguard 5 per cent of the oil operators. "Yes," said Professor Steele, "and it doesn't make sense."

Prof. Paul T. Homan, an economist with Resources for the Future, Inc., a non-profit research organization, declared:

"We are under the impression that those responsible for adopting the allocation system never regarded it as having any importance for meeting the national security objects of the import program. . . . We are not aware that those responsible for framing the allocation system engaged in a serious economic analysis of the effects of the alternatives open to them. . . . It might be thought rather remarkable that a program affecting such a wide range of economic interests should be developed in a sort of intellectual economic void."

Professor Adams of Michigan State University explained some of the effects of the quota system that keep domestic oil prices high. He noted that Japanese manufacturers can buy Iranian heavy crude (residual fuel) at \$1.35 a barrel. The same oil could be shipped to the U.S. East Coast at a delivered price of \$2.10 before tariffs. U.S. industrialists, however, must pay \$3.42 per barrel. That's a difference of \$1.32 before tariffs and \$1.22 including tariffs.

#### PASSED ALONG TO CONSUMER

Professor Adams concludes: "Such a differential obviously could not exist except for the penalties imposed on U.S. manufacturers by the import quota program. Major American chemical companies—du Pont, Union Carbide, Dow, etc.—have estimated that domestic oil prices on the East Coast average \$1.25 per barrel more than elsewhere in the world; this amounts to 3 cents a gallon, or 60 per cent above the world price."

The higher price U.S. chemical companies must pay for raw materials, of course, is passed along to the American consumer. And the American consumer buys all manner of products that are derived from petroleum.

Major petroleum derivatives include carbon black, synthesis gas, methane, propane, toluene, and benzene. And from those chemicals come tires, plastics, fertilizers, explosives, shower curtains, pharmaceuticals, rayon, nylon, fumigants, synthetic rubber, lacquer solvents, windows, paint resins, polyesters, and dyes, among other products.

There is general agreement by many in the economic community that prices on these consumer goods would be lower if the price of domestic crude oil were not pegged by the Federal Government at a relatively high level. The manufacturers' costs, in any case, would be importantly reduced.

One witness before the Senate subcommittee told a reporter after testifying: "I would

prefer not to sound unscholarly in public, but it does not take much economic sophistication to come to the conclusion that the oil import-quota system is an exercise in insanity."

None of the witnesses urged that the system be scrapped at once; that would throw the domestic market into chaos. Critics urge instead that the quota program be eliminated gradually.

The oil industry is aware it has on its hands its toughest fight in years. Its old prerogatives are being called into question all at the same time, and there is some doubt that even the powerful oil lobby and its well-situated friends in Government can sweep back the tide of change.

The major oil companies have declined to be drawn out on their position in the import-quota controversy. This reluctance is due partly to the traditional secrecy that the companies attach to their operations and policies for fear of providing information that might be of use to competitors. Too, industry spokesmen in coming months will themselves be testifying before the Senate Antitrust and Monopoly subcommittee and they prefer not to tip their hand.

But the industry position can be summarized this way: The present quota system is imperfect, but a devil known is better than a devil unknown. Import quotas enhance national security by assuring the viability of the domestic industry in the event an international crisis should close off America's access to foreign sources. Elimination of the quota system would work an extreme hardship on the economies of oil-producing regions in the United States. And such elimination would adversely affect the nation's balance of payments.

Nowhere does the oil industry have more friends than in those agencies of the Interior Department that are charged with overseeing various aspects of industry operations. This is so whether the issue is oil spills off U.S. shores or the import-quota system.

Ralph W. Snyder, a key official of the Oil Import Administration, has reacted to the controversy over quotas with two suggestions. Mr. Snyder is unconcerned that the high cost of oil forces consumers to pay much more than necessary for oil products. He is concerned about national security, and he believes that even with the present quota system the nation is still too dependent upon foreign oil. And, even though the recent oil strike in Alaska promises to change the whole chart of world oil reserves, he is distressed at what he says is the low level of exploration in the United States.

Mr. Snyder would not only retain the import controls, we would supplement them. He would, for instance, offer U.S. offshore oil producers in the Gulf of Mexico the option of withholding up to 30 percent of their permitted production for a period of two years in exchange for a crude-oil import allocation exactly equaling the amount of oil they agree not to produce. At the end of two years, the offshore wells would be put back in production for one year to test and verify their production rates. After a year of normal operation, the producer would be free to reduce production and qualify for an increased import quota again.

Mr. Snyder's second suggestion is similar. To encourage domestic oil exploration and well development, he would give operators who find and develop new fields the alternative of withholding up to 50 percent of their domestic production for a period of one or two years in exchange for an import quota equal to the amount of domestic oil withheld.

Almost all independent economists, however, believe that national security would be better served by gradually abandoning the quota system. How likely is it, they ask, that all foreign oil would be denied the United States by a localized war in some part of the

world. Western Europe would indeed suffer if war in the Middle East halted oil shipments from there. But the United States has at least a 12-year supply, and when the new Alaska fields are developed and when it becomes economic to extract oil from shale rock, the United States will have enough oil of its own to last for many generations.

And if the worst comes to the very worst, how much of an oil reserve will the United States require in a global, thermonuclear war? Such a war is not likely to last 12 days, much less 12 years.

A top executive, moreover, of one of the biggest international oil companies, who refuses to have the statement attributed to him or his company, says that the major oil companies are ambivalent in their attitude toward the import-quota system.

#### NATIONAL SECURITY

"Obviously we want to optimize the return to the shareholders," he says, implying that retention of the quota system would help assure that end. But he thinks the ostensible rationale for the system has eroded: "Since quotas were put on, changes in the program have made it bear less and less relation to national security. The world is different today than it was 10 years ago [when the quotas were made mandatory]."

The international companies are reluctant to discuss the controversy with the press. British Petroleum, for instance, which recently bought Sinclair's East Coast marketing operation, declined comment on the grounds that it might appear to be trying to influence the Senate hearings. Royal Dutch Shell also decided to withhold comment.

The international companies have good reason to straddle the fence about import quotas. The "foreign" oil barred from the United States is oil produced by U.S. companies on foreign soil. It's their oil that's being kept out of the nation, but, because they are domestic producers too, it's their oil that is being overpriced in the U.S. market. All the major international companies have recorded record profits in recent years. Standard Oil (New Jersey), the world's largest oil company, boosted earnings in 1968 to \$1.3 billion, or \$122,000,000 more than in 1967.

From an industry point of view, the present quota system is just fine, even for the international companies that have a big stake in foreign oil.

But the industry is well aware that in its current form the quota system is, in the opinion of many, an unfair and unnecessary burden on American consumers and businessmen. And nothing could revamp the system so simply and suddenly as approval of the Machiasport plan.

Maine's Governor Curtis is optimistic. "They've been delaying us to death down in Washington," he says. "But we're going to win something for sure, for the thing that gives our request and our argument credibility is merit."

Oil import quotas, however, are only one of the protections that have enveloped the industry in a cocoon of extraordinary privilege. The others are state-enforced controls on domestic production, which have the effect of further supporting high prices, and the many tax advantages, of which the 27.5 per cent of depletion allowance is only the best known.

Machiasport and the quota system represent but an introduction to the biggest and most complicated of all business stories.

#### HE SPOKE FOR AMERICA

Mr. MURPHY, Mr. President, in the April Foreign Service Journal, Mr. Stephen N. Sestanovich, who presently is in the Bureau of Inter-American Affairs, Department of State, writes an article describing his father's work in the State of California in the field of naturaliza-

tion. Certainly we all know of many great stories where immigrants entered this great land of opportunity, penniless and unable to even speak the language of the country. Through hard work, study, and determination, they were able to lift themselves up and become productive and outstanding members of our country.

Mr. Stephen Sestanovich knows because he was also taught by his father the values of the American way.

Mr. Stephen Sestanovich's father helped many immigrants to become American citizens. To his father, "naturalization was a sacrament, like baptism, confirmation, or matrimony."

In an article entitled, "He Spoke for America," Stephen Sestanovich tells about his father's efforts. Because of the inspiring nature of the article, I ask unanimous consent that it be printed in the RECORD at this time.

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

#### HE SPOKE FOR AMERICA

(By Stephen N. Sestanovich)

(NOTE.—Stephen N. Sestanovich was born of US-citizen parents in the Dalmatian province of Dubrovnik, now part of Yugoslavia. Following a civilian career as student, teacher and journalist, he joined the Foreign Service in 1942 and has served as public affairs officer in North Africa, Austria, Korea, Italy, Thailand, Singapore, Finland, and Venezuela under the US Army, the Department of State and the USIA. He is currently in the Bureau of Inter-American Affairs, Department of State.)

Throughout his life my father has carried on his shoulders the burden of his immense debt to the United States of America. He was still a young man when he decided to do something about liquidating it. How he inspired and helped hundreds of immigrants from other lands to pay their own debt to Uncle Sam is one of those unique achievements which constantly nourish the American dream. I remember well what he did, for it touched my life as well.

I was seven years old in 1920, and only recently arrived in the United States, when I fell under the spell of my father's fierce patriotism. My mother and I had been stranded on a small island off the Dalmatian coast where we sat out World War I. Father left us there in 1914 to go to California to set up a home for us, intending to have us join him in a few months. But in a few months the conflagration was upon us and six years were to pass before our reunion in Oakland, California.

On our arrival I sensed immediately my father's alarm over my lack of physical and educational development. Here was his sickly American son who spoke no English and was a stranger in America. He set upon the task of building me up physically, teaching me English, and instilling in me knowledge and appreciation of the customs and institutions of the wondrous land to which I had just come.

Father was 35 then, of medium height and weight, fair hair and complexion, and very strong. For a skinny seven-year-old my work-study schedule was rigorous. Calisthenics morning, noon and night at the local Sokol gymnasium were followed by huge glasses of milk, lots of hot bread and honey and great quantities of fresh fruit. There were language lessons, and what Father considered most important of all—committing to memory the Declaration of Independence, the Gettysburg Address, names of the states, names of the Presidents, the pledge to the Flag and the Lord's Prayer.

In a month I was ready to enter school. I was more than ready, for no other first-grader

at St. Joseph's elementary school had heard of Bunker Hill, Gettysburg, or Chester A. Arthur, or government of the people, for the people, by the people. I felt out of place. But that was Father's way. Nothing pleased him more than to direct my Americanization and to see me excel over other kids.

My father looked on America as a personal property which he possessed, which he cared about, and whose virtues he intoned to all who would listen. Indeed, he was impatient with immigrants who didn't immediately catch the fire of his zeal, or who delayed even for a few days after stepping off the boat taking the first steps leading to their naturalization.

To my father naturalization was a sacrament, like baptism, confirmation, or matrimony. He disapproved strongly of those who let their citizenship lapse, didn't take an active part in civic affairs, or who didn't take the trouble to vote.

The wave of immigration to the United States after World War I created the usual problems of displacement and relocation. And in those days there were no government or private programs to assist the newcomer. Immigrants gathered in ghettos. On their own the men looked for work in railroad yards, the women in the canneries, and the children helped farmers bring in their crops. All of them worked long hours for little pay. Precious little could be spared for education or recreation. The average immigrant had two aims: to stay off relief and to build the family's savings for a better life later on.

To my father the failure of immigrants to invest in education signaled a wavering of faith in democracy. He went to the ghettos, reasoned with their dwellers, some of whom were relatives and fellow-townsmen from the old country.

"Look," he pleaded with them, "you must send your children to school and you've got to study and become American citizens. America will reward your unskilled work and be grateful for it, but the big rewards for you and your children will come only with education, lots of it."

Some of the men snickered bitterly. In the old country only the children of the rich could hope for education and advancement. "It will be the same here." "Let's be grateful we have work," they argued.

The women were more astute. At work they had heard of someone's cousin or a nephew who had finished high school and rose to become a clerk at the Southern Pacific round house. They wanted their kids to do the same.

My father decided on an independent course of action. He bought a dozen language books, readers, a quantity of arithmetic books, and a few copies of the famous old green book so familiar to every candidate for U.S. citizenship. "Questions and Answers for American Citizenship." He made a deal with the Sokol club to use their hall and several rooms for his classes. He talked to the principal of Prescott Junior High School, Mr. George E. Mortensen, and arranged to have Mrs. Gladys Webb teach citizenship.

By this time I was 12 years old, filled with knowledge of American history and institutions, and thus pressed into service at Father's school as a teacher of citizenship.

All classes were at night. Little by little the immigrants came—first the women, then the children, finally the men. In no time at all the classes became overcrowded.

The students learned English, Serbo-Croatian, and American government. Instruction was free. The Sokol organization charged nothing for the hall. Mrs. Webb's services were donated by the Oakland Board of Education. My father naturally applied his services and mine to paying off the patriotic debt. Students paid only one dollar a month, which was supposed to cover the cost of the books and classroom supplies, but often didn't.

Between his own classes my father would visit each of the other classes nightly. "Learn, learn, learn, you blockheads. You must learn," he shouted at the dullards and back-sliders over and over again.

What always pleased Father immensely was any opportunity to exhibit his great knowledge of American institutions. He took advantage of any occasion to pound home lessons on the Constitution, the Bill of Rights, our system of checks and balances, or to describe how a bill becomes a law in the Congress.

Father swore at the Eighteenth Amendment. To him this "dry law" was "a devilish limitation of personal freedom." "But just because I don't like it doesn't mean I don't have to obey it," he used to say. "It is the law of the land and obey it we must until men of reason prevail and change it." My country right or wrong was an aphorism he often used.

My father loved the heroes of America. "Tell me who your heroes are and I'll tell you a great deal about yourself," was one of his favorite sayings. He never stopped exhorting his students to emulate America's heroes, quoting from the poets, statesmen and scholars who have recorded the nation's history.

"Where but in America will you find a man like Abraham Lincoln?" he would ask his classes.

"Let his life be an example to you. Work as he worked in the midst of poverty, remembering how he found dignity in splitting rails, blacksmithing, clerking, and how the same dignity was still there when he became President.

"Be his kind of do-it-yourself student—the penniless Lincoln hankering to be a lawyer, borrowing books from a neighbor miles away, reading them lying stretched out on a store counter with his head resting on a parcel of calico.

"Let me teach you his prayers: 'If God has a place and work for me, and I think he has, I believe I am ready.'

"Learn something of Lincoln's sense of fair-play, and his stick-to-it-iveness: 'With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.'

"And Jefferson," he would say, "a different kind of man. A democrat, but an intellectual aristocrat. Think of all the things this man taught himself to do. To write eloquently. To grow grapes. To practice law. To speak in six languages. To design furniture. To play the violin. To be an architect. To invent useful tools. To build a great university. To make bricks. To make nails. To make democracy work."

Slowly Father's and my pupils were ready for their examination. Each week one day was set aside in the superior court of Lincoln S. Church to hear applicants for US citizenship. For a number of years my father and I provided candidates for these sessions. Each sitting of this court was a solemn occasion, especially for my father, more like a service in a great cathedral than a court of law.

Judge Church's court was large, majestic with its walnut paneling, heavy drapes, a brilliant chandelier. High up on the bench sat Judge Church, in silk robe, himself a revered figure with a stentorian voice, good looks and a huge body adding to the awe.

My father and I were there always, it seems. We sat in the audience. "Wonderful, wonderful," Judge Church said to me once. "Steve, you're only 12 years old, only five years in the United States, and already you are making American citizens. How wonderful."

The judge called the first applicant. The

first was always one of our pupils. Father knew what the first question would be. There was an unrehearsed plan between him and Judge Church, a design of two patriotic wills to select a candidate who could set the stage, instill pride in country, as if to light the candles on the altar.

"Mike Lipan, you want to be an American citizen. Good. Then tell us if you will whom you admire most in America, and tell us why," Judge Church would ask.

Mike was just 21 years of age. He was a big, chubby fellow, round-faced and eager. In the old country he received a sixth-grade education. He was able to read the newspapers, and when something complicated was said on the radio he was able to interpret it to the ghetto folks. I worked with him for weeks. We went over and over the green book questions and answers. He recited, repeated and memorized. Mike was better able to face that court than most American high school graduates.

"I think Michael Pupin is best American," he said.

Father and I were stunned for a moment. Hadn't we drilled Mike on Benjamin Franklin? We had, but apparently Mike's love of science outpaced our tutoring program.

"I know Michael Pupin," Mike continued. "He was born poor in small Serbian village of Idvor, not far from where I was born. He came to America. He studied. He became American citizen. He saved his money. He went to night school, later to Columbia University, and to Cambridge University in England. He became great inventor. He now is professor of electromechanics in Columbia University. Few months ago he was invited by University of California in Berkeley as Charter Day speaker. More than 50,000 big-shots went to Greek Theater to listen to Dr. Pupin. In New York, Columbia University built big engineering building that they call Michael Pupin building. Michael Pupin is great American citizen. I want to be American citizen like Michael Pupin," concluded Mike Lipan.

Judge Church's courtroom was silent. Indeed, the altar candles had been lighted. Mike's simple sincerity was magnificent.

As often happens history was to drag its feet. Mike didn't become a Michael Pupin. He became a chef instead, but his son is now a nuclear physicist at the big research center in Livermore, California, working on some of the most important projects in that field.

Mike became a citizen that day. And week after week Father's other pupils would do the same. More than 200 humble peasants, fishermen, dishwashers, cooks and bakers, delivery boys, waiters were ushered through the rite of American naturalization, their first step toward a new and cherished way of life. They brought little from the old country, but what they brought was truly valuable—integrity, devotion, perseverance. And from Father they learned the meaning of patriotism in a land of opportunity. Today, their sons and daughters occupy professional chairs at universities across the land, practice medicine and law, sit in the councils of government. Many have fought and some have died for the nation's honor in three wars.

By the 1930s Father felt that he had made at least a sizable payment on his debt to Uncle Sam. The classes which he started were absorbed by the Oakland public school system and Father and I retired from this engaging hobby to do other things—he to pay more attention to his business and I to go off to college.

For a long time people said good and kind things about Father's contribution to America's heritage. None was so appreciative as a young district attorney of Alameda County whose name was Earl Warren, now Chief Justice of the United States. On one occasion the young district attorney stopped by the old Sokol club to pay his respects to Father. He told a group gathered there:

"It is always a pleasure to be in this hall over which Roy Sestanovich presides. Judge

Lincoln (S.) Church has told me some interesting things about Roy which I want to pass on to you.

"Judge Church, as many of you know, grants more US naturalization certificates than any judge in this country. And every time his court meets, says Judge Church, there is Roy Sestanovich—beaming, and presenting another group of immigrants for naturalization.

"These are extraordinary candidates, says Judge Church. They are people whom Roy has taught, coached and imbued with the spirit of America. Judge Church has told me that Roy has taught the principles of American government to hundreds of immigrants and brought them to his court personally to be sworn in to the dignity of American citizenship. I know that in Roy's book American citizenship is the highest honor to which a man can aspire. He prizes his citizenship, and he has imbued his students with great respect for it.

"I can tell you as District Attorney that there are no delinquents in Roy's group, no vagrants, no drunkards, they are ideal Americans. They love their country. They take care of themselves."

And so it was. One man's simple effort elevated a generation of men to full participation in the wider life of the nation. I know it was a worthy effort for I was its principal beneficiary.

#### THE POLISH NATIONAL HOLIDAY

Mr. DODD. Mr. President, around the world, wherever Poles and citizens of Polish descent can meet and mingle freely, an inspirational anniversary has just been commemorated.

It is the Polish 3d of May Constitution Day. For men and women who cherish human dignity and freedom, it is, indeed, a day to remember.

This was a real rebirth of the Polish nation, back in 1791. Only 2 years after our own Constitution was adopted, causing anger and fear among the despots then ruling most of Europe, a brave little nation in the heart of Europe reformed and revitalized her public life.

Then, as always in her thousand-year troubled history, Poland had the courage to defy the despots of the day. Only 2 years later, the great and tyrannical neighbors, among whom she had to live, partitioned the country among themselves.

But the Polish spirit of independence could not be quenched, even by powerful and rapacious neighbors that tore her apart. A Polish nation will persist through the generations to follow. After the First World War, nearly 120 years later, a new Polish nation emerged.

Barely had the new nation and her people been rejoined, than they were threatened. Bolshevik armies, pouring out of revolution-ridden Russia, stormed to the gates of Poland's ancient and glittering capital, Warsaw. They were repelled. The West owed the Poles a mammoth debt.

Gratitude? In power affairs, exercised by tyrannies and totalitarianism, this is a trait regarded as weakness. It wasn't long before tyranny washed over Poland again.

In 1939, Nazi Germany and the Soviet Union made common compact. They stormed over Poland and divided her between them. Poles, by the tens of thou-

sands, escaped to fight in World War II, and to die.

The performance of the Polish Army at Monte Cassino in Italy stands out spectacularly. So does the more tragic role of Poland's anti-Communist, anti-Nazi home army in Warsaw in 1944. Called upon in good faith to rise up and fight the Nazi invader, the Polish home army wrote in blood its contribution to the cause of Western civilization.

But Stalin ordered his onrushing armies to halt across the river from Warsaw. The Nazis, with overwhelming force, reduced Warsaw to near-rubble. It was a heroic and hopeless stand of the betrayed Poles.

Then the Russians, sweeping over central Europe, imposed a ruthless Communist regime on a great Christian nation. The Communists have bent, but by no means broken, the will of Poland.

The indomitable Polish spirit rebuilt ruined Warsaw from ashes. It is an unconquerable spirit the Soviet Union and her Communist proconsuls try repeatedly to break.

But Poland is in constant ferment that often explodes against the oppressor as it has from time immemorial.

It is steeped in the spirit of May 3, an anniversary free people the world over would do well to mark. Poland long ago paid her debt to the West—with something to spare. This we should remember and respect.

#### REFERENCE TO GOD IN LECTURES BY ARMY CHAPLAINS

Mr. BYRD of West Virginia. Mr. President, earlier this year, the Army ordered chaplains to eliminate all reference to God and religious philosophy in lectures aimed at instilling moral responsibility in its soldiers.

The new policy was prompted by a complaint from the American Civil Liberties Union.

I sent a telegram on April 2 to the Secretary of the Army expressing my concern at the order.

Press reports on April 4, 1969, stated that Defense Secretary Laird had overruled the Army and approved the continued use of religious terminology in the military services' mandatory character guidance programs.

I do not mean to imply that Secretary Laird's action was influenced by my telegram to the Secretary of the Army. However, I do ask unanimous consent to insert a copy of my telegram in the RECORD. I also ask unanimous consent to insert the newspaper report to which I have alluded.

There being no objection, the telegram and newspaper article were ordered to be printed in the RECORD, as follows:

APRIL 2, 1969.

HON. STANLEY R. RESOR,  
Secretary of the Army,  
The Pentagon,  
Washington, D.C.:

I have been shocked to learn of action by Department of the Army, according to press reports, in ordering chaplains to eliminate all reference to God in lectures "intended to instill a sense of moral responsibility in soldiers." According to newspaper reports,

the new policy was prompted by a complaint last year from the American Civil Liberties Union. Reportedly, the ACLU objected to references to God in "numerous passages in character guidance training manuals."

The First Amendment to the U.S. Constitution states "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof." In my judgment, any argument that a reference to God by Chaplains in lectures is unconstitutional is a tenuous argument. If they were required to do so by law, the situation might then at least present a constitutional question. How much further will our country go in its efforts to placate a small but noisy minority which appears determined to undermine the principles upon which this Republic was founded?

Belief in, and reliance upon, a Creator attended the very founding of this Nation. The seventh article of the U.S. Constitution makes reference to our Lord. Every President of our country has made reference to the Creator in his inauguration speech. These men were commanders-in-chief of our armed forces, although I recognize that they may not have had captive audiences in making such references to the Deity. Stonewall Jackson, one of the great military generals of all time, prayed before going into battle. The history of this Republic is replete with references to a Supreme Being, and it is impossible to avoid the feeling that a strong spiritual awareness has played a profound part in our Nation's development from colonial days. Belief in a Supreme Being, whether it be Allah, Jehovah, or God, is the most sure foundation for any moral code and the strongest and most lasting ingredient in character building.

Let us not make the United States another Soviet Union just to appease a few agnostics and atheists who, while questioning or denying the existence of a Supreme Being, may have no compunctions in using His name in vain. Presumably the Army order is based on the so-called right of the atheist to be always spared any mention of a Supreme Being, but what about the rights of the chaplain whose calling it is to serve God? Does the order not trample upon his rights and what he considers may be his responsibility and duty to a higher power than that of his Army superiors? If I were a chaplain, I would refer to God as I felt led to do so. The Army order is not based upon any law passed by the elected representatives of the people, and if it is based on an imagined point of constitutionality, I would challenge it were I an Army chaplain whose high station I would never presume to merit.

Mr. Secretary, I do not fear America's capitulation to a foreign enemy. I do fear the forces that are working within our country to destroy it, and fervently urge you to retract this order. Let the atheists carry their case to the U.S. Supreme Court. I hasten to say that they might win their case in the high tribunal as it is presently constituted, but I may be wrong. In any event, I do not think the Army should presume to make this decision which ought to be offensive to millions of Americans.

ROBERT C. BYRD,  
U.S. Senator.

#### ARMY CHAPLAINS GET ORDERS TO MAKE NO MENTION OF GOD

WASHINGTON.—The Army has ordered chaplains to eliminate all reference to God and religious philosophy in lectures aimed at instilling moral responsibility in its soldiers.

An Army spokesman confirmed the new policy Thursday after word of it had reached some members of Congress, angering many of them.

The new policy was prompted by a complaint last year from the American Civil

Liberties Union that the lectures—intended to instill a sense of moral responsibility in soldiers—were being used as religious indoctrination.

The ACLU now is asking the Air Force and Navy to take similar steps.

The ACLU objected to numerous passages in character-guidance training manuals, including one that told members of the Women's Army Corps they should do their jobs well "not for reward . . . but simply because it is obviously the will of God."

The foreword to character guidance manuals, in use by the Army for many years, states the program is based on the philosophy of American freedom which "regards man as a creature of God."

"As such, every soldier is responsible and accountable to his Creator for the way he performs his civic and military duty, for the maintaining of his own and his nation's honor, and for the quality of service he renders to his country as a soldier," the manual states.

"I cannot remotely understand what anyone finds offensive in this concept," said Rep. William G. Bray, R-Ind. "The term Creator means many things to many people, and all but a very tiny majority, no matter what their faith, do acknowledge a 'Creator' in some form."

Bray said he has asked the Army to explain the reasoning behind its decision.

An Army spokesman said the basic objectives of the program remain unchanged. He said the main consideration in ordering the change was a soldier's constitutional rights of freedom of religion.

"It was not believed proper to have soldiers attending mandatory classes with religious overtones," he said. "Soldiers, as always, are fully encouraged to attend religious services of their respective faiths."

The Army explained that while the character guidance courses are usually prepared and given by chaplains, the program is directed by the Army's personnel division.

Four hours of the subject are required during basic training and one hour is given each month to all soldiers.

"We are revising the literature now and it will come out over a period of time," the Army spokesman said. "Any thing that could be construed as teaching religion will be removed."

[From the Washington (D.C.) Post, Apr. 4, 1969]

#### LAIRD ALLOWS CITING OF GOD BY SERVICES (By William R. MacKaye)

Defense Secretary Melvin R. Laird overruled the Army yesterday and approved the continued use of religious terminology in the military services' mandatory character guidance programs.

The issue of whether religious material in the lectures under the Army's auspices squared with constitutional principles initially was raised a year ago by the Washington office of the American Civil Liberties Union.

Robert E. Jordan III, the Army's general counsel, notified the ACLU in December that the lectures, which are conducted by chaplains, were being revised to eliminate the religious material and ensure that the program "is wholly secular in its approach to training our personnel."

At a press conference yesterday prior to Laird's announcement, Lawrence Speiser, director of the ACLU's Washington office, said he anticipated a court case might be filed if the program was not revised.

He made public portions of the outlines he said were explicitly religious, and suggested that some of the protests over altering the program were being made by persons who had not read the outlines.

Speiser said the ACLU's constitutional objection to the program rested upon the fact soldiers were required to attend lectures at which religious principles were taught.

Among the objectional outlines he cited was one intended to exhort Army men to drive carefully.

"God has supreme and exclusive ownership over human lives, and so He is the only one who has the right to allow men to kill other men," the outline states.

"Granted that God may delegate that right to the State for the common good and to the individual to repel and unjust aggressor, it is obvious that He does not give that right to the motorist."

"If then, we recognize the moral imperative behind the Commandment, we will drive as responsible, decent human beings conscious of our obligations to our Creator."

Laird said, "With regard to the character guidance programs within the military departments, I want to state that there will be no prohibition against the use of 'God,' 'Supreme Being,' 'Creator,' 'Faith,' spiritual values,' or similar words."

He added, however, that "espousal of religious dogmas or particular sectarian beliefs is not the purpose of and has no place in the character guidance program."

Attendance at the Army's hour-long character guidance lectures is required twice a month during basic training and monthly thereafter for all soldiers below the rank of E-6 (staff sergeant). The lectures are presented on a three-year cycle.

#### RESIDENCE REQUIREMENTS IN PRESIDENTIAL ELECTIONS

Mr. GOLDWATER. Mr. President, it is with great interest that I have noted the decision this week by the Supreme Court in which it agreed to consider a challenge to the validity of State residence requirements as applied to elections for President and Vice President. The reports that I have read indicate that the Court will have under review the law of Colorado which required that a citizen be a resident of that State at least 6 months in order to vote in the 1968 presidential elections.

To my mind, this action by the Court confirms the rightness of the view held by myself and several of my colleagues that this subject is an important, relevant area that calls for our immediate attention. I have previously expressed my concern that pending efforts to change the method of electing the President would be incomplete unless we also entered into a thorough examination of the entire election machinery with a view to providing for the widest possible participation by our citizens in such elections. In light of the announcement by the Court, I believe it is especially timely and essential that we in Congress should focus our attention on those areas in which the election processes used in the States may have become encumbered by legal technicalities that no longer respond to the changing needs of modern-day life.

I would like to point out that the constitutional amendment which I submitted in February—and which 29 Senators have recently agreed to cosponsor with me—is directed at providing a reasonable, workable remedy for the very problem that the Court will be considering at its next term. In addition, our

proposal covers the related subject of absentee voting and thereby will apply to a much larger body of citizens who would otherwise remain disfranchised.

I would hope that this news from the Court will provide the impetus which is needed to get activities moving in both Houses of Congress aimed at developing and approving a constitutional proposal designed to solve the voting problems of our citizens in a manner that will be practical and successful.

It is this route—within the Congress—that I believe will offer the best opportunity for arriving at a workable set of standards which will provide the maximum voting privileges for the greatest number of citizens while assuring that the legitimate interests of our States will be respected and protected. It is here in the Congress that the opinions and suggestions of all interested persons, organizations, and State and local officials can be sought out and heard. It is here that the practical considerations relating to the mechanics of administering the various alternatives under consideration can best be appreciated and understood.

I wish to remind my colleagues that the fact that the Supreme Court has undertaken to hear arguments in this case does not mean that it will settle the problem or provide any solution. The Court may well decide to reject the constitutional questions which are raised in this case. There are several factors that distinguish a review of residence requirements in this area from those applied in other fields. Also, it should be noted that it has been only 4 years since the Court has upheld a 1-year waiting period imposed by Maryland to vote for the President. Finally, it has come to my attention that the Court was not informed of a recent change in the Colorado law reducing the waiting period requirement from 6 to 2 months. Clearly, this development could have some effect on the Court's eventual ruling.

For these reasons, I ask that we do not concede our right and duty to pursue this matter merely because the judicial branch is also involved. I believe it remains appropriate and compelling for the Congress to carry on with its own complete review of the entire field of electoral reform, and I urge the support of all Members in this activity.

#### BRUTAL MURDER OF SENATE EMPLOYEE HARVEY D. McCLINTOCK

Mr. ERVIN. Mr. President, it is with a heavy heart that I face the Senate today to call attention to the murder of Harvey D. McClintock, one of my aides who worked in the Senate Post Office. Because the crimes of murder, rape, and robbery are numerous in our Nation's Capital, and the newspapers report them in somewhat inconspicuous places, I feel it incumbent upon me to single out this tragedy in order that it may not pass unnoticed.

"Mac," as he was affectionately known by his friends and fellow workers in the Senate, was brutally stabbed and robbed on Friday evening, May 3, 1969, as he was

walking to his home in the Takoma Park section. It was some hours after the attack that his body was found on Fern Street NW., near Georgia Avenue in the District of Columbia.

While Mac had not worked on the Hill long, his quiet manner, consideration of others and dedication to his work won him many friends, especially among the employees in the Senate Post Office and the various offices where he delivered the mail. He formerly taught school in Maryland and at the time of his unfortunate death, was studying law at the Mount Vernon Law School in Baltimore.

The son of Mr. and Mrs. James Latimer McClintock, of Charlotte, N.C., he attended Charlotte city schools and graduated at Davidson College.

Even though I know it will not bring Mac back to his friends and loved ones, it is my sincere hope that the perpetrator of this foul deed will soon be apprehended and brought under the full sanction of our laws. Only in this manner can we be assured that he will not be left to roam the streets, free to repeat such vicious crimes on other innocent citizens who may happen to cross his path. Surely it is time for us to redouble our efforts to make the streets of our Capital safe.

I know that my colleagues in the Senate wish to join with me in expressing deepest sympathy to his parents and to his brothers, James L., and John B. McClintock, of Charlotte.

I ask unanimous consent that articles from the May 4, 1969, Charlotte Observer and the May 5, 1969, Charlotte News be printed at this point in the RECORD.

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

[From the Charlotte (N.C.) Observer, May 4, 1969]

**DOWNTOWN WASHINGTON: EX-CHARLOTTEAN STABBED TO DEATH**  
(By Betty Bushman)

Harvey Dunn McClintock, 40, a former Charlottean, was found stabbed to death in downtown Washington early Saturday.

Washington police said robbery appeared to be the motive.

McClintock, son of Mr. and Mrs. J. L. McClintock of 1518 Briarcreek Road, had been a mailroom aide in Sen. Sam Ervin's office the past few months while attending law school at night. A graduate of Davidson College, he had taught school in Maryland for a number of years until he resigned last year to study law. He was enrolled at Mount Vernon Law School in Baltimore.

McClintock had gotten the part-time job in Ervin's office through senior Ervin aide Jack Spain, a long-time friend of McClintock's father, a retired federal auditor. Although he only had been there a few months, the younger McClintock was a familiar figure to people who worked in Ervin's office.

He was remembered as "a quiet, well-mannered fellow" and the "real thoughtful type" who would occasionally bring flowers to the women in the office and frequently treated with "Cokes." One of his regular duties was delivering mail to one floor of the Senate.

He resided within two blocks of the Senate Office Building.

Washington police are continuing the murder investigation.

McClintock's body was found at 3:30 a.m.

Saturday within eight blocks of his home by a government printing office employe returning from a late shift. McClintock, well dressed in sports coat, slacks and tie, had been stabbed in the back several times. His billfold, which led to his identification, contained no money.

McClintock was a graduate of Charlotte's old Central High School and was an Army veteran.

In addition to his parents, survivors include two brothers, J. Latimore McClintock, Jr. of San Francisco and John Black McClintock of Charlotte.

Funeral arrangements are incomplete.

[From the Charlotte (N.C.) News, May 5, 1969]

#### EX-CHARLOTTE MAN SLAIN

Harvey Dunn McClintock, 40, a former Charlotte resident, was found stabbed to death Saturday in Washington, D.C.

Born in Charlotte, McClintock had moved to Washington and was working as a mailroom aide in Sen. Sam J. Ervin's office while attending Mount Vernon Law School at night.

Police said robbery appeared to be the motive. No money was found in his wallet.

He was born Aug. 31, 1928, in Charlotte, son of Mr. and Mrs. James Latimer McClintock. His parents reside at 1518 Briarcreek Rd.

A veteran of the Army, he graduated from old Central High School in Charlotte and Davidson College.

The funeral is to be held at 11 a.m. Wednesday at Harry and Bryant Chapel in The Oaks. Burial is to be in Evergreen Cemetery.

Surviving are his parents, Mr. and Mrs. James Latimer McClintock of Charlotte, and two brothers, J. Latimer McClintock Jr. and John Blake McClintock, both of Charlotte.

#### BLACK ANTI-SEMITISM

Mr. DODD. Mr. President, the spectrum of our race problems has become increasingly entangled over the past several years by a growing tide of anti-Semitism among black Americans.

Because I am deeply disturbed at this trend, I was particularly interested in a statement recently issued by the national treasurer of the NAACP, Mr. Alfred Baker Lewis, of Greenwich, Conn.

Mr. Lewis, who has been a member of the NAACP for 44 years, is not himself Jewish. His statement is not prompted by petty motives, but by a sincere concern over the widening gulf of hatred which threatens our Nation.

Due to the serious implications of this trend in the spread of violence, it is important that every American be aware of the problem.

I therefore ask unanimous consent, Mr. President, that Mr. Lewis' remarks be printed in the RECORD.

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

#### BLACK ANTI-SEMITISM

"Anti-Semitism is always morally wrong, and it is also particularly stupid for Negroes to be anti-Semitic. The Jews know from nearly two thousand years of bitter persecution what racial discrimination means, and both prominent individual Jews and Jewish organizations have given substantial help, both financially and politically, to the cause of civil rights.

"Three civil rights workers were lynched in Phila, Mississippi, in 1964. Two of them, Andrew Goodman and Nicky Schwerner,

were Jews. Jews were among the original founders of the N.A.A.C.P. And a Jew is now one of the two top officers of the N.A.A.C.P., and a very effective one, too.

"Doubtless there are bad Jews. There are bad Negroes too. A bad Negro assassinated Malcolm X. It is just as evil and foolish for Negroes to be anti-Semitic, opposed to all Jews, because a few Jews may be bad, as it is for white bigots to demand segregation and oppose civil rights because there are a few bad Negroes."

#### CLOSURE OF JOB CORPS CENTERS

Mr. MONTROYA. Mr. President, I am deeply disturbed to learn of the administration's decision to stand pat on its announced intention to shut down 59 Job Corps centers throughout the Nation.

In a detailed and urgent letter to the President, and in other public statements, I have pointed out the devastating effect closure of these vital centers would have upon the unskilled, deprived youth whom they are designed to serve. Thus far, I have had no response from the White House concerning my suggestions that the administration and the Labor Department rethink realistically its reorganization efforts in order to eliminate gaps in services to severely deprived youth.

Resolutions have been introduced in both Houses of Congress—one of which I cosponsored and is being reported out of committee to the full Senate today—asking that the administration suspend action on its cutback plans until Congress has had an opportunity to review the matter in depth during the course of its normal authorization and appropriations process. Certainly this is a most reasonable request, and I am at a loss to understand the administration's intransigence in ignoring it.

If we are to rely upon this kind of future action, the net impact—I am forced to conclude—is that we cannot determine the full magnitude of our critical poverty programs upon which millions of dollars and limitless hours of work have been expended. If the Nixon administration continues to go its separate way and deny itself access to official facts on the operations of programs such as the Job Corps, how can we determine whether these expenditures have been worth while, or how they may be enabled to become more effective?

Moreover, I feel that the bitterness which will evolve from this action will only serve to aggravate further tensions—not only among those youth suffering setbacks in their future potential, but among interested citizens as well who have seen firsthand the many outstanding accomplishments of the Job Corps.

Mr. President, I ask unanimous consent that a number of letters I have received from members of my constituency appear in the RECORD at this point, since they give a clear indication of the tremendous opposition which accompanies this action on the part of the Nixon administration.

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

NEW MEXICO COUNCIL OF CHURCHES,  
April 22, 1969.

Senator JOSEPH M. MONTOYA,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONTOYA: The Public Mass Media communication facilities have called the attention of the New Mexico Council of Churches to the fact that four Job Corps Centers in New Mexico are to be closed by executive order in the very near future.

The Executive Board of the New Mexico Council of Churches (representatives from ten different denominational groups in New Mexico serve on this Board) met in Santa Fe, New Mexico April 18-19, 1969.

It was the unanimous vote of this Executive Board that the following statement be sent to you, and to those listed at the foot of this letter:

"The Executive Board of the New Mexico Council of Churches deplores cuts to the Job Corp. It recognizes the aid given by Job Corp to conservation projects in rural areas of New Mexico, and also recognizes the value to the persons who participate in Job Corp Centers in both rural and urban areas. We urge the full and expeditious funding of the Job Corp program."

Will you please do all possible in your power to activate the spirit of the above statement?

Cordially,

HARRY SUMMERS.

VALENCIA COUNTY COMMISSIONERS,  
Los Lunas, N. Mex., April 10, 1969.

HON. JOSEPH M. MONTOYA,  
Senate Office Building,  
Washington, D.C.

DEAR JOE: I have read in today's Albuquerque Journal an article on the closing of various Job Corps in the United States at the end of this fiscal year. Included in the list was the Center here in Grants.

The Camp opened here in mid-April of 1965. It took a period of time to get the program underway, but it is now functioning very satisfactorily under management of the U.S. Forest Service.

It would be a great loss if the program is withdrawn. In training the boys to operate heavy equipment, a road project was constructed towards Mt. Taylor and there still remains an eight mile stretch to build. It was only through this program that we were able to get this work done. Also, the Corps has developed and improved other recreational areas, heretofore inaccessible.

Please do what you can to keep the Grants Job Corps in operation.

With best wishes, I am

Sincerely,

CLOVIS BACA,  
Chairman, Valencia County  
Commissioners.

WARD E. BALLMER ASSOCIATES,  
Grants, N. Mex., April 18, 1969.

HON. JOSEPH M. MONTOYA,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONTOYA: The Community Development Committee would like to solicit your assistance in delaying the closing of the Grants Job Corps Conservation Center, if that is at all possible.

Present schedules for completion of the access road up Mt. Taylor for the ski and recreation area call for it to be ready by the end of calendar year 1970—about the same time our communities expect to be bypassed by Interstate 40. Much of the work, principally installation of culverts and the like, is programmed to be done by the Job Corps, with more difficult portions of the construction to be let to contract. A delay at this point could seriously hinder the economic development of this region and cost innumerable potential jobs for our citizens.

In addition to this one important project, the Job Corps is also working on picnic and camping locations at the base of the mountain and on water and soil conservation dams. All of these, like the road, are partially completed and a stopping of progress at this point would mean a tremendous waste of the monies already expended.

Perhaps there has been waste in the program on a nation-wide basis. This we do not know, but since the local Corps was taken over by the Forest Service it has become an important part of the entire area's activities and we would hate to see its gainful programs cut off mid-way to completion. It is difficult for us to understand why rural centers, such as at Grants, which are providing a service to the public as well as to the Corpsmen, should be stopped while urban centers which provide only classroom work and cost more to operate should be left untouched. It seems to us that a fair study should be made and that those Centers not providing what they were designed to provide should be phased out first. There should be an equitable manner of determining this in fairness to the young citizens in the Centers and to the communities they serve.

Anything you may be able to do to accomplish a delay in the closing of the Grants Job Corps Conservation Center will be most appreciated.

Sincerely yours,

WARD E. BALLMER,  
Director, Community Development  
Committee.

MIDWEST NEW MEXICO  
COMMUNITY ACTION PROGRAM,  
Grants, N. Mex., April 22, 1969.

Senator JOSEPH MONTOYA,  
Senate Building,  
Washington, D.C.:

Is there any chance of retroactive consideration regarding the closing of the Grants Job Corps Center?

There is such a fine record of rehabilitation of destitute boys, of conservation of natural resources important to the nation, in addition to reversing the lives of these young boys from a natural liability to a valuable asset to our future, the future of everyone of us.

The Grants Job Corps Conservation Center is outstanding in its achievement. It is a real asset to the local community as well as the nation and the great majority of local people have readily said as much.

It is strange that a good camp with an outstanding record of achievement for the good of the country is forfeit, a political pawn of high-handed disregard of human and national need.

If the military industrial complex can be reoriented into something productive rather than destructive if it can be changed from the law of the jungle to the human empathy of rehabilitating human lives, it could win honors far more important than battlefield awards.

If the Grants Job Corps Conservation Center can be the beginning of a whole new order for the ages, let us begin.

H. F. THATCHER.

STATE OF NEW MEXICO,  
HOUSE OF REPRESENTATIVES,  
Santa Fe, April 14, 1969.

HON. JOSEPH M. MONTOYA,  
Senate Office Building,  
Washington D.C.

DEAR SENATOR MONTOYA: Senator, I am real concerned about the possibility that the Job Corps Center at Camp Luna may be closed. I am sure you are aware of the amount of work the Job Corps has done in the surrounding area. For example, they have done a tremendous amount of work on Rowe Mesa with watering troughs for cattle; they have worked in the Tesuque Canyon cleaning out many of the ravines that run into the can-

yon to help some of the flooding problems in Tesuque Canyon; and they have done similar projects in the Nambe and Pojoaque areas, plus they have cleaned out many of the irrigation ditches for the little farmers up there.

Senator Montoya, I hope that with your influence you will be able to keep the Camp Luna Job Center open. I think it has been a very big asset for Northern New Mexico and I feel that this type of activity and expense is something that we should do.

Sincerely,

JAMES H. KOCH.

CHAMBER OF COMMERCE,  
Las Vegas, N. Mex., April 15, 1969.  
Senator JOSEPH M. MONTOYA,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONTOYA: On behalf of the Las Vegas Retail Merchants Association, I want to express our deep concern over the proposed closing of the Camp Luna Job Corps Center in Las Vegas.

We urge you to use your good offices to urge the President to reconsider his decision closing the center.

The closing of the Job Corps Center will have a great diverse impact upon the economic picture of Northern New Mexico.

We would appreciate anything you can do to help us in this matter.

Sincerely,

CALVIN BAKER,  
President, Las Vegas Retail Merchants Association.

RESOURCE CONSERVATION AND  
DEVELOPMENT PROJECT,  
April 11, 1969.

The PRESIDENT,  
The White House,  
Washington, D.C.

DEAR MR. PRESIDENT: On behalf of the Adelante Resource Conservation and Development Project Steering Committee, I want to express our deep concern over the proposed closing of the Camp Luna Job Corps Center here in Las Vegas, New Mexico.

Being a Resource Development group concerned with the long-range economy improvement in Northern New Mexico, we feel particularly well qualified in appraising the impact this will have on our local economy.

Our R C & D Steering Committee looks upon this action as a very serious setback and adverse effect on the noticeable progress which we have just begun to attain through our resource development efforts.

Our local citizens for several years now have praised the Job Corps program very highly and particularly the operation locally at Camp Luna. It has been our feeling based on accomplishments and results versus invested cost that this has been the very finest program in existence for the benefit of our under privileged youth. We have all had many opportunities to become acquainted with many of the corpsmen, watch their progress, and see them begin a new life.

In addition, the fine work program which has been carried out annually by the Center has been very beneficial to the entire area within our project. Their work has resulted in many thousands of dollars of benefits to local people throughout our project area and with a much smaller cost to the tax payers.

Forest Service personnel have been extremely cooperative in scheduling Job Corps assistance for several of our R C & D Project measures for which our Steering Committee is extremely grateful. This assistance has been considerable and has resulted in significant benefits particularly to low income groups throughout our area. Specifically, some of this assistance was road improvements to isolated areas, recreational developments, brush control work on Forest Service allotments which was extremely beneficial to grazing permittees, assistance on commu-

nity irrigation ditches, sanitary land fills and etc.

Mr. President, we strongly urge that you reverse your decision on the closing of the Camp Luna Job Corps Center. First of all, so that these under privileged young boys will not be deprived of this worthwhile opportunity and secondly so that our efforts in the economic improvement of Northern New Mexico will not be jeopardized.

Respectfully,

GABRIEL ESTRADA,  
Chairman.

MOUNTAINAIR PUBLIC SCHOOLS,  
Mountainair, N. Mex., April 2, 1969.

HON. JOSEPH M. MONTROYA,  
U.S. Senate, Washington, D.C.

DEAR SENATOR MONTROYA: It has come to my attention through various sources that there are those individuals recommending the termination of the civilian Conservation Center, formerly known as Job Corps.

I wish to formally express to you my views concerning the program in this community.

I was employed as Superintendent of the Mountainair Public Schools the first of July 1968, and since have served on the Community Council of the Civilian Conservation Center, therefore, as an educator and being new to the community, I believe I am qualified to objectively evaluate the program in the community.

The educational program is of an excellent nature when we take into consideration the background and training of the individual corpsmen. I personally had the pleasure of awarding an individual corpsman the G.E.D. diploma for educational achievement. The young man would never have had the chance to continue any educational program if it were not for this program. There are many others who are learning skills through vocational opportunities offered in the program.

The success of the Mountainair program is due to the capable leadership and staff employed. Some of the instructors have taught in the Mountainair Public Schools, and could do so again if they so desire.

I observed the reading program in use in the educational program at the Job Center and have since been using the same program at our Elementary level; again the success of any program is dependent upon the qualifications of the staff.

It is very demoralizing to the staff and the corpsmen to continually hear reports that the program will be discontinued. This one factor has caused problems in planning for continuity and interest of the corpsmen.

I believe in the concept of the program, because it offers an opportunity for a small group of our society to reach a degree of achievement and to gain some self-respect which they have been denied. The individuals in the Job Center are the results of a society that has not met the challenge of change toward minority groups. They are entitled to the opportunity of becoming worthy and productive citizens, and this program is making advancements in that direction.

The program may need revision and evaluation, but each Center should be evaluated on the basis of merit and not judged as an entire program. The quality of the program may be due to the qualifications and dedication of the staff within the individual Center.

There are other factors involved which directly affect a community. One of which is economic. The termination of the Center would result in a serious economic loss to the community and to the public schools.

There are approximately 50 families whose income is dependent upon the continuation of the Center. There would be no other employment opportunities available here. These families would have to leave in order to find employment. As a result the school enrollment would decrease and further decrease in school revenues would occur.

I believe it would be most profitable for you to visit the Center if at all possible. If you desire further information concerning the

local Civilian Conservation Center, I will be pleased to honor your request.

I sincerely hope you have sufficient time to review the program and to lend your support for improvement to the present program.

Thank you.

Sincerely yours,

JAMES R. BROWN,  
Superintendent, Mountainair Public  
Schools.

MOUNTAINAIR, N. MEX., April 12, 1969.  
Senator JOSEPH M. MONTROYA,  
Washington, D.C.:

We as citizens and organizations of Mountainair, New Mexico vehemently oppose the decision to close the civilian conservation corps in this community. We believe the job corps is serving a vital and important concept toward the rehabilitation and education of deprived human beings and toward community service through the training of the individual corpsmen and the development of roads, parks, and conservation of natural resources within the area. The economic loss to the community due to payroll, revenues, and public schools will result in a serious economic reversion of the entire community. Therefore, we strongly urge you to reconsider the decision to close the center and to use necessary measures to continue the training center in this area.

FAIN LAWSON,  
President, Mountainair  
Chamber of Commerce.

D. H. DEAN,  
Estancia Valley Resource Conservation  
and Development Project.

DELBERT G. REDFEARN,  
Mayor, Town of Mountainair.  
BERNIE L. WELLS,  
President, Mountainair Board of Educa-  
tion.

ELENO CANDELARIA,  
Chairman, Torrance County Commis-  
sioners.

CHAMBER OF COMMERCE, GRANTS  
AND WESTERN VALENCIA COUNTY,  
Grants, N. Mex., April 11, 1969.

HON. JOSEPH M. MONTROYA,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR MONTROYA: We ask your assistance in keeping the Grants Job Corps in operation.

It has taken several years to get this program where it is paying dividends; the training the youths receive qualifies them for employment. Even though some other program is approved to replace the Job Corps, this too will require time.

Many of the youth arrive at the Center who can neither read nor write. Women of the community have volunteered their services in providing elementary education, at no cost to the government. There are thirty boys in this category at the present time. The training offered in the Center varies, such as operation of heavy equipment, welding, diesel maintenance, building fence, laying pipe lines, constructing corrals, cooking, baking and carpentry. The program has also involved construction of roads, scenic trails and development of recreation areas. Also, the community has received good support on civic projects.

Since the Job Corps has a dual aspect, first in training unemployed youths and second in making major contributions to the area in the development of natural resources and recreational facilities, which we would not otherwise have, we feel it is extremely important that the Job Corps be retained in Grants.

We will appreciate your favorable consideration on this request.

Sincerely,

A. R. CARD,  
President.

LEAGUE OF WOMEN VOTERS,  
Las Vegas, N. Mex., April 27, 1969.

HON. JOSEPH M. MONTROYA,  
New Senate Office Building,  
Washington, D.C.

DEAR SIR: The Las Vegas League of Women Voters urges reconsideration of the closing of rural Job Corps Centers. We are particularly concerned over the projected closing of the Luna Civilian Conservation Center near Las Vegas, New Mexico. Since the League of Women Voters, both nationally and locally, has been concerned with education and with the development of human resources, the League considers it short-sighted to close existing Job Corps Centers before adequate substitutes have been put into operation.

From our study of the Luna Center it appears that this Center is fulfilling much needed services to the Corpsmen and to the area. We have been impressed with the amount of valuable work in our forests and rural area that the Corpsmen have accomplished. Considering the economic and social value of the work accomplished which greatly benefits our economically depressed area, it would seem that the relatively small amount of money to be saved by closing the Center would not be worth the loss of the conservation work nor the loss of benefits of the program to the individual corpsmen.

Even though the urban problems of our country are urgent, we feel strongly that it is important to implement programs in non-urban areas for young men from the smaller population areas of our country. It is obvious that the movement from rural and small town areas of untrained young people into the ghettos of metropolitan areas has been an important factor in increasing urban problems. The young men from Texas, Louisiana, Arkansas, and Oklahoma as well as those from New Mexico need the opportunities which Luna Center has been offering. After the expense of setting up the Center, it would seem poor economy to close it down when it is accomplishing the dual purpose of providing basic education and vocational training to the Corpsmen and of performing much needed conservation work in the area.

Yours very truly,

Mrs. NICHOLAS BLESER,  
Chairman, Human Resources Study Item.

#### THE 176TH ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. RIBICOFF. Mr. President, I am proud to join my colleagues and the American people in commemorating the 176th anniversary of the adoption of the Polish Constitution.

On May 3, 1791, the Polish Diet with hardly a dozen dissenting voices and amid tumultuous enthusiasm set aside a medieval autocracy for a limited constitutional monarchy by adopting a new Constitution.

Unfortunately, the freedom promised by this first democratic Constitution of a European nation was short lived. But the spirit of that Constitution lives on. Its declaration that "All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation," has lived in the hearts of the Polish people throughout their tragic history of oppression and foreign domination.

We in this country, blessed as we are with freedom and independence, take special note of the Polish people and their long struggle to assert their own national identity. We in this country, pray for the ultimate triumph of justice—

a free and independent Poland, able to assert its own will and chart its own destiny.

Our participation in the commemoration of Polish third of May Constitution Day serves as a reminder to the Polish people that our Nation has not forgotten their plight, and that we stand with them in their hope that the day will be soon when their nation will join the family of free nations.

#### INDIA: ASIA'S BRIGHT PEARL OF PROGRESS

Mr. McGOVERN. Mr. President, throughout the northern wheat country of the United States, Mr. Robert Handschin, director of research for the Farmers Union Grain Terminals Association and associate editor of their *Farmers Union Herald*, is known as a very discerning observer of agricultural developments.

Early this year Mr. Handschin spent a month in India, traveling extensively in that country and returning to write for the *Herald's* quarter million subscribers of what he saw.

Mr. Handschin was very encouraged by India's progress, and by the spirit of her people. He has written four excellent articles under the general caption: "India: Asia's Bright Pearl of Progress."

I am sure Members of Congress and others who read the CONGRESSIONAL RECORD will be interested in his observations, which deal with results of some of our AID efforts, the food outlook and other aspects of India's economic development efforts.

I ask unanimous consent, Mr. President, that the articles appear in the RECORD.

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

#### INDIA: ASIA'S BRIGHT PEARL OF PROGRESS— GREEN REVOLUTION IS SPREADING OVER INDIA'S FARMLANDS

(By Robert Handschin)

Judging from what I saw and heard on my recent visit to India, that nation's tradition-bound farmers are fast adopting new agricultural methods.

The "Green Revolution" is for real, and India's production breakthrough promises to feed its growing millions, providing the nation can also slow down its population explosion. For a few years India will need some food imports from America, but only a declining amount.

Such are my conclusions after an intensive 23-day study of the country as a guest of the Indian government, along with eight newsmen from leading American papers. Your *Farmers Union Herald* was invited because it is the newspaper of a quarter of a million cooperating farm families who long have been interested in Food For Peace and other forms of international exchange.

India has had a lot of help from us. They want Americans to know they appreciate it. They also want us to have a better understanding of what they have done with our wheat and other aid, and what they are trying to do to build a modern nation.

We were shown what they are doing in farming and agricultural research, in industry, business, power production, city building, education, medical care and family planning. We visited the major farming areas and the important cities. We met national and state officials and people in many walks of life. Everywhere we were given the "red car-

pet treatment." Everybody was friendly and hospitable.

We met with our Ambassador, Chester Bowles, and with quite a few other Americans. I personally visited with our American co-op representatives in India, and with Indian cooperators in several parts of the country. We were especially interested to know what good our American aid has done in this vast country with its ancient civilization and its many difficult problems.

We found that United States aid has given India time in which to find ways to meet its problems, and that the Indian people have been making slow but steady progress since they gained their independence in 1947. Our aid so far totals some \$9 billion, of which over \$5 billion has been for wheat and other foodstuffs, with the balance mostly for industrial goods, including some fertilizer, and for technicians and training.

This is the largest amount of aid we have given to any country, but on a per capita basis India has received less than any other developing country—only about \$1 per year per person.

About \$3 billion of this is repayable in dollars, another \$4 billion is available only in rupees, and the balance is an outright gift. Of the rupees, some are used to meet all our government's expenses in India, and the balance is applied to various development projects.

Some rupees are used for research which may be valuable for us as well as for India, such as the investigation into mouth cancer now being undertaken with a nation-wide survey of 100,000 persons.

Our farm aid has helped not only with heavy food imports, but with improved seeds; eight new agricultural universities; an extension service bringing new methods to farmers; fertilizer and pesticides; rural electrification so more irrigation can be carried on; and equipment to process some farm products.

Our funds also have been used to train technical teachers and workers, build schools and colleges, prevent diseases, start family planning services, open up new mines, build several large factories, dams and power plants, and to help many smaller industries.

Many other countries have also been giving aid to India, including Great Britain, Germany and the Soviet Union. They each have built a big steel mill, with the USSR building a fourth which we refused to build. The largest machine tool plant in the world is now rising in the fields near these steel mills, also built by the Russians. India in its turn has been helping some countries less developed than she, with teachers and training. By now she has the basis for a modern industry, using her own vast deposits of coal and iron.

We saw some of these plants which now are striving to improve their efficiency so they can export more and help pay for needed imports. One couldn't help being impressed by the job being done to train young workers in highly-skilled modern trades. If India can solve her many other problems, she can certainly become a modern industrial giant in years to come, as she has the resources, and her people are demonstrating good abilities to learn modern technologies.

But first India must be able to feed herself. With a 365-day growing season in most of the country, India was in the forefront of agricultural progress for thousands of years. She has fallen behind in the last few centuries, but especially since World War II. This has been partly because we of the west introduced modern health measures which cut the death rate in half both for children and adults. While leaving the birth rate high. Before 1945, India's population grew slower than ours, but since then it has grown twice as fast. Wiping out malaria, reducing cholera, smallpox, typhoid and many other infectious diseases, has proven not an unmixed blessing.

Grain output increased by about 50 per-

cent in the first 20 years of independence down to 1967, but population nearly doubled in that time, leaving India with no farm surpluses and with a deficit during each bad harvest, such as occurred in 1965 and 1966. To help out then, we shipped about 20 percent of each of our wheat crops to feed some 60 million people in the larger cities where grains were rationed. Rationing is still in effect for the largest cities, with our grain still moving to India but in smaller amounts.

However, a major breakthrough has now been achieved for the principal grains, wheat, rice, grain sorghums and corn. This "Green Revolution" is taking hold in the best farming areas and spreading throughout the country. It is based on the right combination of more water, more fertilizer and farm chemicals, and improved varieties which can make full use of these heavy applications of fertilizer. These new varieties were developed by our scientists in Mexico, first for wheat and then for rice in the Philippines. The wheats are dwarf and mature quicker, with yields of 50-60 bushels. The dwarf rice has correspondingly great yields. Hybrid corn and grain sorghums are also yielding much better with more water and fertilizer. Grain production the last two years shot up from 75 to 100 million tons or more each year, double the 1947 figure. That is about equal to twice our biggest wheat crop, or to our annual corn crop. It must feed a nation of 520 million, which is two-and-a-half times our population. This tonnage also includes barley, millet, beans and many peas, and other legumes which are an important part of the Indian diet. Fresh fruits and vegetables, milk, eggs and vegetable fats make up the rest of the vegetarian diet, with fish, poultry and red meat eaten by a sizable minority.

After years of intensive work to extend irrigation by building many dams and canals, sinking nearly one million tube wells, and importing fertilizer in large amounts, the dramatic increase in yields of the new varieties convinced farmers in the demonstration areas that they could risk planting them. They now are bidding up the price for seed, struggling to get fertilizer, and experimenting with three or even four crops per year, in place of the previous one or two. The myth that the Indian farmer would not change his ways has been destroyed. He has turned out to be just like farmers everywhere else. He has to be shown that a new practice is profitable and he has to be in a position where he can take the risk of failure.

Now the race is on to electrify more villages so more of the large supplies of ground water can be used, and to build yet more dams and canals for irrigation. The demand for fertilizer is so great that factories can't be built fast enough. New and more improved varieties of grains, legumes and oilseeds will get even quicker response.

But a lot of hard work must be done to accomplish all this. Crop drying, storage facilities, and marketing systems must be built up. Farmers want small machinery and tractors to replace their bullock workteams. Many areas do not have the possibility of adequate water and must develop slower. Modern livestock and poultry production is just getting started. Dairying needs further improvement.

With the nation gaining confidence in its ability to feed itself, President Husain, in his annual message to the nation January 25, still thought it necessary to strike a note of caution on the food front and to warn that "the formidable problem of agricultural organization has to be tackled in all its manifold aspects if we are to ensure continuing self-sufficiency."

One important way in which the advance in farming has to be tackled is to develop further India's many cooperatives, especially in their role of furnishing fertilizer and electric power for more farm production. I will explore that in our next issue.

**INDIA: ASIA'S BRIGHT PEARL OF PROGRESS—  
CO-OPS FLOURISH IN INDIA AS KEY TO  
ROSIER FUTURE**

(By Robert Handschin)

No one can visit India without being astonished at the number and variety of their cooperative societies. They are everywhere—in the country and in the cities, among farmers, fishermen, weavers and other skilled craftsmen, city workers and other consumers.

India has more than a third of a million cooperatives, with about half the population as members. Village credit societies, part of the rural cooperative bank system, are the most widespread and numerous, but there are many thousands of societies devoted to marketing, processing, manufacturing, farming, irrigating, housing, supplying farm or consumer needs, or yet other functions.

Equally impressive is the high priority given cooperation by the Indian national and state government. Cooperatives are rated a key element in their future economy, and a very important tool for strengthening their democracy by individual participation and self-help.

In each state and in the national government there is a department responsible for aiding cooperatives with both funds and services. The national goals call for a mixed economy, with co-ops as a "third sector" along with private investor businesses and government-owned enterprises. This is accepted by private industry whose national federation heads volunteered this information to our group, a far cry from the typical American businessman's attitude toward co-ops other than his own.

But is this great trust in cooperation well-placed? Can the multitude of Indian peoples, lacking many things we take for granted, find the resources and leadership needed to succeed at helping themselves by the cooperative method? Can cooperators really work together to build a modern democracy under the conditions India faces?

These questions I discussed at several places in India. They are of grave concern to many co-op leaders and government officials. Much of the future of India, and of Asia, rests upon whether or not answers can be found to the problems facing Indian cooperators.

This is why cooperators from many countries, East and West, are now helping with training and expert advice. I was especially interested, of course, in what Americans are doing, both through our foreign aid program and directly from our cooperatives. I found we are attempting to help on several very significant fronts, where success or failure may make a great deal of difference in years to come.

Perhaps the most important is the plan for a cooperative fertilizer plant, just announced by the Minister for Agriculture and Cooperation. It is to be one of the largest in Asia. It will be built at the port of Kandla in western India, to serve the western half of the country. Part of the know-how needed to build and operate this tremendous plant, and to distribute cooperatively its life-giving products is coming from our United States co-ops, among them Farmers Union Central Exchange. These United States co-ops have made our nationwide Central Farmers Fertilizer Company the world's largest producer and distributor of fertilizer.

They are giving Indian cooperators a helping hand through Cooperative Fertilizers International, set up in September of 1967. Enough funds have been pledged so this organization can help with the planning, construction, and initial operation of the plant, and of the distribution system. Indian co-ops now distribute nearly two-thirds of the fertilizer used in India, but manufacture none. This plant will make them basic for part of their requirements. It will make 800,000 tons

per year, enough to yield scores of millions of extra bushels of wheat, rice and other foods.

Construction is expected to begin this year, and take three years to complete. Of the total cost of some \$120 million, United States co-operatives are giving \$1 million towards technical aid, about \$50 million for imported equipment will come from a U.S.-guaranteed loan from the Bank of America, and the balance will come from the Indian government and the Indian co-ops themselves. They will own the plant and pay off the debt over a period of years.

Of special significance will be the use of natural gas, recently discovered in the area, for making nitrogen. This will be in welcome contrast to the vast waste of gas long going on in the nearby oil-rich Persian Gulf fields, where the gas burning day and night could meet the entire needs of Asia for nitrogen fertilizer. The Indian co-ops, by using their own natural gas, will save valuable foreign exchange. All the potash and most of the phosphates will have to be imported, but these are the cheaper ingredients.

Already on duty in New Delhi are Ernest C. Davis of Illinois, and Donald D. Hahn of Nebraska, co-op experts for production and distribution. They are working along with Wallace Maddock who is in charge of the U.S. Co-op League office there. Maddock, formerly of North Dakota, has spent many years helping cooperators in the Far East. His father, the late Walter Maddock of Plaza, North Dakota, was a prominent cooperator, a founder of Farmers Union Grain Terminal Association, a governor of his state and long-time administrator of the Farm Security Administration in North Dakota.

Another major field getting American attention is rural electrification. Teams from the National Rural Electric Cooperative Association have prepared the ground for five pilot co-ops to bring more power to farmers in five different sections of the country. A quarter of a million tube wells for more irrigation are to be added in each of the next five years. This will require better power distribution. Cooperative systems may be the only efficient answer, just as in the United States. Funds are budgeted by the government to begin this program this year.

United States oilseed co-ops are giving a helping hand with oilseed crushing, solvent extraction and refining. This means a lot in India, where about two-thirds of the people are vegetarians and where vegetable oils are basic to the diet. India leads the world in growing peanuts and has several other oilseeds. Four co-op processing plants are now operating, where there was only one two years ago. Many more are needed. A team now studying this need includes Joe C. Givens, manager of the outstanding Tri-County Co-op Soybean Association of Dawson, Minnesota.

United States aid for co-op training has come largely through the Co-op League and the International Cooperative Training Center at Madison, Wisconsin, which many midwest local and regional cooperatives have assisted.

India is still largely a rural country such as the United States was a century ago, with most cities dependent on farm trade except for a few industrial or metropolitan centers. Farm village co-ops are the backbone of the co-op movement. They date back to the early 1900s when credit societies were introduced by the British who recognized that village money-lenders kept farmers in perpetual debt and helplessness. With few educated persons available to keep records, government "registrars" were appointed and they have continued to be an important part of Indian co-ops to this day. While supervision and auditing is still a government function, training and education has been largely turned over to state cooperative unions, which do, however, get some government funds for this purpose.

I visited the officials of the Madras state union and discussed their work in training members, officers, and managers. Training institutes and classes are a principal work of this state unions. Study materials are especially prepared for those with limited education. I found an excellent job being done with the help of radio, films, publications, exhibits, co-op songs, posters and other teachings aids, a job that would do credit to any cooperative in the United States. However, Madras is one of the leading co-op states, and some others lag far behind it.

In the next few years farmers will need many more grain drying and grain storage facilities if their production is to increase as is hoped. Marketing must be greatly improved in the growing towns and cities. More processing will be needed. Consumers will want a better diet and better services than now. All of these are areas where cooperation can give the best answer if leadership can be found.

Even as agriculture grows, more jobs must be created to provide for the growing population. Rural industry, provided in part by cooperative, is expected to meet much of this need. This will help to make use of India's greatest resource, its many people.

To help bring new life to the countryside and to overcome poverty there, co-ops have much to offer if improvements can be made fast enough. Mergers are needed to do away with very small societies and to cover areas larger than one village, more opportunities are needed for initiative and responsibility of elected officers, better trained managers, and more cooperation between cooperatives. These were a few of the needs told me by officials, and set forth in various co-op reports. Many of these are the same as ours here, but the Indian cooperators have many fewer resources to use in meeting them.

What is needed is more self-confidence and a stronger sense of mission, if India is to grow into the cooperative society which Gandhi, Nehru and others believed should be a major road to a great reborn Indian nation, able to make its full contribution to the world. That is why I believe our efforts to help them can have a significance far beyond the limited dollars and small number of people involved.

In the next issue of the Herald I will tell you something about the many peoples and cultures of India, of how we might benefit by knowing them better, and some ideas on how this might be brought about.

**INDIA: ASIA'S BRIGHT PEARL OF PROGRESS—  
YOUNG INDIA SEEKS NEW WAY OF LIFE AMID  
OLD CULTURES**

(By Robert Handschin)

Although the tropical scenery and the ancient temples of India are fascinating attractions, I found the extraordinary variety of its peoples the most interesting thing about that large country.

Mostly the people were dressed in traditional costumes, with a tremendous range of styles. To top it all, many were carrying bundles or water jugs on their heads, with the balanced grace and beautiful posture which this demands. Observing this great panorama of peoples led me to inquire about India's history and the reasons for such a manifold blossoming of human ways.

When Marco Polo returned from China and India 700 years ago, people in the west did not believe his stories of these two civilizations, so rich and advanced compared with theirs. But his tales were enough to start the search for a sea passage to India which ended with the discovery of America by Columbus and the eventual conquest of India by the British and other westerners.

Even in Marco Polo's time the people of India already had some 4,000 years of settled village and city life behind them, with many accomplishments in agriculture, manufac-

turing and the arts and the sciences such as the concept of the idea of zero, the key to modern mathematics. In their favorable location they built many outstanding civilizations, adding new skills to those of the past.

Despite many invasions by peoples from the north, no empire ever completely united the whole country, not even the British. India today is one nation but many peoples, with some 17 states, 14 main languages and hundreds of lesser ones, many religions, and a great variety of cultures, some quite primitive and some very sophisticated. Each of these cultures has something to teach us about human possibilities and perhaps nowhere on earth are so many to be found in an equal area. This wealth of peoples in a land which has more than 500 millions, even after the separation of Pakistan's 107 million Moslems, is both India's greatest asset and its greatest challenge. The slogan I heard everywhere, "Unity Amidst Diversity," expresses the hope of the new nation, rather than its final accomplishment.

The variety of culture is reflected in the multitude of colors and designs seen everywhere, the greatest use of color anywhere in the world. Women dress in many colored cottons or silks, with much elaborate jewelry even amongst the poor, and the men are not far behind in their costumes and headgear. Native musicians and folk dancers are equally striking, as I saw them in all their brilliance at the National Folk Dance Festival.

Handicraft workers, making textiles, jewelry, leather goods, furniture, pottery and brassware, and many other goods, still survive in large numbers and are encouraged by the government. These occupations were once part of the caste system which produced hereditary classes of highly-skilled artisans while at the same time consigning still larger classes permanently to unskilled occupations, regardless of their abilities. This system is passing away, along with the large "joint family" based upon one occupation, which formerly completely dominated village life. Production for national markets rather than for village self-sufficiency is now the growing trend everywhere.

The grand parade of Republic Day, the main national holiday, witnessed by a million-and-a-half people, was a sea of color, with wave after wave of bright uniforms of every color combination, plus horses, camels, and elephants. Folk dancers and elaborate floats displaying the work of each state made this festival completely eye-catching.

New ideas are spreading everywhere, overcoming village isolation and superstitions. This is helped by the national stress on education, and also by the widespread use of movies and the ever-present transistor radios which bring the outside world to even the most backward villagers. India is number two after Japan in making movies, and near the top in movie attendance and in the popularity of movie stars. Movie-goers get their money's worth as films often last four or five hours.

India has doubled the number of its schools and tripled school attendance since independence, with their universities expanded even more. Now more vocational and technical education is badly needed and this is being tackled with some foreign aid. Literacy is increasing, and Indians have many excellent newspapers to read, judging by what we read in those published in English. They are the equal or perhaps even better than the best western papers, serious rather than sensational. Books and magazines are widely available. Radio programs are given in many languages. Television is yet to come, except for the capital, New Delhi.

The younger generation of Indians is proud of their education and eager to build a new life in India, but some with advanced training have emigrated to the west because jobs are lacking at home. Much training is

being given right in the new modern factories now going up in many parts of the country.

English remains the common language for communication between the different sections, since Hindi and the similar Urdu, the most common languages, are understood by only one-third of the people. Most Indian languages are related to English and the other Indo-European tongues, including French, German, Russian, Greek and Persian, so the use of English is not so completely far-fetched as it might seem. Its use does have big advantages for trade and study, and for visitors. We found it easy to converse in all parts of India. While some Indians object to using a foreign language, the practical impossibility of making Hindi the required national language is now almost generally recognized after considerable controversy over the question.

Life for many people in India is not easy by our standards but I was impressed by the friendliness of people and the warm welcome given to us by all, with the traditional pressing together of raised hands as they said "Namastey," the word used both for greeting and saying good-bye. People had a dignity I had not expected. We saw very little begging anywhere. No one was obviously starving, although no doubt many could stand a better diet with more protein in it.

We found Indian food very interesting, with many tasty dishes, both vegetarian and meat, spiced in ways new to us and seldom too hot for comfort. I can also recommend Indian tea and Indian beer, and their coffee was often good. Breads were very good, with varieties different from ours.

Everywhere we noticed a love of children and a concern by both men and women for them, with no signs of mistreatment or rejection. We were told that children are not abandoned in India despite the extremely low incomes of many, and the misfortunes which most must still endure. Family ties are extremely strong, extending to all relations and not just to the immediate members.

In short, we found Indians hard-working even though they lack many modern tools, proud of their accomplishments and their great heritage, and hoping now for further progress. This being the centennial of the birth of their great leader Mahatma Gandhi, Indians are taking stock of their gains since independence. They are finding their achievements good even if not yet enough and they are gaining confidence that they will succeed in spite of all handicaps. A new optimism is in the air.

For myself, I must say that the sight of only a small part of India's many peoples greatly enlarged my ideas of the human race and its creative ability. Seeing them reminded me of Hamlet's words: "What a piece of work is a man! how noble in reason! how infinite in faculty! in form and moving how express and admirable!"

In my next and final article, I shall examine some questions of India's future, our stake in her success, and what we have to gain by working with her.

INDIA: ASIA'S BRIGHT PEARL OF PROGRESS—  
ALL OTHER NATIONS STAND TO BENEFIT IF  
INDIA SUCCEEDS

(By Robert Handschin)

India's progress on many fronts in the last two years has brought a new optimism to that vast country. In this series of articles I have reported some of these gains—the breakthrough in food production, the beginnings of industry, the increased attention to family planning, the encouragement to cooperatives, the rise in education, and the new confidence that has come to a citizenry through what they have been able to achieve.

What will the future hold for the Indian peoples? During our visit to India we had many conversations about this with leaders

and rank-and-file citizens, as India prepared to announce its fourth Five-Year Plan. This plan is not a hard-and-fast blueprint, but rather an advisory guide in an economy which the government can influence only in limited ways. However, it does represent the hopes and the agreed-upon goals of the nation, arrived at through extensive consultations. The head of the planning commission is an economist, Professor D. R. Gadgil, whom I was pleased to find has had a lifetime of experience with co-ops in addition to his research work.

India will step up its spending for fertilizer, for irrigation, and for rural electrification, as the key to higher farm output in the next five years. Cooperatives will have an important part in this farm rise which it is hoped will be as much as 5 per cent per year. Spending on family planning will double, with hopes of reaching half of the nation's families in five years, an ambitious goal considering the progress made so far. Industrial output is projected at an 8 per cent gain per year, which with the farm gains will give national income a boost of 5.5 per cent annually. With population still growing at 2.5 per cent per year, the gain in income per person would be 3 per cent per year if all goes well, a decided improvement over the years 1960-67.

India will need considerable foreign aid for this next period. Loans are coming due which she will ask to be extended until her exports can earn enough to repay them. A big effort is now being made to export more industrial products. It is beginning to bear fruit despite difficulties of breaking into world markets.

United States aid is being reduced, including food shipments which are now going to build up needed reserves. This year 20 per cent of the PL 480 shipments must be paid for in dollars with the figure going higher each year. However, large amounts of Indian rupees owned by the United States remain unspent from earlier shipments under PL 480.

India's biggest challenge now is how to create enough jobs for the 12 million additional youngsters coming of age each year, as well as for the many million adults now unemployed or underemployed. Until there are more jobs and more steady work, scores of millions will be underfed, being especially short of proteins. Better farm output gives farmers better incomes and more to eat, and their spending helps business in rural towns, but not enough to take up the slack of the jobless. That is why new industry provided by cooperatives, by government or by private investors is the critical need now that minimum farm production is within reach.

When an American stops to think about this problem he can't help but be struck by its resemblance to what we have known at home and in other parts of the world. It's the old question of hunger in the midst of the kind of food surpluses that hurt farmers all over America and in most of the rest of the world. Isn't there some way that our good food supplies in the United States and other countries could be used to help countries like India get enough jobs so their people could be well-fed, or at least have two good meals a day instead of one poor one?

This is an old question to which our experience to date has not yet found the answer, but supporters of the Food for Peace program may have come closer with the new provision added to the PL 480 law last year when it was extended for two more years. That "Food-for-Work" plan allows foreign currencies earned by PL 480 shipments to be used as wages on new jobs to be created in countries like India—jobs either in manufacturing or on public works such as roads, utilities, or schools or other buildings. This method is easier to administer than the older program, tried in a few countries, of using our grain as wages on such work projects.

With more employment, the demand for home-grown food would rise, giving farmers in the area the incentive to adopt new methods and grow more. In time, even countries like India might buy those American farm products we can raise more cheaply here, if she had enough productive employment and if United States markets were open to her industrial goods.

That is just exactly what has happened over the years to make Japan our best farm customer. It can happen with many other countries if we prime their industrial pump with PL 480 funds and some key U.S. foods. We may yet see the day when there will no longer be hungry, jobless people while our acres stand idle and farm surpluses depress prices here and in many other countries. So perhaps with courageous experimenting we can find the answer to this dilemma of hunger amid plenty by using this new "Food-for-Work" authority Congress has given us. That is up to the American grain and oilseed producers, who are struggling with burdensome surpluses, and to our new Administration which professes a keen interest in the world campaign against hunger.

In addition to closer business and agricultural ties with India, I believe our peoples should get to know each other better. Many Indians have ideas about America which are not true or only partly true and, as I found out, we Americans have a good many stereotyped views of India which are at best half-truths.

India has a seventh of the world's population, more even than the whole of Europe. Her people live in the very center of Asia and are friendly with the peoples of the Middle East and Africa. She has pursued an active neutrality in the effort to promote peace throughout that whole area, and has been a leader in the so-called Third World Bloc of developing countries. We have much to gain from her insight into world problems.

But apart from business and peace, India can also offer Americans much that could enrich our lives in other ways, based on her ancient skills and multitude of cultures. This would be helped along if more Americans could visit India long enough to get a good look at things. A drive to attract the tourist has begun and if the airline rates can be lowered, as they have to Europe, no doubt more Americans will visit in years to come. Modern facilities are being built in most tourist centers, and rates are cheaper than in almost any other country.

But more important, I believe, is for Americans to live in India as students, teachers, or Peace Corps volunteers, just as Indians come here to do the same. One promising program has been our International Farm Youth Exchange (IFYE) which allows our farm young people to spend some months on Indian farms as theirs do on some of our farms. With about one thousand Peace Corps Volunteers now serving in India, plus a few hundred United States students, there is now at last some balance against the thousands of Indian students who are in the United States.

It should also be possible to have an accelerated and expanded cultural exchange between our countries, with a selection of color films, for example, giving the true story of each nation being specially circulated in India or shown on TV in the United States.

Above all, news reporting between the two countries should concentrate on the progress each nation is making and not just on sensational news.

India is a vast experiment in modernizing an ancient civilization which just a few centuries ago was ahead of our forefathers, and in trying to build a great nation from many different peoples. If she succeeds, the whole world stands to gain much, and if she fails the loss will be equally great.

I found the Indians perfect hosts, for which I am most grateful. I was impressed

by much, but by nothing more than the sensitive woman who serves as Prime Minister of this great nation, and by the greeting extended to India's own citizens on their main national holiday in New Delhi. As I sat in a seat of honor among almost two million Indians awaiting the opening of the Republic Day parade, I was astonished to find that, instead of cannons firing or planes roaring or sirens blowing, their government chose to drop something from helicopters on the assembled multitude. It turned out to be tons of fresh rose petals!

To a government which can think of that kind of a greeting, I am indebted beyond words for the opportunity to know its people better.

Perhaps I can close this series best by quoting from Mahatma Gandhi, the great leader and founder of modern India. "I venture to suggest in all humility, that if India reaches her destiny through Truth and Non-Violence, she will have made no small contribution to the world peace for which all the nations of the earth are thirsting, and she would also have, in that case, made some slight return for the help that those nations have been freely giving to her."

#### AMENDMENT OF THE COPYRIGHT REVISION BILL

Mr. SCOTT. Mr. President, on April 3, I was pleased to join as a cosponsor of amendment No. 9 to S. 543, the copyright revision bill currently being considered by the Subcommittee on Patents, Trademarks, and Copyrights. Amendment No. 9 was submitted by the Senator from New Jersey (Mr. WILLIAMS) and is cosponsored by Mr. BROOKE, Mr. DODD, Mr. HARTKE, Mr. JAVITS, Mr. MURPHY, Mr. PELL, and Mr. YOUNG of Ohio, in addition to myself.

Among other things, amendment No. 9 proposes the recognition of a performance right in sound recordings. It would provide that performers, musicians, and record companies be compensated when their creative product is used by others for profit. This amendment would rectify a longstanding inadequacy in the law and would provide for equitable and just treatment for these members of the creative community.

A very significant step forward toward the recognition of performance rights for sound recordings has recently come to my attention. The Copyright Office has sent a letter to three interested groups supporting the Williams amendment. That letter states the endorsement of the Copyright Office for the principle of a performance copyright in sound recordings. I ask unanimous consent that a copy of that letter be printed in the RECORD.

The Register's letter notes that the Copyright Office is not taking a position on the royalty fees proposed in amendment No. 9. It encourages all concerned parties to attempt to reconcile their differences on this matter and attempt to arrive at license-fee arrangements which would be acceptable to all. I certainly hope that all interested parties will undertake discussions of this matter promptly and attempt to reach an agreement on an equitable level of royalty fees.

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

COPYRIGHT OFFICE,  
THE LIBRARY OF CONGRESS,  
Washington, D.C., April 21, 1969.

RECORD INDUSTRY ASSOCIATION OF AMERICA,  
Care of ARNOLD & PORTER,  
1229 Nineteenth Street, N.W.,  
Washington, D.C. 20036.

Attention: James F. Fitzpatrick, Esq.

GENTLEMEN: In response to your letter of March 25, 1969, the Copyright Office has reviewed the new proposal for a performance royalty in sound recordings. On April 3, 1969, this proposal was introduced in the Senate by Senator Williams of New Jersey as Amendment No. 9 to S. 543. You explain that this proposal is put forward with the hope that it will "provide the basis for a prompt settlement of this issue."

As you know, the Copyright Office has consistently expressed itself in favor of the principle of limited protection for performing rights in sound recordings. Our concern with past proposals on this subject has not been prompted by doubts as to their legal validity or as to the equitable arguments supporting them. We have also disagreed with the arguments put forward by some groups that, granting the justness of at least some of the claims put forward on behalf of performers and record producers, their protection should be provided outside the copyright law. Our basic position for several years has been that, as a matter of theory and principle, the law should accord protection to sound recordings and, since this type of protection is necessarily the same as copyright protection in form and content, it should be accorded straightforwardly as a part of the copyright statute.

Because the issue of protection of performing rights in sound recordings had not been as thoroughly considered as some of the other issues in copyright law revision, and because it had not theretofore been subject to the process of compromise and accommodation which had produced feasible provisions on some other controversial issues, we earlier expressed serious misgivings that the proposal might not only fail itself but might lead to defeat of the revision bill as a whole. Our concern, in other words, was that, in terms of timing in the over-all copyright legislative program, the proposal for performing rights in sound recordings might prove premature and could effectively destroy the very real progress that has been made in other areas over the past 14 years.

After having reviewed the draft of the Williams Amendment, we believe that in its general framework and approach it represents a substantial step in the right direction. A number of the technical problems we had with the earlier versions of the proposal have been eliminated, and, purely as a matter of draftmanship, the new amendment represents a coherent, consistent, and skillful piece of work. In both language and content, it should also provide a firmer and more realistic basis for future discussions of this problem. We commend the apparent effort to move toward meeting the needs and concerns of various user groups on this issue, and we hope that these efforts will continue with the goal of reaching a fair and workable compromise. It must be emphasized, however, that to achieve this goal the legitimate interests of broadcasting organizations and other large-scale and small-scale users of sound recordings, together with those of other copyright owners, must be effectively accommodated.

Before commenting on the specific provisions of the proposal, we emphasize that nothing in this letter should be considered as dealing with two of the three subjects covered by the amendment: the "mechanical" rate and the status of recordings already released. Our comments are directed solely to those parts of the amendment that deal with performance rights in sound recordings. At this time, also, we should like

to reserve any comments on the mechanics of collection and distribution of the proceeds of a compulsory license to performers and to record companies. We take no position as to whether this function should be performed by the Copyright Office or some other government agency, or whether an alternative method would be preferable. The pattern adopted in section 117 of the amendment closely follows one of the alternatives being considered in connection with the cable television (CATV) issue and, although distinctions must necessarily be made between the methods for handling the two problems, there are also advantages in seeking as much consistency and simplicity as possible.

The effort to reconcile your proposal with the jukebox provision as passed by the House of Representatives in the 90th Congress is basically wise. With respect to the jukebox operators, it does no fundamental damage to the legislative compromise reflected in section 116 of the House-passed bill. Since the Copyright Office does not support any direct or indirect efforts to raise the basic \$8 per jukebox royalty established in the House-passed bill, there will be questions raised as to the allocation of the royalty dollars under the Williams Amendment. The Copyright Office, consistent with its position on the level of royalty fees proposed in section 117, takes no position on the allocation percentage proposed in section 116 of the Amendment.

Subsections (a) and (b) of section 117 of Senator Williams' amendment seem satisfactory as offering a feasible compulsory licensing system. It would be premature for us to offer comments on the detailed royalty fees proposed in section 117(c). We do endorse the proposal to exempt small broadcasters from any liability, and to prorate license fees paid by broadcasters whose use of recorded music is less than average. On the other hand, we have reservations concerning the proposed 3.5 percent compulsory licensing fee for broadcasters which, on the basis of the data we possess, appears to represent a somewhat higher percentage of net receipts from sponsors than the total now paid to performing rights societies. To achieve your basic legislative goal of recognition of performing rights in sound recordings—a goal with which we agree in principle—it will, we believe, be essential for you to arrive at a compulsory licensing fee that not only represents reasonable compensation but is also one that broadcasters and other users can reasonably pay.

As we said at the outset, we believe that no statutory provision along the lines of the Williams Amendment will be possible without further accommodation and compromise. The interests of all concerned would be served if this process leads to a reasonable and fair solution to what must be recognized as a genuine problem. The Copyright Office will, of course, help in any way it can in achieving this solution.

Yours sincerely,

ABRAHAM L. KAMINSTEIN,  
Register of Copyrights.

#### SMALL BUSINESS WEEK SHOULD BE CELEBRATED THROUGHOUT THE COUNTRY

Mr. BIBLE. Mr. President, in accordance with the custom of several years, the week of May 11, 1969, has been designated by President Nixon as "Small Business Week." As I recall, this observance was first declared by President Kennedy in 1962 to focus attention on the contributions made by small, independent, and family firms to our economic and political institutions.

President Nixon's recent proclamation recognizes these connections, in the following terms:

The spirit which characterized (the efforts of the Founding Fathers) is still the essence of the American character. The small businessmen of America best manifest this tradition of individual enterprise . . .

We should recognize, however, that the continued vitality of small business is a matter of political and social concern; a society which encourages free competition cannot easily be subjected to arbitrary control from the top. And a society which opens constructive business opportunities to all of its citizens can liberate and uplift the isolated minorities at the bottom.

In the Washington atmosphere of recurrent crisis, we too often lose sight of these truths, and it is fitting to be reminded of them annually.

As a long-time member, and now as chairman of the Select Committee on Small Business, I have been asked on occasion what the fuss over small business is all about.

Small Business Week is an appropriate time to point out that, according to the best information we have, more than 5 million small firms in this country furnish our population with approximately 50 percent of its jobs, 40 percent of its gross national product, and constitute the most dynamic element of innovation, change and progress. Small business provides an outlet for the energies of bright, ambitious, and creative young people who might otherwise become alienated from our system.

The term "small business" is very close to the definition of "the free enterprise system." The essence of both is that the labor and capital of a man is united with his pride in making a success of a business which he has built and which often carries his name.

It is thus our privilege to point out that small business represents values which are at the heart of the American way of life, and are essential to its preservation—individualism, hard work, enterprise and freedom.

To keep our economic and political systems functioning and to continue to enjoy their benefits requires that all concerned remain vigilant to correct abuses when they occur.

Too often governmental programs have a disproportionate impact on small firms. Taxes may weigh on them more heavily; controls and deadlines may cause emergencies to firms of limited means; complex regulations may be more burdensome; inflation, tight money, and crime hit the smallest firms first and hardest, and recessions may affect them longest.

The marketplace itself may get out of balance, with the growth of giant corporate business which is managed impersonally without ties of responsibility to either individual reputations or local communities. The extremes of these developments are exemplified by the wave of mergers we have seen in recent years and the conglomerate and monopolistic firms reaching out for unwarranted power and influence in our economy.

Small business is particularly important in certain less-populated sections of the country. About 42 percent of business activity is concentrated in a half-dozen States. On the other hand, 14 States have populations of less than 1 million and another seven have less than

2 million. In these places, the profile of the receipts and sizes of business firms tends to be overwhelmingly small.

In my own State of Nevada, for instance, there are about 11,400 industrial, retail, and service businesses. Of these, only 158 have more than 100 employees. Only 72 of these firms employ more than 250 and might thus conceivably be classified as large business, depending upon the line of commerce they are in. In addition, there are many farms and ranches, basically small, independent, and family businesses, which do not show up in the statistics.

So, in a very real sense, the well-being of small business determines the health of the economy in many areas of the United States.

It is therefore up to those in public life—in both the executive branch and the Congress—as well as those in private life who benefit from the American traditions of free enterprise and small business to respond affirmatively when these values are threatened. The complex challenges of today's world call for timely and effective action rather than lipservice.

I am proud of the role played by the membership of the Select Committee on Small Business over the years in these matters.

There are also small business organizations, such as the National Federation of Independent Business; the Smaller Business Association of New England; and the National Small Business Association, which have assisted our committee many times in the past by identifying and defining small business problems and suggesting practical solutions. By doing so, these groups render a worthwhile service not only for small firms but for the entire economy.

It is my hope that these and the many other major business organizations in Washington and across the country will make a special effort to celebrate Small Business Week this year. I hope they are able to do so in a meaningful way which reflects the splendid contributions which small business has made, is making, and can continue to make to the American story. I hope, too, that these observances will reflect the responsibilities which business and Government have in protecting this heritage and passing it on to future generations.

#### NIXON'S FIRST 100 DAYS DRAWS PLAUDITS

Mr. HRUSKA. Mr. President, the first 100 days of the Nixon administration have been noted and observed widely, especially in the press of the Nation. While the President himself has minimized the importance of that date as a meaningful milestone, still the press and the pundits have insisted on assessing the Nixon's style and the Nixon substance.

Their conclusions are that the President and his administration deserve high marks. This accords closely with the public opinion polls which show Mr. Nixon with a high rating of popular approval of the way he is doing his job. It accords with the mail that reaches my office and reflects a trust and a confidence in the new administration.

What seems to appeal most to Americans is that the focus has been shifted from crisis management to crisis prevention. Even the process of crisis management itself has been invested with a studied deliberation that serves the Nation well, as witness the White House handling of the downing of the U.S. reconnaissance plane by North Korea.

Mr. Nixon's early insistence on the re-establishment of policy machinery to handle such critical events was brilliantly justified by the calmness, efficiency and dispatch of this Nation's reaction. The response was firm, calm, measured, determined, without panic.

There are a dozen other fields of Government activity, ranging from the battle against inflation to the war on organized crime which show that this administration has a no-nonsense outlook toward meeting and overcoming these evils.

But with all this, the Nixon administration has demonstrated it has compassion. With a bold and imaginative, but completely practical, plan for the cities, the Government is determined to overcome the public sense of negativism and despair. The dispersal of gloom and the renewal of hope—that is the Nixon goal.

Mr. President, there are few things wrong with America which cannot be cured by able, honest, and compassionate leadership. It gives me great pride to be a part of a government and a people which today enjoys such leadership from President Nixon.

I ask unanimous consent to have printed in the RECORD at this point, a sampling of editorial comment from a number of American newspapers, together with the columns of some of several writers who have examined the first 100 days of the Nixon administration.

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

[From the Miami Herald, Apr. 16, 1969]

PRESIDENT'S DOMESTIC AIMS . . .

Most Americans, we think, are pleased with President Nixon's brief, businesslike message to Congress and his careful surgery on the bloated federal budget.

He decided against giving Congress the usual wordy report on the State of the Union. In recent years, that document has been packed with high-flown phrases calling for new ways to spend the taxpayers' money.

"We are not," said Mr. Nixon, "beginning with 'massive' programs that risk tripping over their own unreadiness."

The wisdom of his approach can't be seen in the disclosure that Head Start classes have made little or no difference in the learning ability of young children. Nearly everyone, including Mr. Nixon, had considered Head Start the most promising of the countless federal efforts to combat poverty. Its failure is distressing.

Still, the facts are persuasive. Why continue pouring out the people's hard-earned money on ventures which don't get the desired results?

That is precisely what our new President is striving to avoid.

"The American people," as he says, "have seen too many promises, too many false hopes raised, too much substitution of the easy slogan for the hard performance."

So he has used his first 12 weeks in the White House doing first things first: seeking to end the war in Vietnam, cooling inflation, overhauling and retooling the creaky juggler-

naut known as the executive branch of the federal government.

At the same time, Mr. Nixon and his team have neatly carved \$4 billion from next year's budget, taking more than half from defense and military aid, the rest from every agency but the Justice Department.

The cutback is a major weapon against inflation.

"Unless we save the dollar, we will have nothing left with which to save our cities—or anything else," said the President.

Even his abbreviated message asked for no immediate action by Congress. Instead, he promised specific recommendations later, adding: "In other areas, where more time is needed, we will take more time."

The measured approach should give the nation a sense of relief from the legislative frenzy of recent years.

Besides, Americans can take heart from Mr. Nixon's list of priorities. He has chosen well: peace, a stable cost of living, streamlining bureaucracy for effective action when the time comes.

[From the Pasadena Star-News, Apr. 23, 1969]

FIRST 100 DAYS MYTHOLOGY

As a measuring stick for performance, the "First Hundred Days" of a presidential administration is nothing more than a bit of political folklore. We'll be hearing lots about the myth in the next few days as President Nixon will have been in office 100 days next Tuesday. Take the whole thing with a hohum and a grain of salt.

A new administration can be considered making magnificent progress if it can get its planning well underway in three months plus 10 days. Real accomplishment and progress cannot emerge from anything completed that rapidly.

The origin of the phrase is a little grim. History's Hundred Days was the period between March 20 and June 28, 1815, the interval between Napoleon Bonaparte's entry into Paris (after his escape from Elba) and his abdication. The most momentous event of the period was the crucial defeat at Waterloo on June 18.

The American political application of the phrase goes back to the first 100 days of the Franklin D. Roosevelt administration. It was then that FDR began pushing his New Deal program by calling the 73rd Congress into a special session on March 9, 1933 to face a great economic emergency.

In the 100 days that followed, Congress armed Roosevelt with extraordinary powers for combatting depression and promoting recovery—even though the legislators had not even read some of the measures. Roosevelt's 100 days saw the passage of 15 major measures. The special session adjourned on June 16, 1933 and on that same day the President signed the most remarkable of all the measures to which the Congress had given almost blind approval—the National Industrial Recovery Act. It and most of the other measures were later either struck down by the Supreme Court or completely revamped when it became apparent, even to Roosevelt, that too much haste had yielded an unsavory stew.

Harry Truman saw a goodly amount of administration legislation pass during his first 100 days, but practically all of it had been conceived and presented while Roosevelt was still alive. Sweetness and light were the keynotes during Dwight D. Eisenhower's first 100 days. The only major legislation was that creating the Department of Health, Education and Welfare.

John F. Kennedy gave the impression of motion during his first 100 days, but that impression was mostly the result of publicity and glamor. In actuality, JFK was able to push through Congress only 6 of 16 measures he thought urgent. A major victory was the Fair Labor Standards Amendments of 1961.

A major catastrophe was the Bay of Pigs invasion of Cuba.

Lyndon Johnson at the end of his first 100 days claimed the enactment of "10 of the 15 appropriations bills . . . that were carried over from last year . . . the new tax (reduction) bill . . . (and) men and women working together." Like Truman, however, LBJ spent his first days in office pushing the legislation of his predecessor. In both cases the congressional mood was one of funeral appeasement in respect for the unfilled mission of a president who had just died.

President Nixon believes his administration has been properly active since he was inaugurated on Jan. 20, but he is accelerating the introduction of proposals on a pre-conceived schedule. This has been apparent in the last week.

The United States is lucky to have a president with a deep disregard for precipitate action aimed merely at satisfying the public appetite or living up to a political myth. Mr. Nixon and his aides are pacing themselves for the long haul, rather than trying to achieve a quick record of questionable durability. That's good.

[From the Washington Evening Star, Apr. 30, 1969]

A MISLEADING YARDSTICK

President Nixon was correct in rejecting the thesis that his first hundred days should somehow be a magic moment crammed full of new legislative proposals and other activity.

For Franklin Delano Roosevelt, of course, things were vastly different. He inherited a nation brought to its very knees by the Great Crash. He had stayed his hand during Herbert Hoover's last months in office, refusing any cooperation, in order to retain maximum flexibility. Roosevelt needed to legislate radical departures from an earlier America, especially from the tradition of a national government with severely limited purposes. In the circumstances his best chance of winning congressional support for his program lay in ramming home bill after bill while his popular mandate was still fresh.

In point of fact, the thesis that a president's first hundred days should be a sort of mini-presidential term of their own is nothing more than bad history. For Roosevelt the first hundred days were of crucial importance—but for his successors they are at best a misleading yardstick.

President Nixon says that he will let history judge his first 1,461 days—that is, his presidential term of office. At this point, he has sent up enough bills to keep Congress busy. And he has promised new legislative proposals in the weeks and months ahead. Furthermore, the President has clearly defined his priorities: To end the war in Vietnam in such a way that the seeds of another war are not left behind, to halt inflation gradually so as not to send the economy into a tailspin, and to bring some sense of order to the domestic programs he has inherited whose promise of improvement very much exceeds their effectiveness.

In a word, the President is off to a good start to his full term of office, and that is what the first hundred days, however used, should be for.

[From the New York Daily News, Apr. 20, 1969]

NIXON'S FIRST 90 DAYS: HIS POLICY RISES FROM A CORNERSTONE OF CAUTION

There's nothing magic about the number. It's just that official Washington has a traditional obsession about the first 90 days of a new administration, and for Richard Milhous Nixon that number was reached today.

One conclusion also was reached: Nixon, an avowed practitioner of subdued statesmanship, has completed his third month in the world's toughest job in an atmosphere of

thorough caution, despite the glare of international attention focused on him—first by the death of former President Eisenhower, and now by the loss of an American reconnaissance plane to North Korean jets.

The caution that first was evidenced in his selection of a cabinet has continued his attitude toward Vietnam, toward the Middle East, toward Peru, toward the Soviet Union. Caution has enveloped his domestic policy in launching attacks against inflation and crime, two of the most serious problems he sees facing the nation.

His treatment of the latest Korean challenge, the first major non-inherited crisis of his administration, is typical of the way he has reacted from the moment in which, after eight agonizing years, he finally inherited the oval office at 1600 Pennsylvania Avenue. He sat back quietly, let the heat cool, then acted. Calmly.

The Republican National Committee celebrated Nixon's three-month milestone with publication of a handsome 16-page illustrated pamphlet, "A New Republican Administration: A Change in Direction—A Change in Tone."

"In his first 90 days," it begins, "President Richard M. Nixon has made a dramatic impact on the national spirit. With quiet dignity, efficiency and purpose, he has visibly altered America's mood and has changed the direction of government for generations to come."

To such legislation as he has sent to Congress Senate Democratic Leader Mike Mansfield has, with a few exceptions, given good marks.

Budget changes and planned revisions of existing programs—generally a scaling down of grandiose Great Society programs of the Johnson administration—add up to a "cautious and careful" approach to domestic problems, Mansfield said.

He was approving about Nixon's plan to increase funds for crime fighting (a \$16 million increase in the \$714 million Justice Department budget, more than half of it aimed at strengthening the FBI, was the only major hike in a \$192.9 billion Nixon budget for fiscal 1970 presented last week—a budget pared \$4 billion below Johnson administration figures to allow a \$5.8 billion surplus).

Nixon says the budget slash is necessary for the fight on inflation, one of three top-priority projects of his administration (the others: Vietnam and crime).

As in all other things, Nixon the President is not dashing headlong, as did his predecessor, into federal giveaways. In fact, he cut such spending by \$390 million, to the consternation of many welfare-conscious congressmen.

Nixon did propose a 7% increase in Social Security benefits, but the hike is more modest than the 10% proposed by Johnson.

And as in his domestic program, Nixon has approached foreign policy matters cautiously.

When Peru failed to provide satisfactory payment for American-owned oil properly seized last year, Nixon could have punished the South American country by cutting off economic aid and trade concessions. Instead, his Secretary of State, William Rogers, announced that sanctions would be postponed indefinitely pending the outcome of negotiations.

And negotiate continued to be the word for Vietnam, as the Paris peace talks continued moving, many believe, to a plane of more successful secret working sessions.

By promising to respect its borders, Nixon achieved in return the promise of diplomatic relations with Cambodia. He quietly helped shove the Mideast crisis into Big Four, UN-directed negotiations.

On a highly successful good-will state visit to France, Britain, West Germany, Italy and Belgium, the President renewed frayed friendships with this country's European

allies—particularly France, which, under its crusty old president, Charles de Gaulle, had become increasingly anti-American.

Playing the role of inquiring reporter and sympathetic statesman rather than that of Big Brother, Nixon, officially and personally, scored a big success during his eight days of jet-speed diplomacy. He promised commissioners of the European economic community that American authorities would keep in touch with it and he assured Nato that the U.S. would not abandon her commitment to the alliance in exchange for an agreement with the Russians.

Although he did nothing to heat up the cold war, or widen the U.S.-Soviet schism, Nixon nevertheless let Moscow know that "this nation is militarily strong and will remain so." And as one step in maintaining that military strength, he proposed a limited antiballistic missile system to protect the country.

Summing up his first three months, Nixon on Wednesday told 5,000 Republican women in Washington that solutions to America's problems are under way. "I can assure you," he said, "we have the program and the men who can bring success."

[From the Canton Repository, Apr. 22, 1969]  
THE FIRST 100 DAYS

It is customary in American politics to give a new president a report card after his first 100 days in office.

As it is used in politics, the phrase "one hundred days" has nothing to do with its grim origin. History's Hundred Days was the period between March 20 and June 28, 1915, the interval between Napoleon Bonaparte's entry into Paris after his escape from Elba and his abdication. The most momentous event of the period was the crucial defeat at Waterloo on June 18.

For some reason, American political observers started the hundred-days assessment in the Franklin D. Roosevelt administration and the practice has become traditional.

Perhaps it was the whirlwind of legislation that President Roosevelt herded through the special session of the 73rd Congress that stirred up the political buffs.

Arthur M. Schlesinger Jr. describes the birth of the New Deal period in these words: "Congress and the country were subject to a presidential barrage of ideals and programs unlike anything known to American history."

In his first hundred days, President Roosevelt was given extraordinary powers for fighting the depression and promoting recovery through the passage of 15 major measures.

Almost blind approval was given to Mr. Roosevelt's programs, and the National Industrial Recovery Act which was signed on the day the congressional session adjourned, was later struck down by the U.S. Supreme Court.

Close cooperation marked the first hundred days of Harry K. Truman as Congress gave him a free hand to carry out foreign policies of the administration.

Only major legislation approved in the first hundred days of President Eisenhower's first term was that creating the Department of Health, Education, and Welfare.

John F. Kennedy's hundred days in 1961 saw six of 16 major measures requested by the administration clear Congress including the Fair Labor Standards Amendments.

President Johnson, at the end of his first hundred days, was able to assess the record by citing enactment of "10 of the 15 appropriation bills . . . that were carried over from last year . . . the greatest education Congress in the history of our land . . . the new tax (reduction) bill . . . (and) men and women working together."

President Nixon will pass the hundred-days in office marker next Tuesday.

And while he has not inundated Congress with proposed legislation, there are few who would fault him so far on his performance.

Mr. Nixon appears to be applying what he learned from President Eisenhower who stressed a more leisurely pace in the White House.

It seems, then, that a mile-long list of legislation is not necessary to a successful first hundred days.

Mr. Nixon is being careful in formulating his domestic program but he has been putting a lot of shoulder into the effort to promote understanding with our foreign friends and potential enemies.

In an age when foreign-policy decisions play such a prominent role in shaping the future of the world, ability in the international arena has to be considered in measuring the worth of a president.

A critic of the "old" Nixon, former Secretary of State Dean G. Acheson, has this to say about the President's foreign considerations: "I would give the President a hit for each time he has been at bat in the first hundred days."

It is to the benefit of the world if Mr. Nixon can continue to have a good day at bat in the unpredictable game of politics.

[From the Baltimore Sun, Apr. 29, 1969]

#### COUNTING THE DAYS

One way to measure President Nixon's first hundred days in office is to count the number of articles written about the fact that today is his hundredth day. If there had been more news during this period—if he had tried, for example, to push through a major new legislative program while the bloom was still on his inauguration—the correspondents would have been busy dealing with the news.

Mr. Nixon was elected to a four-year term and, as he noted, it isn't what he has accomplished during the first hundred days that matters, but what he will accomplish in the long run. The President's immediate task was to consolidate, rather than to expand; to straighten out old programs and policies rather than to devise new ones. The way in which he has gone about this is important and of general interest, of course. But the hundred-day rule, if there is such a thing, has no more application to his case than it has had to most of our other Presidents. Let's be thankful we now are going past this milestone, or whatever it is.

[From the Washington Evening Star, Apr. 29, 1969]

NIXON'S 100 DAYS: LOWER TONE, NO CAMELOTS  
(By James J. Kilpatrick)

In one degree or another, we are all of us captives of tradition; and one of the traditions of political comment, dating from that first frantic spring of Franklin Roosevelt, is that a presidential administration should be appraised after its first 100 days.

By this tradition, Richard Nixon's period of probation has expired. How is the gentleman doing?

Tolerably well, in this conservative view; tolerably well. If the image he has projected is less than we had hoped and dreamed for, it is exactly what we should have expected. In essence, as it is so often said, history is only biography. The character of this administration necessarily will be defined by the character of Nixon. This is what we have witnessed for the past 100 days; and it is what we will witness for the 1,361 days that remain in his term of office.

If Henry Clay were not so firmly entrenched in history as the Great Compromiser, Nixon might take the title from him. This is meant in no invidious sense. One falls back on another maxim: Prudent compromise is the essence of wise politics. The flamboyant role of the fearless leader, demanding and getting, is beyond the reach of Richard Nixon. He simply cannot play it. He is the quintessential lawyer, whose great-

cast skill is to reach the settlement out of court. There's nothing wrong with that.

"It will be the goal of this administration," the President said in his message of April 14, "to propose only legislation that we know we can execute, once it becomes law. We have deliberated long and hard on each of these measures in order to be sure we could make it work. Merely making proposals takes only a typewriter; making workable proposals takes time. We have taken this time."

That was the heart and soul of Nixon speaking. He would not abandon the Sentinel system of antiballistic missiles proposed by Lyndon Johnson; neither would he insist upon its adoption. He would rename it the "Safeguard" system, in a nice deodorant touch, and trim it back to more palatable size. He would not come out flatly against direct popular election of a President; neither would he support the proposal fully; he would find a middle course in line with "practical political realities." He would not exactly dismantle the Office of Economic Opportunity; but he would shift its pieces around.

So it was with the President's recommendation on the 10 percent surtax: It would not be wholly abolished; neither would it be fully preserved. He would keep it on for six months. So it was with Peru: The President would not impose sanctions now, as a consequence of the oil expropriation; he would postpone a decision for another few months.

"Temperance is the greatest of all the virtues," said Plutarch. Nixon is a temperate man. He has reacted temperately to the continued intransigence of the North Vietnamese delegation in Paris. At the cost of digesting four dishes of crow, he reacted temperately to the North Koreans' attack on the reconnaissance plane. His recommendations on tax reform, crime control, budget reductions, and postal increases are moderate recommendations.

Very well. In the euphoria that followed upon Nixon's election in November, some of us on the troglodyte Right fell into dreams we had no business dreaming. We imagined new brooms in the State Department, dramatic coups at Paris, the eloquent enunciation of sound conservative doctrine, the appointment of advisers who bore some modest resemblance to the Goldwater image. And when we got a Finch, an Allen, a Moynihan; when we retained the same old crew in State; when weeks passed with no more than the naming of ten thousand committees, we chafed in unwarranted disappointment.

Perhaps the spirit of moderation is contagious. These first hundred days have been days of constructive non-accomplishment. It isn't another Camelot this spring—it's more like Paducah in August—but one Camelot in a generation may suffice. As he promised on Inauguration Day, Nixon has invoked a lowering of voices. After eight years of uproar, it's a pleasant change of pace.

[From the Chicago Daily News, Apr. 19, 1969]

#### ASSESSING NIXON'S 100 DAYS

(By John S. Knight)

WASHINGTON.—The current Washington witticism that it may be some time until we discover if "we really have a President" is good for a passing grin but sadly underestimates Mr. Nixon's philosophy of problem-solving.

"Hasty action," the President has observed, "can only be self-defeating and aggravate the very ills we seek to remedy."

In assessing Mr. Nixon's first 100 days before the American Society of Newspaper Editors, chief North American correspondent Adelbert de Segonzac of France Soir mentioned Gen. de Gaulle's high opinion of Mr. Nixon, adding that the general is "not one to judge men lightly."

De Segonzac, or "Ziggy" as he is best known in Washington, said Europeans were impressed with Mr. Nixon's early journey to Europe. This gave them the assurance they

needed that the new administration sought to repair the state of neglect into which Western relations had fallen in the Johnson years.

Ziggy said also that Europeans applaud Mr. Nixon's low key approach to world problems and believe he may be the President the United States needs at this particular juncture in history.

The French correspondent credits Nixon with "knowing his job, being relaxed and profiting from two defeats which taught his self-analysis and control."

Harry Truman's secretary of state, Dean Acheson, of impressive stature and guard-dog's mustache, gave President Nixon "good marks" on his European conferences which Acheson had opposed. "I was wrong," said the former diplomat.

In defending Mr. Nixon's decision to proceed with a modified ABM, Acheson offered an interesting comparison with Mr. Truman's judgment in going ahead with the hydrogen bomb in 1949.

In that year, the Pentagon wanted a crash program. The scientists were divided. U.S. intelligence reported to President Truman that the Russians were building bombs and would proceed no matter what the United States did.

"Under these circumstances," said Acheson, "it required no special knowledge" to arrive at the right course of action.

Whether there is a valid comparison is a matter of opinion. Few people are convinced that the thin ABM system is feasible, either as to cost or effectiveness. No such reservation about the hydrogen bomb existed in Mr. Truman's mind.

Columnist Joseph Alsop, a confirmed hawk on Vietnam and introduced as "a vital, conscientious journalist," predicted dire consequences in event of a U.S. pullout from Vietnam.

He maintains that the North Vietnamese and Viet Cong have "killed out" 200,000 people and another 300,000 died in prison camps.

"If we withdraw, you can anticipate the massacre of 2,000,000 South Vietnamese who have placed their faith in the United States," he said.

Asked if President Nixon will take that risk, Alsop replied that he didn't know but thought Mr. Nixon would "hang in there" until a settlement on acceptable terms can be reached with Ho Chi Minh.

Alsop thought "ghetto disease" is the nation's greatest domestic problem. He expressed concern that the administration might not be able to do the "bold, expensive things needed to cure the disease." Alsop said he was not talking of "quickie cures."

He regards the drug traffic as the country's chief menace and said "it must be put down" regardless of cost.

The columnist thinks the President plans to make the GOP the majority party, based upon a coalition of the "unblack, unyoung and the unpoor." He doubts, however, whether such a coalition can "sustain the United States."

In discussing the school problems, and particularly in New York City, Alsop said that if the turmoil persists, "all kids will become hard-line addicts to the forces of revolution."

On the whole, the President fared very well indeed from the panel, including NAACP executive director Roy Wilkins.

I see this not as an endorsement but as a temperate, cautious appraisal of the man no one really knows.

What the President says is not always what Dick Nixon does. Franklin D. Roosevelt had the same trait and Lyndon Johnson enjoyed making surprise appointments to high offices, if only to confuse the Washington correspondents.

With Mr. Nixon, it is a case of keeping all options open. Thus Defense Sec. Laird and Sec. of State Rogers can express somewhat

different views in public while the President evaluates the fallout of public opinion.

This is not to say that Dick Nixon lacks the power of decision. But he grasps that great game of politics as do few men in public life today.

He wants above all to be a two-term President. His calculations are being made on the basis of the America he sees in 1972 when in all probability either Teddy Kennedy or Ed Muskie will be the Democratic nominee.

#### NIXON STANDING TALLER AFTER HIS FIRST 100 DAYS

(By Walter Trohan)

[From the Chicago Tribune, Apr. 30, 1969]

WASHINGTON, April 29.—The first hundred days of Richard Milhous Nixon find him standing taller in the eyes of his countrymen and looming larger on the world horizon than most observers, and even many of his admirers, had expected.

It isn't so much that the days from the rainy inaugural of Jan. 20 have been marked by lighting flashes of dramatic accomplishment, as that the atmosphere has been eased of foreboding tension. There has been a return to cautious sanity as against wild experimentation and wind-blown promises.

This doesn't mean that there has been any great about-face or even that a new course has been charted. It does mean that the accent is on deliberation rather than drama. The national attitude is one of caution—caution by the President and caution by his knife-grinding political foes and caution on the part of a public weary over 36 years of more promise than performance.

Of course some say that after Lyndon Baines Johnson there was no way for Nixon to go but up. Such an explanation is too glib, and L. B. J. may yet loom larger in history than his most violent critics, largely in his own party, stand ready to concede.

Yet, the personalized approach of Johnson made him few friends and many enemies, especially in the press. The business-like Nixon approach and the evident attention he gives to his homework before meeting the press, have paid off in a cordiality between the chief executive and the news media that has been surprising.

It can be expected to remain for some time, because the new administration is scrupulous in observing the right to know. Cabinet members and top officials are readily accessible on the record and for background sessions. They may not make much news, but they are available and apparently frank.

#### FIRST 100 DAYS SILENCE CRITICS

The first hundred days have silenced more critics than they have satisfied supporters. Democrats generally have been pushed into grudging approval of appointments, approaches, and policies. Many Republicans, on the other hand, have patronage disappointments, are impatient for change, and complain that policy is too much like it was.

It must be remembered that Nixon's political ideal is Franklin D. Roosevelt rather than Herbert Hoover. He would like to be able to inspire the enthusiasm of F. D. R., but he knows he must hew to the sanity of the great humanitarian, whose political career was blighted by a world-wide depression.

It must be remembered, too, that Nixon never embraced the right, where activity against the communist conspiracy seemed to put him. He is a moderate Republican, if you please, or a middle of the roader, if the first description is a red flag.

#### NEVER PROMISED TO TURN BACK CLOCK

Nixon never has promised to turn back the clock, even when he called for cleaning house in the government and fiscal sanity. He has moved toward balancing the budget, but not at the expense of so-called welfare and social programs.

And, it must be remembered, Nixon supports Atlantic Union, not as wildly as some, but certainly not as this commentator does. This commentator believes the machinery for Atlantic Union is in the Constitution and open for Scotland, England, and Wales to enter the union as states, not as a partner. Let them explore it.

In his inaugural Nixon urged his countrymen to lower their voices so that they might reason. There has been some lowering, but a great deal more is desirable. A bit later he expressed the fervent wish that he might gain the respect and friendship of all his countrymen. After 100 days, it must be conceded he is trying.

[From the Philadelphia Inquirer, Apr. 23, 1969]

**THE MEASURED PACE IN NIXON'S PRIORITIES**  
(By Roscoe and Geoffrey Drummond)

WASHINGTON.—Because President Nixon did not put a crash program to Congress during his first 100 days, some suggest he is in for trouble by not doing enough fast enough. Maybe, but not for sure; it is a fast-on-the-draw judgment which could well be wrong.

President Kennedy crash-programmed Congress and public opinion didn't help him get much through.

President Johnson crash-programmed Congress, got a mountain of measures passed but public opinion didn't help him when he got in trouble over Vietnam.

Mr. Nixon is taking a view far longer than 100 days and it remains whether it will be rewarded or punished by the longer-term public response for his measured way of doing things.

If he begins to make headway on what he is undertaking, it is quite premature to assume that public support will desert him.

Because Mr. Nixon is not turning everything upside down—and that's not going to be done at any time—this doesn't mean that significant and substantial changes are not in the making. They are and they have nothing to do with ideology or liberal versus conservative policies.

It is now evident that there are distinctive Nixon approaches and they are beginning to mark out new directions—like these:

Mr. Nixon is putting first things first—even if it hurts.

Instead of trying to do everything at once, he is acting on an order of priorities which has been absent from Washington for far too long.

His priorities are—end the war in Vietnam, control inflation.

His reason for these priorities is that relatively little can be done to attack the most acute domestic problems until these two conditions are met and nearly anything can be done if and when they are met.

Mr. Nixon well knows that until the Vietnam war is behind him, he will not have the revenue resources to embark on larger spending which he is fully aware will be needed to deal with urgent domestic needs.

And he isn't cutting \$4 billion from the budget in order to have a nice surplus rather than use it for human needs. This surplus and the continuing of the surtax are indispensable to getting inflation under control and an essential to securing the dollar. This will be a boon to everybody.

This is putting first things first and meaning it. The President is candidly telling the country that other things must wait upon these two essential priorities and that to talk about doing everything at once and then not being able to do it is worst of all.

Another major departure from the past is Mr. Nixon's initiative to cut back the over-centralization of power and authority in Washington, a goal which most Americans have been seeking and supporting for some time. He would accomplish this by beginning to share Federal revenue with the states so

that state and local government would be able to do what the Federal Government isn't doing well.

This move comes at the right moment—when many big government liberal Democrats have come to see that the thicket of Federal aid programs is inefficient and when there will be a calamitous breakdown of state and city government if Federal funds aren't forthcoming.

On balance, it may well be that Mr. Nixon's measured pace, his putting first things first, his saying frankly that everything can't be done overnight and that trying to do it that way would mean failure—this approach may not only prove to be what the country needs but what it wants.

**SECRETARY OF TRANSPORTATION VOLPE PLACES SUPERJET, AIRPORTS ABOVE MASS TRANSIT—A CASE OF MISTAKEN PRIORITIES**

Mr. WILLIAMS of New Jersey. Mr. President, the Washington Evening Star of April 24, 1969, in an article entitled "Volpe Places Superjet, Airports Above Transit," stated:

Transportation Secretary John Volpe has reshuffled his department's priorities, putting two controversial airways projects ahead of solving mass transit problems.

The former Massachusetts governor reportedly has told President Nixon he wants administration approval for either the Supersonic Transport or an airways and airports bill before action on increasing other programs, including mass transit.

On April 29, just 5 days later, the New York Daily News reported that Secretary Volpe had warned the U.S. Chamber of Commerce:

That private cars may be banned from major metropolitan areas in a few years unless urban mass transit programs "catch up with the highway program."

Apparently Secretary Volpe, while recognizing the critical need for improved mass transportation, still refuses to give that program top priority. He has, in fact, put it behind two projects which, worthwhile as they may be, are not nearly as crucial to our Nation's citizens as mass transportation.

The Washington Evening Star has concisely and correctly summarized Secretary Volpe's comments of April 24 in its April 30, 1969, editorial entitled "Volpe's Priorities." The Star stated:

The good thing about this news (moving mass transit problems out of the number one priority spot in lieu of airway problems) is that it is unconfirmed and it may be incorrect.

The editorial then went on to add:

There is a need for an airports and airways bill to relieve the dangerous overcrowding that exists today. It should stand high on the Transportation Department's list of priorities. But it can never, by any process that goes by the name of logic, be put ahead of the need for a solution to mass transit problems.

I strongly urge Secretary Volpe to take the advice of the Washington Star. Mass transportation should and must be given top priority. Additional money must be spent. Improved facilities must be made available. If this is not done, our Nation's urban centers will fast become one massive traffic jam.

In order to place our transit systems

on a sound financial basis, on February 17, 1969, I introduced the Urban Mass Transportation Act of 1969. Congressmen PATMAN and BARRETT have introduced identical bills in the House of Representatives. This proposed legislation would establish a mass transportation trust fund financed out of a portion of the excise tax on automobiles from 1971 through 1974. Over this 4-year period an estimated \$1.8 billion would be made available for loans and grants for mass transportation. This approach will take an established program of proven value, the mass transportation program, and wed it to a system of financing used successfully over the years to pay for our Nation's highways.

I hope that in the weeks ahead the Nixon administration and Secretary Volpe will endorse this proposed legislation and give it their full support. As the Star's editorial points out:

It is, of course, quite true that if the transit problems are disregarded, the problem of airport and airways congestion will take care of themselves. No one will be able to get to and from the airports.

So that all Members of this body may have the benefit of Secretary Volpe's purported views on this subject along with the excellent editorial of the Washington Evening Star, I ask unanimous consent that all three articles be printed in the RECORD.

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

[From the Washington (D.C.) Evening Star, Apr. 24, 1969]

**VOLPE PLACES SUPERJET, AIRPORTS ABOVE TRANSIT**

Transportation Secretary John Volpe has reshuffled his department's priorities, putting two controversial airways projects ahead of solving mass transit problems.

The former Massachusetts governor reportedly has told President Nixon he wants administration approval for either the Supersonic Transport or an airways and airports bill before action on increasing other programs, including mass transit.

The SST wasn't ranked at all in a list of priorities published by Volpe's Democratic predecessor, Alan S. Boyd, a year ago. Airport and airways improvement and construction was ranked fourth.

In the revised Nixon budget put out last week, a request for \$25 million in new money for mass transit was cut out although Volpe had told an interviewer in March that trucks and autos were choking the cities and "we wouldn't be in the mess we're in" if studies had been started earlier.

Of the two projects, the SST proposal is on the President's desk. A month ago it appeared headed for limbo but its fate now is uncertain.

The airports and airways bill has been wrapped in secrecy by Volpe, but some details have leaked out.

The measure is now in the Budget Bureau where there are indications of strong opposition.

The airports bill reportedly would provide for the first time up to \$2 billion in loan guarantees for construction of airports which in some cities are vastly profitable.

The bill also would provide some \$150 million in outright grants for airport construction, including terminals. This practice was discontinued in the 1950s because of criticism that federal money was being used to build such things as cocktail lounges.

Critics in the administration say federal aid is not needed to build airports. They cite the example of the New York Port Authority, which is building two huge skyscrapers from the profits of the three airports it runs.

There also is opposition to the guaranteeing of loans. Some critics say the guarantees would put tax-free municipal bonds in direct competition with taxable Treasury bonds at a time when the Treasury needs all the cash it can get.

#### THE SST ISSUE

The Transportation Department is expected to argue that more and bigger airports are desperately needed to ease air congestion, the government could easily stand the competition from municipal bonds, and small and middle-size airports would benefit from the low interest of a government loan.

Nixon approval of the SST or even a delay order would be a major change of fortune for Volpe who was forced last month to back away from a highly favorable report on the project.

An 11-man committee of agency heads and Cabinet undersecretaries had drawn up recommendations for the report that contained some severe criticism.

When the report was prepared for the White House, however, the criticism was all deleted. The committee objected strongly and got it reversed.

#### REPORTED SHOCKED

One informed source said the first report was prepared by a Volpe aide and that the secretary had been shocked when he learned the depth of opposition.

Backers of the SST said some \$200 million was needed to keep it going full blast in fiscal 1970 but conceded it could limp along on carryover funds while Boeing Corp., the prime contractor for the plane, tries to work out design bugs that have prompted much criticism of the superjet.

SST opponents argue that too much money—some \$300 million—has been wasted already. They say the craft will be too noisy ever to fly over land routes or use most domestic airports and therefore would be economically unsound.

Backers of the plane say the United States must develop its own SST to remain competitive with Soviet and Anglo-French versions.

[From the Washington (D.C.) Daily News, Apr. 29, 1969]

#### VOLPE WARNS THAT CITIES MAY HAVE TO BAN AUTOS

(By Jeffrey Antevil)

WASHINGTON, April 28.—Transportation Secretary John A. Volpe warned today that private cars may be banned from major metropolitan areas in a few years unless urban mass transit programs "catch up with the highway program."

Volpe, a former contractor who once headed the U.S. Bureau of Public Roads, told the annual meeting of the U.S. Chamber of Commerce that the most pressing need is "to take care of those who need transportation the most, to get people from the ghettos to their jobs."

As one example of the transportation crisis, Volpe said that in Metropolitan New York, traffic moved at an average speed of 12 miles an hour in the horse and buggy age, while it averages only 7 miles an hour in the space age.

Appearing in a panel discussion with Volpe were four other cabinet officers—Robert H. Finch of health, education and welfare, Clifford M. Hardin of agriculture, George P. Schultz of labor, and Maurice H. Stans of commerce—and White House special assistant Stephen Hess.

#### CONCERNED OVER SCHOOLS

Finch disclosed that Attorney General John N. Mitchell will ask Congress to "refine" existing legislation on inciting riots so it can

be used more effectively against student agitators who move from campus to campus. But he stressed that the problem of campus disturbances should be dealt with "at the local level" by college administrators.

Hardin and Shultz, both former college deans, said they were disturbed by the existence of "a hard-core group of professionals who are moving from campus to campus."

Hardin said the federal government's contradictory programs to discourage the use of cigarettes while subsidizing tobacco growers "could well be idiocy." But he noted that local, state and federal governments take in \$4 billion a year in cigarette taxes.

[From the Washington (D.C.) Evening Star, Apr. 30, 1969]

#### VOLPE'S PRIORITIES

The way the Associated Press tells it, Transportation Secretary John Volpe has shaken up his department's priorities, moving mass transit problems out of the number one spot. Top priority, AP reports, now goes to airport and airways problems and to the swift completion of the supersonic transport.

The only good thing about this news is that it is unconfirmed and may be incorrect.

This government's preoccupation with the flying white elephant, also known as the SST, seems to be based on one overriding consideration: Someone else is working on it, therefore the United States must do the same. Never mind the cost. Forget the manifold unsolved problems of sonic boom and engine noise. The British, the French and the Russians are coming—so, all together now—panic!

Under this formula, presumably, if word of Dr. Frankenstein's experiments had leaked out, Uncle Sam would have felt compelled to get there first—or at least not far behind. And come to think of it, the analogy between Frankenstein's baby and the SST just possibly may not be too far off the mark.

There is a need for an airports and airways bill to relieve the dangerous overcrowding that exists today. It should stand high on the Transportation Department's list of priorities. But it can never, by any process that goes by the name of logic, be put ahead of the need for a solution to mass transit problems.

It would be possible, after all, to hold air travel to its present limits. It would even be possible to cut back temporarily on commercial operations if necessary to defuse the aerial bomb. It would be inconvenient for that minute fraction of the nation's population to whom air travel is a regular necessity. But that inconvenience cannot be compared to the universal agony already being produced by the mess in mass transit.

It is, of course, quite true that if the transit problems are disregarded, the problem of airport and airway congestion will take care of themselves. No one will be able to get to and from the airports.

But it seems doubtful that the secretary has that solution in mind.

#### ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. GOODELL. Mr. President, May 3 marked the anniversary of the Polish Constitution of 1791, one of the greatest achievements in Polish history. The constitution was an instrument through which Poland hoped to achieve independence and security and form a new national identity; it attempted to establish a modern constitutional monarchy and parliamentary type of government and thus served as a model of democracy and liberalism throughout Europe.

The history of the Polish people is a chronicle of the struggle of a people to

maintain independence against more powerful and aggressive neighbors. She was overrun by the Russians and Prussians in 1792 and lost her independence for over 123 years as a result of partition. The struggle was renewed when Poland was invaded and occupied by Germany and World War II began. Yet the Polish people did not give up their hopes of regaining their national independence and reviving the spirit of the Constitution of 1791.

This year's observance is of special significance in that it coincides with several other important dates of Polish history; namely, the 30th anniversary of the German-Soviet attack on Poland, and anniversaries of the Warsaw Uprising and the founding of the Polish-American Congress.

Poland is a nation which has been a source of inspiration in her fight for freedom and dignity. The contribution of the Poles and the Polish Americans in arts and humanities, and science and government, have been profound, indeed. It is an honor to join in the salute of the people of Poland and to express a hope for the day when the goals of an independent and free Poland will be realized.

#### THE MACHIASPORT SITUATION

Mr. HANSEN. Mr. President, during the last several months, there has been much debate regarding the proposal of the Occidental Petroleum Corp. to build a large refinery in a foreign-trade zone to be located at Machiasport, Maine.

As an opponent of the Occidental Petroleum Corp. proposal, I have emphasized the need to protect our national security by maintaining a strong and viable domestic petroleum industry. The windfall which one company would receive and the depressing effects which this refinery, operating on foreign crude oil, would have on the economics of our oil-producing States are also most significant.

But the citizens of the oil-producing States do not stand alone when they question the advisability of building a huge refinery in a foreign-trade zone on the coast of Maine.

The citizens of Maine themselves are questioning the wisdom of such an action.

Today, all of the citizens of this Nation are concerned with the protection of our natural environment. Congress has passed legislation to improve and protect our environment and to preserve for recreational purposes areas of our Nation which have not become overpopulated.

My own State of Wyoming and Maine have much in common. We are both States with small populations. Large areas of both States are not industrialized and remain prime areas for recreational use.

But Maine enjoys two advantages Wyoming does not. Maine has a seacoast as well as beautiful lakes, mountains, and forests. Maine also enjoys close proximity to areas which do have large populations. Many people from the East do not have either the time or the financial means to journey 2,000 miles to enjoy Wyoming's beauty and outdoor recreation. However,

a trip to Maine is within their time and financial limits.

Men of vision in Maine have recognized the great recreational potential of their State.

On March 7, 1969, the Natural Resource Council of Maine published a brochure entitled "The Machiasport Situation: 20 Questions for the People of Maine." This brochure concludes that—

Continued proliferation of inappropriate projects will indeed destroy Maine's unique environment. The people of Maine must insist that those developments that, in fact, are necessary and inevitable be fundamentally compatible with the national environment. If they default in that duty, gradual attrition will destroy it.

Mr. President, I ask unanimous consent that this brochure published by the Natural Resource Council of the State of Maine be printed in the RECORD.

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

**THE MACHIASPORT SITUATION: 20 QUESTIONS FOR THE PEOPLE OF MAINE**

The Natural Resources Council firmly believes that the people of Maine have a unique and vital stake in maintaining the quality of their own natural environment. In a country that is rapidly becoming more crowded, more polluted, more industrialized and more dehumanized, Maine, to a large degree, still fosters a desirable and increasingly rare quality of life. That quality of life, primarily dependent upon the state's natural environment, is the principal reason that a large number of its people have chosen to live in Maine.

The proposed oil refinery at Machiasport, it is believed, could threaten Maine's quality of life. It is not at all clear that the proposal is in the best interests of the people of Maine. It is not at all clear that the project would be compatible with the best use of the coastal environment.

Long-standing questions have arisen in the minds of many people about the Machiasport project. These questions remain unanswered and perhaps even unconsidered:

1. What, in fact, will be the economic benefits to New England and, particularly, to Maine residents?
2. Can these benefits only be attained through the construction of a coastal oil refinery?
3. Are these benefits sufficient to warrant a major encroachment on the sea coast resource?
4. Have these hypothetical benefits been adequately weighed against the economic loss from the deterioration of the environment and the loss of recreational and other interests?
5. Have the probable and indeed inevitable growth and development of recreational demands in the future been adequately considered in balancing the gains and losses?
6. Will, in fact, a highly automatic refinery have a significant impact on employment in the Machias area?
7. How will surrounding communities finance the extra services that will be required by the refinery facility and its personnel?
8. Will the local residents have a real part in planning and regulating the operation of the facility in such a way as to insure their best interests?
9. In what ways are the legal, financial and personal interests of the land owners on the proposed site protected?
10. Have the necessary hydrographic engineering studies been conducted to insure that supertanker operations can be safely conducted in the area?

11. What specific guarantees can be offered to insure that the operation will not cause air and water pollution?

12. Is it clearly understood who and what will be indemnified against loss from probable oil spills or air pollution?

13. In what way will loss of non-commercial wildlife from possible oil spills be indemnified and how will that value be determined?

14. Have the relevant state and federal government agencies been consulted about the manifold effects of the project, for which they have legal responsibilities?

15. Are these agencies in a position to render professional judgments?

16. Are funds available to permit these agencies to carry out necessary studies?

17. What guarantees can be offered to provide for possible adverse effects from additional industries that may be attracted to the area?

18. Has it been determined in fact that additional industries would be beneficial to the area, or is it possible that they might impose demands that the area cannot meet?

19. Has real consideration been given to the possibility of locating the tank farm and refinery inland, away from the valuable sea coast?

20. How does the proposed refinery fit into a well conceived plan for proper development of the entire Maine sea coast?

In seeking answers to these questions, it must be understood that the people of Maine, consciously or unconsciously, have committed their lives to the state's special character and have adjusted their lives accordingly. They recognize and accept its material limitations but realize that its traditional environment is conducive to a superior way of life. Maine's people are confident that the intangible benefits of living in Maine surpass its material shortcomings. They have a basic interest in preserving that standard.

That this collective decision is sound is confirmed by the nearly three million visitors the state welcomes each year. In their escape from the crowded and often inhuman world that surrounds Maine, these visitors provide the state with a \$300 million industry. As development trends beyond the state continue and accelerate, and as the natural environment Maine offers becomes increasingly scarce and ever more desired, that industry will become even more valuable to Maine.

To Maine residents and the entire nation, then, the state offers a uniquely valuable, fragile and irreplaceable resource—its natural environment.

From many sides, now, that resource is threatened. Particularly along Maine's incomparable sea coast, the trend is to alter the basic nature of an essentially immutable environment. Count the proposed and realized signs of change: an atomic power plant at Wiscasset, an ore loading facility at Rockport, an ore smelting complex at Union, greatly expanded liquid fertilizer and fuel tanks at Searsport, open pit mining at Harborside, an aluminum smelter at an uncertain coastal location, military facilities at Schoodic Point, Prospect Harbor and Cutler, and the oil refinery and industrial complex at Machiasport.

Some of these changes on the sea coast may be necessary, but the people of Maine are given to understand that these developments are, in fact, just a beginning if Maine is to "catch up" with the rest of the country.

Or, is it that the state will destroy its unique and immensely valuable and scarce resource in ill-considered pursuit of short-term profits?

Continued proliferation of inappropriate projects will indeed destroy Maine's unique environment. The people of Maine must insist that those developments that, in fact, are necessary and inevitable be fundamentally

compatible with the natural environment. If they default in that duty, gradual attrition will destroy it. The state must recognize that if it abandons the defense and preservation of its natural environment, then it reduces itself to ruthless economic competition at the lowest level. It will be forced to compete disadvantageously with other areas on their terms, not its own. It will be condemned to an irrevocable course of diminishing returns.

The Machiasport issue concerns all the people of the state. The project brings into question the basic commitment of many Maine residents. The concept of an oil refinery in Maine may be entirely valid, but it has not been proven that the proposal for Machiasport has seriously considered all the consequences and all the alternatives. It has not been proven that the proposal will make the best possible use of the state's resources. Upon this central, basic, unanswered question must rest the final decision.

**LAW DAY OBSERVANCE**

Mr. TALMADGE. Mr. President, there has come to my attention an outstanding address by the Honorable Newell Edenfield, U.S. district judge, northern district of Georgia, on the national observance of Law Day.

Judge Edenfield, speaking to the Downtown Kiwanis Club in Atlanta, delivered a perceptive discussion of the present state of law and order in the United States, with particular reference to its decline in recent years.

I commend Judge Edenfield's timely and thoughtful remarks to the Senate, and ask unanimous consent that they be printed in the RECORD.

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

**LAW DAY**

(Remarks to the Downtown Kiwanis Club of Atlanta, April 29, 1969, by Newell Edenfield, U.S. district judge, Northern District of Georgia)

If any nation at any time ever needed something said about law on Law Day, that nation is America and the time is 1969. With riots, looting and raping rampant in our streets, and armed insurrection and destruction occurring daily in our colleges, most thinking Americans are seriously wondering whether we haven't lost our national mind. Can it be that the most powerful nation in the world—which can launch a rocket to the moon—can't control a common riot or roving bands of muggers and purse snatchers? Are we to turn our colleges and universities over to an armed, insolent and obviously unreasonable rabble—buildings, curriculum, endowment and all?

Confronted with these events, people are asking: What's happened? What's wrong? What's caused all this? What can we do?

So, on this Law Day something needs to be done and something needs to be said; and while on this occasion you have chosen a very poorly tuned cymbal to sound the note, I did accept your invitation, and I will briefly do my best.

To begin with, what are our problems? I have mentioned two, but let's catalogue some others which imperil the welfare and security of this nation and, indeed, of the whole world. Among these I would list the following: (1) organized crime; (2) narcotic and dangerous drugs; (3) gambling; (4) poverty and, finally, insufficient and apparently ineffective education. There are others such as bank robbery, national fiscal policies, and the one that seems destined to be with us indefinitely, viz.: desegregation and civil rights. But these are enough.

Clearly, no one has found a complete answer as to the causes of, and the remedy for, these problems; otherwise I would move that we promptly adjourn and go listen to him. But while there are no complete answers as to causes and remedies, there are some obvious ones.

Take the case of violence in the streets—marches, sit-ins and riots—for example. The most common cause ascribed here is what has been generally described as “a breakdown in law enforcement.” But this is no answer at all. Why has there been a breakdown in law enforcement? Looking back, I think the answers are fairly clear. It is obvious, for example, that most of these conditions during the last few years had their origin in protest movements of one kind or another, and since many of these movements involved either the right to freedom of speech or at least a claim of the right to freedom of speech, control of them by the police became enmeshed in constitutional problems, and as conviction after conviction was reversed, the end result was that the police became so frustrated and baffled that in many instances they simply did not know what was the law and what wasn't—what they could do and what they couldn't. The solution of this problem has not been a quick or an easy one.

Take, for example, such simple offenses as “riot” and “disorderly conduct”, which have been punished by English and American courts since Magna Carta. At what point does a march or a meeting cease to be an exercise of freedom of speech or lawful assembly under the Constitution and become merely a riotous threat to law and order and an invasion of the property and rights of others? Sometimes I'm afraid the courts have been a little bit slow and indecisive in their answers. In fact, for years city ordinances, and hence the police, with the approval of the municipal courts, treated both of them just alike, and one as being the equivalent of the other. This, of course, is and always has been constitutionally impermissible. Another kindred problem was (and in some areas still is) the custom of arresting and trying an offender without ever defining his offense in any definite terms.

Not a man in this room, for example, can fail to remember when municipal and recorder's courts across this country arrested and fined people wholesale for the nebulous offense of “disorderly conduct” without ever defining what that term meant except that an officer found his conduct offensive. Moreover, where there was a definition in the statute, many times it was quoted from or adapted from old English statutes adopted long before we had a Constitution or a Bill of Rights, and many of such laws were still too vague and indefinite to conform to our constitutional requirements. The evil of this arrangement was that an innocent, law-abiding citizen could not reasonably inform himself as to what he was being charged with or what he could legally do or couldn't do. Usually the charge didn't specify what he did do.

Such vague laws have always been patently unconstitutional under our system, and this is nothing new. This, of course, may not be the complete answer, but I suggest that it was largely from this confused state of the law that many of the reversals came and the present problem arose. Fortunately, a solution now appears to be at hand. In recent Supreme Court decisions, for example, the line between First Amendment rights and such offenses as riot and disorderly conduct has now been defined, the very clear holding now being that the First Amendment protects only freedom of speech, not freedom of action or conduct. You may speak against the flag, but you may not burn it; you may urge support for your protest movement from a passing motorist, but you may not overturn his car. Armed with these distinctions,

what our cities and counties now need is to amend their laws to recognize the difference, as incidentally the City of Atlanta has already done; and then let's get on with routine law enforcement in this area.

A second frustration in this area which has encouraged crime in the streets has been delayed trial and punishment, and particularly the practical operation of statutes, state and federal, such as the federal Ball Reform Act, which give an offender an automatic right to bail after conviction and pending successive appeals. The spirit behind these laws is good, and in most instances they work; but in the case of the multiple offender or the professional troublemaker, they make it possible for him to walk the streets and carry on his activities for months, or even years, even after conviction.

I know of one defendant who, after conviction by a jury and while free on bail, was indicted for three other felonies in another state. He is still free on bail, and while awaiting a final appeal, he now teaches in one of our oldest and largest universities which has been much in the news in recent weeks.

I do not oppose these bail laws in principle. An American asserting his innocence should ordinarily be entitled to bail while he appeals, but in the case of the multiple offender or the proven professional it should be discretionary, and should be conditioned on his not repeating and continuing similar activities pending appeal and while his conviction stands. Moreover, where alleged mass offenses are involved, the appeals of those claiming automatic bail should be expedited, with special tribunals set up to hear them if necessary. The great deterrent to crime is not the severity of punishment, but its swiftness and its certainty.

A third cause of our general breakdown in law and order is, I would suggest, the disproportionate amount of publicity given to some offenders by the press. We must, of course, preserve freedom of speech and of the press inviolate, but to nationally publicize to the saturation point every alleged band of troublemakers, however preposterous their grievance, makes troublemaking profitable and hence attractive. It is as plain as the palm of your hand that, apparently trying to emulate others who have done so, any crackpot who can raise enough marchers or dissenters can become at least a national celebrity and in some areas a hero. Of course, every dissenter has a right to march and to speak, however misguided his notions may seem to me. But I don't believe my brothers of the Fourth Estate will be offended by the observation that, at times, they are being used and the national welfare is being abused by their willingness to publicize nonentities whose antics are no more news than dog biting man. With all power there goes the corresponding duty of responsibility.

As far as our present difficulties in the colleges are concerned, I can find no better answer than one announced 1400 years ago by St. Benedict, and recently reported in the press. The monasteries of that day contained all the seats of learning, and in some respects were very much like American universities. Many of these monasteries were founded by St. Benedict, and in the Sixth Century he said exactly how such institutions should be run. Let me quote:

“If any pilgrim monk come from distant parts, if with wish as a guest to dwell in the monastery, and will be content with the customs which he finds in the place, and do not perchance by his lavishness disturb the monastery, but is simply content with what he finds, he shall be received, for as long a time as he desires.

“If, indeed, he find fault with anything, or expose it, reasonably, and with the humility of charity, the abbot shall discuss it prudently, lest perchance God had sent him for this very thing.

“But, if he have been found gossipy and

contumacious in the time of his sojourn as guest, not only ought he not to be joined to the body of the monastery, but also it shall be said to him, honestly, that he must depart. If he does not go, let two stout monks with staves, in the name of God, explain the matter to him.”

Just one more word about the problem in the colleges. In too many instances, the disturbances are not brought there from outside; they are taught there on the inside. I make no wholesale accusations, but I have seen enough in my personal experience to convince me that in many instances college faculties have been infiltrated with radicals, communists, and others whose only desire is to teach and stir up trouble. It would seem that the time has come for all our colleges, within the bounds of academic freedom, to identify and purge this element. A professor, like everyone else, has a right to become addicted to any poison of his choice, but he has no right to retain his professorial chair for the obvious purpose of spreading it.

So much for the colleges.

The next four problems, organized crime, gambling, bootlegging and drug addiction, I wish to discuss together, and as to them, I wish to point out only one thing: The tragic fact that in our efforts to suppress these evils, we inadvertently make it possible for them to flourish by legislating scarcity. Take the case of organized crime. Gangsterism as we know it today first began in this country as a direct result of the legislative scarcity created by the prohibition laws. The nation was dry but a great part of the population was wet. In the face of a large and growing demand for liquor, we put the legitimate dealers out of business and thereby created a monopoly which we handed to the gangsters on a silver platter. What the legitimate businessman could not sell, the gangster would and did. The demand was staggering—the profits great. In short, we drove a large segment of the population to become the customer of the mobster and the bootlegger simply by legislative scarcity, and while we have now repealed prohibition, the prohibitory taxation on legal whiskey still permits the bootlegger to flourish for the same reason.

A gallon of whiskey costs 90¢ to make. It sells at retail for \$30. The taxes on it alone are more than \$15. Thus we have a 90¢ commodity being taxed at a rate of 1500%. At those prices, many of the poor cannot afford, or feel that they cannot afford, government whiskey, but instead of drying up the liquor traffic, this only drives them to the bootlegger, who can cut the government price by 50% and still make a profit of 1200%. Nature abhors a vacuum, and both gangsterism and bootlegging have been able to continue and flourish almost solely by virtue of these policies of legislated scarcity. The only possible way, as I see it, to permanently stop organized crime in this country is to eliminate those things which make its profits possible.

We make the same mistake, unfortunately, in the field of narcotics, gambling, and gambling information. Those wanting such commodities go to the gangster because they can't get them elsewhere. When a pusher can hook a juvenile on drugs, he has a customer for life—a monopoly handed to him by legislative scarcity or prohibition; and worse—much worse—is the fact that the cost of a 5¢ pill when bought from a gangster is so high that almost invariably the victim has to rob, steal or murder on a daily basis to supply his habit.

I have not read the English laws on the subject, but my understanding is that they handle the drug traffic differently. A drug addict in England doesn't have to go to a gangster; he simply registers with the government, confesses his plight, and receives either a daily shot from the government or a permit to buy through a doctor's prescription at commercial prices, but with a condi-

tion annexed that in either case he submit to a gradual and periodic reduction in dosage until he is cured. I don't know how well the English system works, but how could organized crime long compete with that non-profit arrangement?

I realize that our prohibitory laws in these areas represent a moral judgment. And if they really worked to accomplish what they were intended to accomplish, we would have no problem. But they don't work; and by a policy of outright prohibition rather than regulation, I sometimes timidly wonder if we don't defy the universal experience of mankind and create more problems than we solve.

In approaching the end of these remarks, we come to the two great problems which breed more crime than all others combined; and again they go hand in hand: poverty and either insufficient or inadequate education. Forty years ago, Franklin D. Roosevelt shocked the nation by saying that one-third of the population was ill housed, ill fed and ill clothed. It still is; and from this group comes the great bulk of our prison population. Ask any judge. Neither time nor the occasion nor my ability permits more than a reference to these problems, but it is interesting to note in passing that in discussing our problems and those of the world, Secretary of Defense McNamara was quoted a few years ago as saying that of all the internal conflicts in the world, more of them arise, basically, out of the bitter frustrations of poverty than out of communist aggressions and subversions—as real as they are.

In discussing problems, I cannot close without at least a passing reference to civil rights and desegregation. In this area the basic law is now clear, but the ever-recurring problem is how to make it effective and keep it effective without making of America a police state with a Gaultier in every district. Desegregation is followed by resegregation in a never-ending succession of plans. To the courts, if I may be pardoned a personal reference, the problem is like the tar-baby—you can't ever finish a case and turn it loose. I know of no desegregation case ever filed that has ever been closed. And the resistance is not always confined to one race. The practice of minorities boycotting schools because of desegregation of schools and faculties is no longer a novelty. In metropolitan areas they are insisting on their own school boards. And so the problem goes on.

But let us not end on a pessimistic note. Despite our problems, let us on this Law Day be grateful for law. And let us remember that it's *our* law. It isn't something imposed on us by a tyrant, we made it ourselves. If we don't like it, we can change it. Even if not perfect, it represents our finest dreams and aspirations. Let us dedicate ourselves to their fulfillment. And let us be aware of the progress we have made.

Nineteen hundred years ago Jesus of Nazareth first proposed the Golden Rule and the brotherhood of man. Surveying the social legislation of the last generation in the fields of discrimination, welfare and poverty, one might almost say we had decided to enact them into law.

To those who say we can't make it work, I reply let's look at history. Between the years 1600 and 1900, it took 300 years for the sum total of man's knowledge to double; between 1900 and 1950, it took 50 years for that total to double again; finally, between 1950 and 1960, for it to double a third time, it took only ten.

If our aspirations suggest a long journey, look how far we've come. No one expects or promises miracles, or to change the hearts of men overnight, but at least let it be said that America tried; that, like Cervantes, we dared—

"To dream the impossible dream,  
To beat the unbeatable foe,  
To bear with unbearable sorrow,  
To run where the brave dare not go,  
"To right the unrightable wrong,  
To love pure and chaste from afar,  
"To try though our arms are too weary  
To reach the unreachable star."

#### THE PULITZERS

Mr. MURPHY. Mr. President, I rise today to warmly congratulate the Los Angeles Times which won two Pulitzer Prizes last Monday. A gold medal for meritorious public service was awarded to the Times in recognition of more than 2 years of investigations into various city commissions. Several members of the Times' metropolitan staff participated in these articles which were initiated in 1966 by the newspaper's chief investigative reporter, George Reasons. Staff writer Art Berman later joined in the investigations which led to the resignations and transfer of city commissioners and the cancellation of questionable contracts and the launching of steps toward municipal reform. The Times' articles resulted in the indictment of five city commissioners.

Mr. President, the Times' achievement is particularly noteworthy in that it was awarded not one of these rare awards, but two. The other Pulitzer Prize went to William Tuohy for his dispatches on the Marine battle to liberate Hue from the North Vietnamese during the Tet offensive, on the surrounded American garrison at Khe Sanh, and on the court-martial of Marine Pvt. Robert Vickers. Vickers was the only one of seven marines who pleaded innocent to a murder charge and received a life sentence at hard labor while his codefendants received light sentences. Following Mr. Tuohy's article, Vickers was freed. Mr. Tuohy served as the Times' Saigon bureau chief from July 1966 to last October when he was assigned to the Times' Beirut bureau. The two Pulitzer Prizes awarded the Times brings to seven the number won by this newspaper or members of its staff since 1942. This is certainly a commendable record. I ask unanimous consent that an editorial from the Washington Post of May 7 be printed in the RECORD.

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

#### THE PULITZERS

It is rare enough for one newspaper to win two Pulitzer Prizes in a single year, but the Los Angeles Times accomplished it with the prize for public service for its disclosures of wrongdoing within the Los Angeles government commissions and the dispatches of William Tuohy from South Vietnam.

No Vietnam war correspondent has won the Pulitzer since Peter Arnett of the Associated Press turned the trick in 1966. Since then, there have been prizes for coverage of the Indonesian revolution and the Arab-Israeli war, but nothing from Vietnam. Tuohy's award is well deserved. He worked at covering the war for four years, from January of 1965 to late last year, twice declining the usual 18-month tour of Vietnam war correspondents. His dispatches were consistently lucid and well-written, no small achievement in a war

as confusing and contradictory as the one in Vietnam.

There is a message elsewhere in the prizes. Two major awards, the prize for public service and the prize for special local reporting, were won by articles of a muckraking nature. Besides the public service prize of the Times, two reporters for the St. Louis *Globe Democrat* were honored for a series exposing fraud and abusive power in Local 562 of the St. Louis Steamfitters Union. For national reporting, Robert Cahn of the *Christian Science Monitor* won the prize for an article on national parks and how to preserve them, also an admirable cause.

#### DISCONTINUANCE OF THE MAIN-STREETER PASSENGER TRAIN

Mr. METCALF. Mr. President, the Interstate Commerce Commission will soon consider the proposal of the Northern Pacific Railroad for discontinuance of the Mainstreeter passenger trains.

This is the second consideration of this matter—the ICC denied Northern Pacific's request a year ago.

There is reason to believe that considerable freight and mail traffic has been diverted from the Mainstreeter to freight trains and that the losses to be claimed by the Northern Pacific for the operation of the Mainstreeter will be increased thereby.

In 1966, in a case involving a question as to whether the Southern Pacific should operate two trains, the Interstate Commerce Commission issued an order which held:

The Commission will not find burdens on interstate commerce within the meaning of section 13a of the act to be "undue" if those burdens are voluntarily created by carriers for the purpose of obtaining a favorable decision from the Commission.

The National Association of Railroad Passengers has made two proposals which merit careful study. The first is that part of the Commission's inquiry be into the nonpassenger revenues of the Northern Pacific passenger trains for the past 10 years.

The other suggestion was that there be a prime train combining both freight and passenger service in place of the Mainstreeter.

I suggest that the ICC will seriously investigate the proposals of the association and if it finds that the claimed losses were "voluntarily created," deny the discontinuance of the Mainstreeter.

Mr. President, I ask unanimous consent that Mr. Haswell's letter to the Interstate Commerce Commission be printed in the RECORD.

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

#### NATIONAL ASSOCIATION OF RAILROAD PASSENGERS,

Washington, D.C., May 1, 1969.

Re Northern Pacific Railway, proposed discontinuance of "Mainstreeter" trains—St. Paul and Seattle.

HON. H. NEIL GARSON,  
Secretary, Interstate Commerce Commission,  
Washington, D.C.

DEAR SIR: The National Association of Railroad Passengers hereby requests that the above proposed passenger train discontinuance be suspended for the statutory period

of four months, and that the Commission conduct an investigation into all the relevant circumstances surrounding this service and the proposal to discontinue it.

At the present time, we lack sufficient information to determine our position. However, within the past year we have received several reports that the railroad has deliberately removed mail and express formerly handled on the trains and placed such traffic on freight trains. The Commission should thoroughly explore this matter, and if it finds that such action was taken to prepare a foundation for the present discontinuance proposal, it should require continued operation if the record shows any significant public demand for the service.

While the Post Office policy of substituting sectional centers of en-route sorting is now well established, putting an end to RPO revenues, the mail to and from the communities served by these trains must move one way or another. We believe that it could be economically and expeditiously handled on these trains in containers or in bags. Furthermore, there is obviously a substantial movement of express and small package freight along this route, much of which could be attracted to the trains were the proper service provided. The Commission should make a thorough study of the possibilities for a premium "mixed" train operation, which should include an analysis of all non-passenger revenues generated by all passenger trains operated over this route over the past ten years, an analysis of all the current routings of such traffic, including the cost and service factors of the other modes now participating in it. We stand ready to assist in obtaining the cooperation of the Post Office department in such a study.

It will not be possible for the Association to participate in this case with its own counsel. Hence we are depending on the Commission to make sure that all pertinent issues are adequately developed for the record. In this connection, we call attention to the following statement of former Commissioner Aitchison, cited in *Isbrandtsen Co., Inc., v. U.S.*, 96 F. S. 883 at 892 (S. D. N.Y. 1951): "(administrative agencies) are not expected merely to call balls and strikes, or to weigh the evidence submitted by the parties and let the scales tip as they will. The agency does not do its duty when it merely decides upon a poor or nonrepresentative record. As the sole representative of the public, which is a third party in these proceedings, the agency owes the duty to investigate all the pertinent facts, and to see that they are adduced when the parties have not put them in . . . The agency must always act upon the record made, and if that is not sufficient, it should see the record is supplemented before it acts. It must always preserve the elements of fair play, but it is not fair play for it to create an injustice, instead of remedying one, by omitting to inform itself and by acting ignorantly when intelligent action is possible."

Within the past year, the Commission has recognized these principles by asking its examiners in Section 13a cases to explore the possibilities of partial, alternate day, weekend, seasonal, and/or mixed train service as an alternative to total discontinuance. We now ask that it extend this initiative to include the matters discussed above and anything else that may be brought to its attention hereafter that is relevant. Proceedings under Section 13a are not judicial trials; in the language of the statute they are investigations. The role of the hearing officer should be that of a vigorous investigator on behalf of the public.

Very truly yours,

ANTHONY HASWELL,  
Chairman.

#### THE ROLE OF GENERAL AVIATION IN OUR NATIONAL TRANSPORTATION SYSTEM

Mr. PEARSON. Mr. President, I wish to report today that the Aviation Subcommittee of the Senate Commerce Committee held hearings in Wichita, Kans., May 2, for the purpose of examining the role of general aviation in our national transportation system and that these hearings were most successful. One objective of these hearings was to provide an open forum for those who speak for general aviation to present general aviation's case. It was also an opportunity to create a sound public record of general aviation's achievements and contributions to our national social and economic system. Senator CANNON, vice chairman of the subcommittee, and Senator BAKER joined me in traveling to Wichita to hear 18 witnesses representing users, manufacturers, public agencies, and other individuals concerned with general aviation. And I think a number of significant accomplishments were made.

Let me first say that I am proud that Wichita and the State of Kansas could host these discussions for in our State, two-thirds of all general aviation aircraft flown in the Nation are produced. It was appropriate that the hearings were held in the center of general aviation production.

Through the gathering of information and the recording of testimony, we were able to document the scope, the dimensions and the magnitude of general aviation. And these statistics are striking. For instance, the number of general aviation aircraft currently active is approximately 122,000, and this number is projected to double in the next decade. The number of active pilots operating general aviation aircraft is nearing 700,000 and is expanding at an accelerated rate. About 50 general aviation aircraft are placed into operation daily. By way of summary, general aviation makes up 98 percent of all aircraft; 96 percent of all licensed pilots; 79 percent of all airplane hours; 71 percent of all air miles; and 50 percent of all passengers. And it appears that general aviation's share in each of these categories is growing, and the potentials for the future are even greater.

One facet of general aviation's contribution to our national well-being which was thoroughly discussed is its major role in our economic system. We have always known that a community's economic health depends on adequate transportation links. Historically, those cities with seaports, rivers, and rail or surface connections have thrived economically. But today and I think increasingly in the future, the airport provides that access to our airways and to our national economic system. Moreover, it is general aviation and the general aviation airports which link over 10,000 of our 15,000 incorporated communities to the mainstream of national commerce. As is well known, our scheduled air carrier service provides transportation to only a small percentage of these 10,000 communities. Our Nation's economic vitality

both now and in the future is dependent upon general aviation and its contributions.

We have many case studies which show the direct community benefits which derive from general aviation airport development, and there is growing evidence of this relationship between general aviation and economic development. However, it should be emphasized that these economic benefits accrue not only to the local community but to our total economic welfare. And I feel public officials should have a greater recognition of this relationship and these benefits.

Another important aspect of the hearings focused on what general aviation needs if it is to continue its accelerated growth trends and to fulfill its potentials. Through the testimonies of numerous witnesses, it was documented that general aviation utilizes all parts of our national airport/airways system and needs access to all elements of this system. There was also general agreement that if the various segments of the aviation community are to continue their development, there must be an expanded modernized airport/airways program enacted in the Congress.

Because of the dramatic growth and success of the aviation industry, certain areas of our national air transportation system are reaching capacity limits, and this congested situation demands immediate attention. The Federal Government cannot issue stopgap measures and hope to solve the problem. I feel that Congress must look to the future and respond in a positive way to meet the public demands of a safe and efficient air transportation system. The result of inaction will be the placing of restraints upon the individual citizen, and his mobility, the air transportation industry, and its future growth prospects, and the future development of a sound national air transportation system.

During the questioning of witnesses, legislative proposals to create trust fund financing of an airport/airways program based on users fees were discussed. These proposals would establish a trust fund similar to that which finances our Federal Interstate Highway System. It was surprising to some that of the 18 witnesses testifying before the committee, 16 expressed the need of and support for such legislation. Although there are differences still existing within the aviation community on these proposals, I feel there is a greater sense of urgency regarding the need for such legislation. The broad support shown on these questions I think will be extremely helpful to the Aviation Subcommittee when this legislation is considered.

Most significant in these hearings was the deep concern expressed by public aviation officials toward general aviation. Never before, to my knowledge has general aviation received top billing within the aviation community. As one knowledgeable aviation editor stated:

General aviation has traditionally been in a Tall-End Charlie spot at Congressional hearings and then more often than not treated as an unwanted child.

These hearings, I think, are symbolic that a new Federal perspective will be taken toward general aviation and its role in our air transportation system; and in this way, they signal a turning point in Federal aviation policy.

I think it bears repeating that the Aviation Subcommittee and the officials representing the new administration expressed a new concern for general aviation—its problems and its potentials. John Shaffer, newly appointed Federal Aviation Administrator, in fact, began his testimony by saying that "any previous bias by the FAA regarding air carriers is to be purged from the record." The simple fact that numerous public officials concerned with Federal aviation policy took the time and the effort to participate in these hearings which focused on general aviation is an indication that in the future general aviation will be judged on its merits and will not be prejudged.

The public record created by these hearings will be a new starting point for a dialog on general aviation and its participation in and contributions to our national transportation system. I have always felt that general aviation plays a most vital role in our social and economic system; is a national resource of major importance; and is a full partner in our air transportation system. It is from this viewpoint that we must approach future decisions in Federal aviation policy.

#### GRIFFIN MERITS A "PROFILES IN COURAGE" RATING

Mr. WILLIAMS of Delaware. Mr. President, in the May 8 issue of the Chicago Tribune there appears an article by Willard Edwards wherein he pays a well-deserved tribute to the courage and leadership of Senator ROBERT GRIFFIN, of Michigan.

This article calls attention to the valiant fight led by Senator GRIFFIN last year in preventing Justice Fortas from being elevated to the position of Chief Justice of the United States.

I ask unanimous consent that this article be printed at this point in the RECORD.

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

CAPITOL VIEWS: GRIFFIN MERITS A "PROFILES IN COURAGE" RATING  
(By Willard Edwards)

WASHINGTON, May 7.—It's time to add a supplement to "Profiles in Courage," a best-seller a few years back which extolled public figures who defied political odds to fight for what they regarded as right.

The first name on the new list should be that of Sen. Robert P. Griffin [R., Mich.]. The story of his travail, as the result of his leadership last summer against the nomination of Abe Fortas as chief justice of the United States, has never been fully disclosed.

Complete vindication came to Griffin this week with revelation that Fortas had accepted and retained for a considerable period a \$20,000 fee from a foundation set up by Louis Wolfson, a financier then headed for prosecution and eventual conviction as a stock-market manipulator.

Calls in Congress for Fortas' resignation are now being echoed by New York and Washington newspapers which once derided Griffin's arguments against elevation of

Fortas to the highest judicial office in the nation.

When Griffin, a freshman senator, took the lead early last summer in the anti-Fortas movement, there was widespread press agreement that he would get his ears pinned back. He was bucking not only President Johnson but his own party leader, Sen. Dirksen [Ill.], the Senate minority leader. It was not until months later that Dirksen stunned the pro-Fortas forces by switching over to support of a filibuster initiated by Griffin.

Griffin quickly learned how ruthless the Johnson administration could be in attempting to crush opposition to its desires. He was first astonished, then sickened by an accusation that he was motivated by religious bias.

#### HURT BADLY BY INNUENDOES

Long after the Fortas nomination was blocked, this whispering campaign against him continued. He confessed to intimates recently that he was still "hurting badly" even though Sen. Jacob K. Javits [R., N.Y.], a Fortas supporter, had early branded any charge of anti-Semitism in the controversy as "a phony issue."

Its phoniness was presumably clear to all in the light of current disclosures that Fortas could not shed the habits of a lifetime as a fixer for Lyndon Johnson when he took his seat in the Supreme Court.

A less resolute man than Griffin would have retreated to a safe position on the sidelines under the barrage of denunciation he received from interests in his state which could influence political fund-raising and otherwise handicap his political future.

He fought back boldly, noting that he had opposed a lame-duck appointment of a chief justice before Johnson named Fortas. He had, in fact, announced that he would not oppose the nomination of Arthur Goldberg to fill a vacancy because Goldberg, in a sense, was "on leave of absence" from the court in the United Nations.

#### SUGGESTED WORSE TO COME

Some of Griffin's statements were extraordinarily prescient. When testimony was elicited that Fortas received \$15,000 for teaching a handful of law students—the money having been raised by his former law partner—Griffin remarked:

"I believe we have uncovered only the top of an iceberg in relation to Fortas' involvement in activities while sitting as a justice in the Supreme Court.

"All the facts haven't been presented yet. I am not satisfied that he possesses an adequate sense of propriety appropriate to the chief justice of the United States. When this issue is thoroughly aired, I'm confident that public opinion will be even stronger against his nomination than it is now."

The "thoro airing" awaits action to be taken by Congress on several proposed inquiries. Meanwhile, public opinion appears to be virtually unanimous that Fortas should remove a cloud over the court by retiring.

The temptation to remark, "I told you so," must have been strong in Griffin, particularly because his Democratic colleague from Michigan, Sen. Philip Hart, had led the fight for Fortas.

Instead, he permitted Hart and some late-comers like Sen. Edward M. Kennedy [D., Mass.] to take the center of the stage in suggesting a Senate investigation. If he had ironic reflections on their former hesitancy to question Fortas' conduct, he kept them to himself.

#### HOW ESKIMOS FIGHT POVERTY

Mr. GRAVEL. Mr. President, small fishing cooperatives in Alaska are developing at a phenomenal rate because of their unique abilities to invigorate the economies of poor fishing villages, and to give hope to the rural residents of my State.

The case of the Kuskokwim Fishermen's Cooperative is noteworthy, and many have become familiar with the controversy surrounding that case since the summer of 1968. Cooperatives are making a significant contribution to private enterprise among disadvantaged Eskimo, Indian, and Aleut people in Alaska. Their record is praiseworthy.

The Federal Government, in particular the Economic Development Administration, and the Office of Economic Opportunity, deserve the respect and praise of those who chose to see a better deal for the native people in Alaska villages. This is one area, Mr. President, where I feel that the Federal Government has stimulated free enterprise just to the right degree, and without intrusion.

While I feel it is important to criticize Government for unworthy or meaningless intrusions into the economy, where they occur, I also feel that we should encourage Government participation in rural poverty areas, where people do not ordinarily have the managerial talent or capitalization to begin a small business.

Along this same line of thinking, Mr. President, I ask unanimous consent to have a recent article from the Oakland Tribune printed immediately following my remarks.

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

[From the Oakland (Calif.) Tribune, Apr. 27, 1969]

#### HOW ESKIMOS FIGHT POVERTY (By Jim Douthit)

Jim Riley knows what to do when a man is faced with poverty.

"Go fishing."

That's what Riley was doing in Oakland for the past month, getting ready to go fishing.

For Riley is an Eskimo and his people, living in the village of Kotzebue above the Arctic Circle in Alaska, face a terrible poverty unimaginable to the frequent tourists who visit the village during the short Alaskan summers.

Riley and a dozen other men from Alaskan coastal villages were in Oakland to pick up five small moth-balled Army "island trader" boats for use in a unique poverty fight, sponsored by the Office of Economic Opportunity.

The boats will be used like floating trucks to transport fish caught by the Eskimos to processing plants, either ashore or afloat, according to Harold Wolfe, director of the Community Enterprise Development Corp. of Alaska, which is helping the Eskimos.

The five 65-foot boats, capable of carrying 35 tons of freight, are expected to make it possible for Riley and some 450 Eskimo fishermen in five fishing cooperatives to create commercial fisheries where the ocean resource had been used previously only for subsistence.

Riley and 12 other Alaskans took the little ships out of mothballs at Rio Vista and spent a month here, under the direction of Oaklanders Jim Callan and Dave Tate, preparing them for use.

For most of them, it was their first time in California.

And Riley was quite homesick for Alaska, which may prove to be America's richest state.

And yet, perhaps because his homeland is so rich, particularly in petroleum, Riley and his people are in poverty.

Only the past few generations of Eskimos have known the meaning of poverty.

Before that they led a hard but good life, with the icy Arctic sea providing a bounty of fish and animals for the sustenance of a strong and resourceful people.

Since the riches of Alaska have become known to the rest of the world, development of the resources of fish, gold, whales, furs and now oil have brought also modern foodstuffs, clothing, health practices, machinery and the use of money that is necessary in modern society to the Arctic.

Eskimos are again turning to cooperation . . . to fight poverty.

Riley is a sailor, experienced in operation of Army tugs along the Arctic coast. He could make a living on nearly any shoreline.

But many of his neighbors are local fishermen, who must depend upon their home area's only commercial resource, fish.

They have never had the money to equip themselves with the boats, nets, equipment and shore-side facilities that would enable them to make a commercial success of the fish they have always been able to catch.

"In the past their average per capita income has been about \$458 as compared to about \$4,000 nationally," said Wolff.

"And remember, the price of groceries along the Alaskan Coast is about 185 per cent of Seattle, or 200 per cent of the Bay Area," he said. High pay in the oil fields accounts for some of this inflation. The major extra cost is in transportation.

"We are a long way from the oil fields in Alaska," pointed out Riley. "And most of those jobs go to Texans, even though Eskimos need the jobs and can handle most of them."

Cooperation among Eskimo fishermen began over a year ago, with the establishment of five "Co-ops" in an organization known as the Alaska Fisheries Development Federation, Inc.

It is an OEO-developed program, created with the assistance of Wolff's organization. His corporation is also working with handicrafts co-ops and consumer co-ops in Alaska.

The fishermen pool their efforts, resources and profits within their own communities, Wolff explained.

Under this system, with OEO assistance, they have been able to finance new large skiffs and nets with which the Eskimos can harvest from 500 to 700 pounds of commercial fish, mostly king salmon, at one time.

With the five Army boats, loaned to the Eskimos under OEO auspices, the fishermen will be able to transport their catches quickly to shore storage facilities or out to the open sea where Japanese factory ships will purchase them at prices negotiated by the co-ops.

In 1967, Kotzebue fishermen working independently had an income of \$17,000, according to OEO figures. In 1968, after the Kotzebue co-op was in operation, they cleared \$46,000.

With the new boats which sat unused at Rio Vista since they were built for the Korean War, a "significant increase in cash income is expected," said Wolff.

The new-found "muscle" of the Eskimo fishermen has not been exercised without some resistance from previously established firms buying fish in Alaska, Wolff said.

Secretary of the Interior Walter Hickel, then governor of Alaska, stopped the sale of one co-op's fish to the Japanese and enforced his order with state police, Wolff said. The co-op got a court order to break the governor's ban but the delay caused some spoilage of the catch.

The Alaskans sent to Oakland to pick up the Army boats were selected by the co-ops in their own villages, Kotzebue on Kotzebue Sound, Unalakleet in Norton Sound, St. Michaels in Norton Sound, Bethel near the mouth of the Kuskokwim River and Kodiak Island in the Gulf of Alaska.

Riley's crew includes Joe Darling, vice

president of the Kotzebue Fisheries Co-op; Clinton Gregg, 28, first mate; and George Conwell, 43, engineer.

Only Conwell, a "sourdough" with many years of heavy machinery experience, mostly in Alaska, is not an Eskimo.

These are the men, not very well experienced in ocean sailing, who are steaming toward Alaska today, outward bound from Oakland on a course they hope will also take them out of poverty.

#### THE CLOSURE OF SEVERAL JOB CORPS CAMPS

Mr. KENNEDY, Mr. President, on behalf of the Senator from Oklahoma (Mr. HARRIS), I ask unanimous consent to have printed in the RECORD a statement by him and some insertions.

There being no objection, the letter, telegram, article, and resolution were ordered to be printed in the RECORD, as follows:

##### STATEMENT BY SENATOR HARRIS

Mr. HARRIS, Mr. President, I have indicated on several occasions I was quite alarmed with the Administration's decision to discontinue the operation of several Job Corps Camps. Two of these camps are located in my state, and all those who have been in any way associated with these Job Corps Centers agree that they have definitely made a contribution and are needed, worthwhile endeavors, I certainly agree, and I definitely question the advisability of discontinuing these very important programs. One of the Job Corps Centers to be discontinued in Oklahoma is located at Hodgens in LeFlore County and the other is located in Murray County near Sulphur, Oklahoma. Both these centers have been highly successful, and the projects administered through the Job Corps Camp have not only benefited the trainees but have also been beneficial to these underdeveloped areas of our state.

For example, the Hodgens Job Corps Center had nearly 1,000 job corpsmen processed through the camp since it opened some four years ago. These young men have been given basic educational training, and have also been trained in one of six skills—carpentry, masonry, welding, heavy equipment operation, mechanics or cooking. During the educational phase of the program, job corpsmen take on programmed learning that starts at first grade level and they can advance as high as high school equivalency.

The average age of the job corpsmen in these camps is 17, and when they arrive at the facility they are usually unemployable high school dropouts. Their average stay at the facility is six months, and at the end of their training, they are well equipped to hold down a good paying job and become well adjusted members of society. We have had excellent experience with job corpsmen and the job corps centers throughout Oklahoma, and I feel that the arbitrary decision to close these facilities by the present administration is certainly short-sighted and demoralizing for our unskilled young people.

It is for that reason that I have co-sponsored and vigorously supported the resolution introduced by Senator Cranston calling for a delay in the closing of these facilities until such time as the Congress has had an opportunity to give further study to the situation. I certainly hope the Senate will pass this resolution. In an effort to better show the local interest and concern for the continuation of these facilities in Oklahoma, I ask unanimous consent that several letters, a telegram, an article appearing in the Tulsa World on April 27 and a resolution adopted by the Oklahoma Legislature be included in the Record at the conclusion of my remarks.

YOUNG MENS CHRISTIAN ASSOCIATION OF GREATER OKLAHOMA CITY, Edmond, Okla., April 11, 1969.

Senator FRED HARRIS, Senate Office Building, Washington, D.C.

DEAR SENATOR HARRIS: I was quite disturbed when I read the report of the job corps center being closed down. It seems to me that the Nixon administration could find other ways to economize rather than the few programs that are doing some good for the disadvantaged youth of America. Having worked with disadvantaged youth, I know what it means to them to have the opportunity to learn and become "productive" in our society.

If this cut goes through, is there a plan for some other type of program to take its place? If there isn't, then I strongly oppose the closing of these centers. Let President Nixon save some money by bringing home some boys from Viet Nam before he does this.

I think that you are doing a tremendous job and I appreciate your courage on the things that you said on racism in America. I hope that you don't compromise your ideals for political expediency.

Sincerely,

DICK ENGLE,  
Executive Director.

SULPHUR, OKLA.,  
April 18, 1969.

Senator FRED HARRIS, Washington, D.C.

DEAR SENATOR: The Citizens of Sulphur, Okla. think the Arbuckle Job Corp has earned a place, to exist, in our nation.

Not only, have they made upright citizens, out of underprivileged youths, that might have been undesirable, otherwise. They have youths to work at trades, so they can make a living for themselves.

CLARENCE F. MOORE.

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, Washington, D.C., April 14, 1969.

HON. FRED R. HARRIS, U.S. Senate, Washington, D.C.

MY DEAR SENATOR HARRIS: 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 our 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 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 accomplished at each center.

Sincerely yours,

M. A. HUTCHESON,  
General President.

LIIONS CLUB,  
HEAVENER, OKLA.,  
April 21, 1969.

HON. FRED HARRIS,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR HARRIS: We are very concerned about the closure of the Hodgens Job Corps Center. The Center is located 11 miles from our town, and a considerable portion of the \$400,000 annual payroll is spent in our local businesses. In addition, it is estimated that another \$150,000 to \$200,000 is spent in LeFlore County in supplies and materials.

Our industrial facilities are rather limited, and it would take a fair-sized industrial plant to make a comparable contribution to the economy in this area.

LeFlore County is rather high on the welfare list, and industrial jobs are practically nil; so you can see our concern about losing any source of income.

Our community, as well as the surrounding communities, have realized the need for training underprivileged youth, and it is hoped that this training can be continued in our area. Since a great deal of money has been spent on the existing buildings at Hodgens, consideration should also be given to making it a full-time heavy-equipment or carpentry training center.

We know you will give this consideration and are confident your decision will be for the benefit of the majority.

Sincerely yours,

DALE ELLIOTT, Secretary.

OKLAHOMA CITY, OKLA.,  
April 11, 1969.

Senator FRED HARRIS,  
Senate Office Bldg.,  
Washington, D.C.:

The undersigned being residents and interested citizens of Sulphur, Murray County, State of Oklahoma, are vitally concerned regarding the recent news release from the Department of Labor stating Arbuckle conservation center in Sulphur might be closed, it is our individual and collective opinion, and consensus of the community that the said Arbuckle conservation center is an excellent Job Corps facility that the Corpsmen have completed and are now engaged in numerous work projects in Platt National Park and at the Arbuckle recreational area such as the construction of bridges, roads, comfort stations, boat ramps, storage buildings, picnic tables, etc., etc., that the Corpsmen not only have the opportunity to gain basic educational skills such as reading, writing, and mathematics, but also have the opportunity to acquire practical skills such as welding, sign making, heavy machinery operation, mechanics, carpentry, and general construction techniques that the relationship between the Job Corps center the Corpsmen and the community has been and is now excellent. That Sulphur, being a rural community offers enumerable advantages to the Corpsmen and said Corpsmen are more easily and readily immigrated into the normal community life. That a community such as Sulphur permits these young people to be taken out of and away from the metropolitan ghetto areas. We want to go on record as wholeheartedly supporting the conservation center in Sulphur, and on behalf of all the residents of Sulphur and Murray County respectively urge that said facilities not be closed. We

request your assistance in helping us keep this Job Corps open.

Sulphur Chamber of Commerce, Paul Hurst, president; Charlie Woocoruff, mayor; J. R. McBee, chief of police; Harold Roady, sheriff; Glen Key, president of First National Bank; City Councilman Leo Horsman; Ulys Ward; Dr. H. Ray Goodwin; Lions Club, Henry Wynn, president; Sulphur Ministerial Association; Kiwanis Club; James Ray Sooner Foods; Murray County Abstract; Hugh Brinson; Calvin Price Insurance Agency; Calvin Agee, superintendent of Sulphur Public Schools; Nowlin Department Store; Horace Strayhorn, Oklahoma Gas and Electric; G. L. Horsman, Horsman Insurance; Oklahoma Tire and Supply; Ben Franklin Department Store; McGee's Department Store; Schwake Bakery; Rotary Club.

[From the Tulsa, Okla., Sunday World, Apr. 27, 1969]

**JOB CORPS TRAINEES HAVE GOOD RECORD—HODGENS AREA CITIZENS IRED BY CLOSING ORDER**

HODGENS.—Near this tiny LeFlore County hamlet, only the muffled sounds of Job Corpsmen at work building roads and campsites break the otherwise placid green quietude of the Ouachita National Forest.

In Hodgens itself, and in nearby Heavener, another sound is mounting—a cacophony of complaint by perplexed and angry citizens over the announced closing of the Job Corps center.

The Hodgens center is one of those ticketed for extinction by the Nixon administration. Though there had been persistent rumors almost since the center opened four years ago, the announcement earlier this month that it was closing took the community by surprise.

They immediately besieged their senators, Fred Harris and Henry Bellmon and their congressman, House Majority Leader Carl Albert, with protests.

So far, the response has been discouraging. The residents of LeFlore County who live near the center aren't arguing with the economics of reducing the number of Job Corps centers. Rather, they're hung up on the inevitable "why me?" aspect of the closing, and they think they have some valid points in favor of retaining the Hodgens center.

Among the pluses they claim: There have been no significant discipline problems, much less rioting and other disruptions that have plagued urban centers.

The center puts over \$200,000 a year in work projects into the area.

A measure of racial integration has been achieved quietly and without incident in the heart of little Dixie.

The economic benefits from the center have pumped new life into the area.

"We're concerned because we know the record this center has had," said former Heavener mayor Martin Tate. "There hasn't been one police call . . . in over four years.

"We'd like an opportunity to stack this one up against the others."

Heavener druggist Harry Meech wants to "see some answers. Is this just more experimentation, or do they know something?"

Meech thinks the job corpsmen benefit by moving from urban areas into the rural Hodgens center. "The boy who moves from one urban area to another doesn't have much change in his environment," Meech allowed. "That's supposed to be one of the big problems—environment."

"They haven't even made an inspection of this center," declared Mrs. Maxine Looper,

wife of a Heavener doctor. "I'd like to know what's wrong with it. They should at least come down and look it over before they decide to close it."

The physical accomplishments of the center are impressive. Since it opened April 20, 1965, corpsmen have built roads and campsites—complete with water and sewer facilities—throughout the Ouachita National Forest. They've constructed two information centers on scenic Talamina Drive, 92 wildlife guards, 78 miles of range fence, 82 cattle guards and 225 picnic grills.

But it is the intangibles, the items that don't show up in statistical reports, that residents of the area are more concerned about.

"They helped clean up after the flood of Wister," noted one Heavener resident. "And after the tornado hit at Greenwood (Ark.) last year."

Corpsmen get involved in community projects like putting up the Christmas decorations at Heavener and entertaining at civic club functions.

The Corpsmen, most of them Negroes, attend previously all-white churches in the area on Sundays. And often, they have Sunday dinner in the homes of area residents.

"We've had from two to 10 Corpsmen in church every Sunday," observed Tate, who runs a clothing store in Heavener.

The Corpsmen, opined Heavener newspaper publisher Jack Johnson, have "kind of made something out of themselves.

"Folks around town . . . have been real close to these youngsters. We haven't had any trouble. They've been gentlemen."

Nearly 1,000 Job Corpsmen have been processed through the Hodgens camp since it opened four years ago. At an average age of 17, they are unemployable school dropouts when they arrive.

During an average length of six months, they tackle elementary school subjects at the Hodgens camp and learn one of six skills—carpentry, masonry, welding, heavy equipment operation, mechanics or cooking.

They are trained by 50 employees of the U.S. Forestry Service, through the Office of Economic Opportunity. It costs the taxpayers \$800,000 a year.

"We've been rather fortunate," Bennie R. Wood, center director, said. "We've had no major disruptions, rioting or sitting down . . . like some centers have had."

The reasons are simple. Wood said. One is the isolated location of the center. The other is discipline. "We believe in pretty firm discipline," he said. "Firm, fair and friendly."

Wood is proud of the center's work record. "We're building sewer systems in a work program appraised between \$200,000 and \$300,000 a year," he noted. "This is a training opportunity the urban centers don't have. I think this was a point that was overlooked."

During the educational phase of the program, Job Corpsmen take on programmed learning that starts at first grade level. They can advance as high as a high school equivalency.

The third part of their training is what Corps officials call "resident living," and it is in this area that achievements are difficult to document.

"This is the only home a lot of boys have ever known," said one center worker.

A Hodgens Job Corps graduate wrote recently from Vietnam to tell officials the center "help me in more ways than one. It help me meet all kind of people from all part of the states. It help me to live with people and much, more more."

Last year, a trainee who had returned to his native Baltimore found a job as counselor in an orphanage. When he received a

one-week vacation, he hopped on a bus and came back to Hodgens.

"It was home to him," explained a center official.

"They never caused nobody no trouble," declared Mrs. Lena Kelly of Hodgens, a friend of Rep. Albert. "People keep calling me and saying, 'Let's get up a petition.'"

#### 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 Tallmena 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 inclination to become worthwhile citizens by participating 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, LeFlore 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. McCURE,  
*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.*

Attest:

BASIL R. WILSON,  
*Secretary of the Senate.*

#### THE TRAGIC WAR TOLL OF VIETNAM

Mr. YOUNG of Ohio. Mr. President, more than 3,000 young Ohioans have been killed in combat in Vietnam and more than 600 have been killed there in what the Pentagon terms "accidents and incidents." It is Pentagon policy that the ranking officer in a combat area, frequently a lieutenant, captain, and often a sergeant, determines whether a GI died in combat or due to an "accident" or "incident." When two helicopters collide, when a firefight is raging in that area even hundreds of yards distant and the crews are killed or a GI truck or jeep driver, under fire, loses control and he and other GIs are killed, I consider these deaths are obviously combat casualties. In Vietnam it appears to me that Pentagon policy is to endeavor to keep our combat casualties low and attribute fatalities whenever possible as due to accidents or incidents instead of due to combat. Officers to keep our combat casualties low allege deaths due to accidents and incidents, and in many of these cases the dividing line is almost nonexistent. In World War II such fatalities were always termed combat deaths. Unfortunately, we have the Pentagon credibility gap in this undeclared and immoral war. The total of Ohioans wounded in combat is 12,137. How many have been injured in what the Pentagon terms accidents and incidents number more than 600. Unfortunately, approximately 3 percent of our wounded ultimately die of wounds. Considerably more than 1,000 Ohio youngsters have been afflicted with bubonic plague, malaria, hepatitis, and various tropical diseases. Many have died.

The community of Beallsville, Ohio, a small town in southeastern Ohio of 1,200 people, including those living on nearby farms, has lost five young men killed in combat in Vietnam in the past two and a half years. This is 25 times the rate of combat deaths suffered by the Nation as a whole. This is just another example of the horrible toll that the Vietnam war has taken in communities throughout the Nation. There is scarcely a town or village in the United States that has not lost one or more of its finest young men as a result of our involvement in the ugly civil war in Vietnam. Without a doubt one important reason that the majority of men and women in the United States is opposed to our fighting this undeclared war in Vietnam is that so many thousands of our finest young men have been killed or maimed in Vietnam.

Mr. President, in the Washington Post of May 4, 1969, there appeared a somber report of the tragedy that has struck Beallsville, a small village in the State I am privileged to serve in the Senate, entitled "Ohio Village Suffers Heavy War Toll." I ask unanimous consent that the article be printed in the RECORD at this point as part of my remarks.

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

#### OHIO VILLAGE SUFFERS HEAVY WAR TOLL: VIETNAM DEATHS FAR EXCEED U.S. RATIO

(By Richard Dougherty)

BEALLSVILLE, Ohio.—If life can be said to stand still anywhere in America, it would seem to stand still in this little farm village in the rolling hills of southeastern Ohio.

Main street, with its post office, barbershop, grocery store, funeral parlor and luncheonette could serve as a Hollywood set for a film dealing with smalltown life of a generation or more ago.

In the surrounding countryside, chewing tobacco ads are fresh painted on the sides of barns. Farmhouse porch swings are the old-fashioned wood-slatted variety that on chains suspended from porch ceilings. Horses and cattle and occasional small herds of sheep graze on green hillside pastures.

The people are plain uncynical. They are church-goers, they honor the simple ancient virtues of hard work, thrift, neighborliness. Two enduring passions govern their lives—love of their children and live of country.

Now, in this gentle spring, has come conflict between these passions. Beallsville is no less patriotic than ever, but the brutal workings of fate in Vietnam have left it anguished and frightened. The war in that far-off country has taken a terrible toll in Beallsville—and Beallsville wants out.

In the last 2½ years, five Beallsville boys have been killed in action in Vietnam. This is a loss of life which is 25 times the rate of combat deaths suffered by the Nation as a whole.

There are 1200 people in the Beallsville community. Four hundred fifty live in the village proper, the remainder on the farms nearby.

Using the larger figure to measure the proportionate sacrifice of Beallsville's young men, one arrives at a ratio of one Vietnam combat death for every 240 people, as compared to one for every 6000 people Nationwide.

But such figures are merely statistics and do not begin to measure the impact that the deaths of Jack Pittman, Duane Greenlee, Charles Schnegg, Richard Rucker and Robert Lucas have had on Beallsville.

Here, mixed with sorrow and bewilderment, is a collective anger that calls into question even the basic moral course of a Nation which drafts poor farm boys to die in Southeast Asia while allowing draft-exempt sons of the middle class to riot on campuses.

Jack Pittman, 22, was the first Beallsville boy to fall in Vietnam. Star back of the Beallsville consolidated schools' Blue Devils football team, and captain of both the football and basketball teams in 1964—his senior year—he was killed in July, 1966.

At that time, the mother of Duane Greenlee, of the class of 1965, wrote to her son to tell him that his friend Pittman was dead. The letter was returned unopened. Greenlee, 21, died in action less than a month after Pittman.

Then came the death of Charles Schnegg, then Ronald Rucker, Greenlee's closest friend, and then Robert Lucas. He died on March 8. He was a Navy medical corpsman on combat duty with the Marines who hoped,

with the help of the GI bill, to become a doctor.

It was with this fifth fatality that some of Beallsville's leading citizens decided to ask Washington for mercy. Currently, six other young men from here are serving in Vietnam.

Keith Harper, the local undertaker who has made the trip to Cleveland to bring each one of the dead youths home, recalls he determined to act when his wife answered the telephone one evening and turned to him to say: "My God, now it's Bobby Lucas."

Harper says: "I got right in my car and drove over to Ray Starkey's and said to him: 'We've got to do something. We've got to call our Congressman.'"

Raymond Starkey, who lives in a big white farmhouse just east of Beallsville and is Monroe County treasurer, agreed and put in a call to Rep. Clarence E. Miller (R-Ohio), whose district includes most of the Beallsville area.

On March 18, Miller wrote Secretary of Defense Melvin R. Laird, drawing attention to the "greatly disproportionate" sacrifice made by Beallsville.

The first response to Miller's appeal came from Brig. Gen. Leo E. Benade, USA, Deputy Assistant Secretary of Defense.

The Defense Department Gen. Benade wrote, is "acutely aware" of the anxiety parents, families and friends feel over a "loved one" in Vietnam, and "can appreciate that this concern may be intensified when several members of a small community are assigned to combat zone."

Nevertheless: "Danger is personal to the individual, not the community from which he comes."

The general expressed regrets that "circumstances do not permit a more favorable response" to the Beallsville's problem, but noted: "If one individual should be excused because of his geographic origin, the risk he is spared would not be cancelled. Rather, it would have to be assumed by some other young man whose family and community would be equally solicitous of his welfare."

The people of Beallsville had not really expected any different reply.

In the meantime, Rep. Miller's activity had generated press interest in the plight of Beallsville. Newsmen from both newspapers and television descended on the town.

Robert Lucas came home when Beallsville publicity was at its height. His funeral on March 22 was the biggest in the history of the town. Hundreds of people came from miles away to line the street in front of Harper's Funeral Parlor.

By then, too, there were signs that the Defense Department was beginning to react to the publicity. Laird met with Rep. Miller and Miller's office put out a press release saying that the Secretary had expressed a "sympathetic interest" in Beallsville's problem and would "further investigate the status of Beallsville's servicemen . . ."

On April 21, the Defense Secretary, in a "Dear Clarence" letter, regretted that "fairness to all military personnel" made it impossible to grant combat exemptions "which would spare one group of men from the hazards all others are required to endure."

Laird also informed Rep. Miller that investigation of draft policies in the Beallsville area had indicated that "proper procedures" were being followed.

However, this denial did not take into account the fact that the relatively small number of Beallsville high school graduates who can afford to go on to college (an average of only 15 per cent) leaves the vast majority without exemptions and "just ripe for picking," as one senior puts it.

Mr. YOUNG of Ohio. Mr. President, this points graphically to the reason a majority of citizens in the United States are opposed to our involvement in a civil war in South Vietnam and demand that

this administration bring an end to this bloodletting without delay and bring our boys home.

Throughout earlier years from 1961 through 1965 many Americans were deceived by the false statements emanating from the Pentagon and repeated many, many times by Secretary of State Dean Rusk and President Johnson that we were in Vietnam because of our commitments.

Our initial commitment to South Vietnam made by President Eisenhower in 1954 in a letter to the President of South Vietnam stated:

I am instructing the American Ambassador \* \* \* to examine with you \* \* \* how an intelligent program of American aid \* \* \* can serve to assist Vietnam in its present hour of trial.

He added:

The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means. \* \* \* The U.S. Government hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government.

While General Eisenhower was President, the U.S. military advisory group to Vietnam was increased from a total of 327 in 1953 to 685 in 1961.

Now, having made it crystal clear that President Eisenhower's commitment, so-called, was a very "iffy" commitment indeed, what commitment did the late President John F. Kennedy make?

President Kennedy said on September 3, 1963, shortly before his assassination:

I don't think that unless a greater effort is made by the Government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort, and, in my opinion, in the last two months the Government had gotten out of touch with the people.

Also, on another occasion, our late, great President John F. Kennedy said:

Transforming Vietnam into a Western redboubt is ridiculous.

Therefore, it is evident that we are not fighting a land war in Southeast Asia because of commitments made by Presidents Eisenhower and Kennedy.

The primary reason for our being in Vietnam today is our proud refusal to admit a mistake in our attempt to make Vietnam a pro-American and an anti-Communist state. More than anything else, we are fighting to avoid admitting failure. As Walter Lippmann bluntly put it, "We are fighting to save face."

Let us hope we shall witness the end of this carnage before August. Vietnam is of no importance to the defense of the United States. This little agrarian country 10,000 miles distant from our Nation is not worth the life of one American youngster.

#### THE ABM

Mr. McGOVERN. Mr. President, in recent days we have seen some extremely troublesome revelations in connection with the ABM debate.

The House minority leader, Mr. GERALD FORD, charged last week that those of us who would like to eliminate \$400 million for a highly doubtful new missile system from an \$80 billion military budget are seeking to unilaterally disarm the United States. I had no idea that the line between "sufficiency" and "surrender" was so incredibly thin. Nor was I aware, although I must admit some doubt on this score, that all of those other billions of dollars are not purchasing anything that preserves our security.

Then Vice President AGNEW followed up with still another and clearly the most novel argument for constructing an anti-ballistic-missile system, and particularly the Safeguard version.

The Washington Post last Friday reported him as telling the Republican Governors Conference in Lexington, Ky., that Safeguard is in their interest, "if for no other reason than it is less expensive than the Sentinel system proposed by the previous Administration."

I do have some difficulty in following that argument, because I had been led to understand that the Safeguard price tag is roughly \$6.6 billion compared with the \$5.5 billion estimated for the Sentinel. Presumably the Vice President is calling attention to the fact that the budget requests for the first year of deployment are somewhat less.

But in any case, I hope we can press his reasoning to its logical conclusion. If its value lies in its economy, then clearly the interests of the Chief Executives will be much better served if we build no ABM at all.

The antiballistic missile and the other expansions of our strategic forces under consideration by the administration may be the most serious matters facing the 91st Congress.

If there is capriciousness involved in this debate it is grounded in superficial arguments such as those raised by Mr. FORD and Mr. AGNEW. It is expressed in appeals to partisanship or to fears about a possible loss of our overkill leadership. It comes to light in arguments that those who recommend the ABM are the only Americans who have enough knowledge, enough concern and enough expertise to make judgments about what our national security requires.

Such arguments fall of their own weight, particularly when they have the additional burden of our experience in following such voices in the past—through \$1.6 billion museum pieces like the B-70, obsolete bomber defenses, and atomic cannons mired in the mud in Europe.

On this point Gov. William Guy, of North Dakota, has recently cited his own contacts with our arms programs, in a letter to Chairman STENNIS of the Armed Services Committee expressing opposition to ABM deployment. Governor Guy has watched strategic defense installations appear and disappear at a rapid rate in his State. He has heard the same kind of

pogo-stick reasoning with which we have to contend in the Congress in trying to analyze military budgets from year to year. In light of this he expresses the belief that—

We are witnessing a very serious situation in which our nation is swept along by contrived hysteria to keep the pipeline of the defense industries full.

Mr. President, I ask unanimous consent that Governor Guy's letter be printed at this point in the RECORD, along with the Washington Post report on Vice President AGNEW's address to the Republican Governors Conference.

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

STATE OF NORTH DAKOTA,  
Bismarck, April 16, 1969.

HON. JOHN STENNIS,  
Chairman, Armed Services Committee, Old Senate Office Building, Washington, D.C.

DEAR CHAIRMAN STENNIS: As Governor of North Dakota, where a light installation of Sentinel Anti-Ballistic Missiles is scheduled for deployment, I wish to communicate my points of view on this project to your committee.

The United States must be militarily strong and flexible and alert in our nation's defense. If we learned anything from the 1941 Japanese attack on Pearl Harbor, it should be that military weakness of a large nation can provoke an attack by an unstable foreign government or an irresponsible foreign leader. But while we must be concerned with an adequate level of national defense, we must also weigh defense demands and requirements in the light of national expenditure priorities.

I believe the decision to deploy an Anti-Ballistic Missile System is unwise from several standpoints:

1. It would open the door to almost unlimited defense spending in billions of dollars at a time when increased domestic spending requirements for poverty alleviation, crime control, air and water pollution correction, education services, health services, transportation construction demands, and many other urgent needs have built up almost to the bursting point. This nation can no longer ignore these critical domestic social problems in setting the priorities of federal appropriations. These social problems can no longer be pushed aside in favor of excessive and unnecessary military expenditures.

2. The Anti-Ballistic Missile System promises to be like other North Dakota military facilities—obsolete before it can be built.

3. The obvious reaction by potential foreign adversaries would be to add an additional Intercontinental Ballistic Missile for every Anti-Ballistic Missile we deploy.

It is obvious that it would be pointless to pursue such a continuous escalation of atomic destructive weapons when the world's nuclear arsenal is already larger than necessary to destroy all human life on our planet.

4. The deployment of a limited Anti-Ballistic Missile System to protect our ground silo-based Minuteman Intercontinental Ballistic Missiles appears to be an argument of convenience rather than justification in fact. The Minuteman System was constructed to be impervious to nuclear attack.

5. We have been a world leader for nearly 24 years. Our leadership, if based on the insecure feeling reflected in an Anti-Ballistic Missile System, diverts our attention and effort from responsible world leadership based on social, political, and economic considerations.

6. The Anti-Ballistic Missile System is designed to cope with only part of a potential foreign Intercontinental Ballistic Missile threat. Unless it is complete protection from land-based Intercontinental Ballistic Missiles

from anyplace in the world, as well as protection against ship-based Intercontinental Ballistic Missiles from anyplace in the world, we are deluding the American public and creating complacency.

7. Germ warfare and other devastating war techniques would not be safe-guarded against by the ABM system.

We have watched the military buildup and the sophistication of weaponry world-wide since the end of World War II. Citizens of the state of North Dakota have seen two costly radar bases constructed here and then abandoned within a single decade. Since I have been in office as Governor, I have observed a bewildering and frantic expenditure of fantastic sums of federal tax money in North Dakota in a headlong race against military hardware obsolescence.

I rode the first B52 Bomber to land at the Minot Air Force Base in 1961. We were told that the United States would have atomic weapon-carrying bombers in the air at all times so that our retaliation force would never be caught on the ground. As far as I know, this practice is outmoded and abandoned.

I visited the huge multimillion dollar Sage control centers at the Minot and Grand Forks Air Bases in 1961. These huge masses of solid concrete and electronic wizardry have long since been phased out after only five years of use.

In 1963, I was visited by Defense Department officials who gave me a preview of the Minuteman Missile complexes that would be built to headquarter out of the two existing but somewhat obsolete North Dakota Air Force Bases. They explained carefully that each Intercontinental Ballistic Missile would be housed deep in North Dakota soil in a silo covered by a hardened top which would be safe from enemy attack except in the case of a direct hit.

However, direct hits would be few in number as more than 300 silos would be spaced over a deployment pattern of hundreds of lineal miles. They explained how safe the Minuteman Intercontinental Ballistic Missile would be from enemy atomic attack because each silo had backup circuits that could be used if any one circuit to the silo were damaged.

I am now surprised to see the proponents of the Sentinel Anti-Ballistic Missile System stating that our ICBM silos must be protected from incoming enemy ICBM's. Why was there such pride and confidence that our Minuteman Missiles in their silos were not vulnerable a few years ago, but now must be protected by an Anti-Ballistic Missile System?

We were told several years ago that the Minuteman Missile silo would contain only a single one-shot missile and was not designed for reloading in event the ICBM was fired. We were told that the Minuteman was a retaliation device that would be in the air and long gone should our sophisticated detection equipment suddenly detect an attack on this country by incoming Intercontinental Ballistic Missiles. If this were true, then why do we now seek to protect, with an ABM System, silos whose retaliation Minuteman Missiles should be long gone in event of attack? Obviously, the reasoning to support changes in our defense system has been conveniently altered to accommodate justification for an ABM System.

In 1963, the federal government constructed a multimillion dollar maintenance and storage facility at Hector Airport in Fargo to house air-to-air atomic warhead missiles that would be carried under the wings of North Dakota Air National Guard fighter-interceptor jets. Sixty-four men were employed in this installation for maintenance and Guard duty for the air-to-air missiles. This costly program was phased out three years later in 1966.

This installation stands as mute testimony

to questionable planning, questionable justification, and questionable expenditure of taxpayer funds. It is a monument to the bewildering onslaught of obsolescence that eats up millions of dollars of money sorely needed in higher priority domestic programs.

I have heard the argument used that I should not oppose the Anti-Ballistic Missile System installation in North Dakota because such an installation would be good for this state's economy. I wish to state emphatically that there are priority needs such as education, health services, and reclamation projects that have a higher social priority and would be far better for this state's economy than the ABM System.

We know that each individual Minuteman Missile buried in the earth in North Dakota carries a nuclear warhead that contains more destructive power than that contained in all the bombs dropped by both sides in World War II. We know that there are more than 300 of these missiles in place in the ground in this state. It is totally impossible for any mind to comprehend the potential for devastation and destruction that is buried in the soil of North Dakota.

We have never allowed ourselves to be concerned about the hazards that are an unavoidable part of atomic radiation, storage, or accidental explosion. However, we resent somewhat the implications that these hazards that go with an Anti-Ballistic Missile System are unacceptable in heavily populated areas such as Boston, Massachusetts, but are acceptable in a less heavily populated area such as Walhalla, North Dakota.

I believe we are witnessing a very serious situation in which our nation is swept along by contrived hysteria to keep the pipeline of the defense industries full. I believe that President Eisenhower left his most profound advice when he warned that the United States of America was drifting toward a state of affairs where the military-industrial establishment would decide this nation's priorities and our destiny rather than our people themselves.

We need desperately to accept the mantle of world leadership on the basis of social, moral, political and economic excellence, rather than on the overpowering influence of our military competence.

The recent closing of the only Job Corps Camp in North Dakota, which had been operating in the abandoned facilities of an Air Force radar station, makes me pause and wonder how we can so casually commit billions of dollars for questionable national defense at the same time that we are retreating from a totally inadequate commitment to this nation's disadvantaged citizens.

Sincerely yours,

WILLIAM L. GUY,  
Governor.

BACKING SOUGHT  
(By David S. Broder)

LEXINGTON, Ky., May 1.—Vice President Agnew sought today to enlist the aid of Republican governors in behalf of the Safeguard anti-ballistic missile system recommended by the Nixon Administration.

In a talk to 26 GOP state executives, meeting here for their spring conference, Agnew argued that President Nixon's decision to recommend deployment of the Safeguard system "is in your interest as governors, if for no other reason than it is less expensive than the Sentinel system proposed by the previous Administration."

He said the savings would be used to expand "human and social spending" in years ahead.

Agnew's plug for the ABM project at a meeting concerned primarily with Federal-state relations and political issues was part of the Administration's concerted effort to rally support for Safeguard, which has run into serious, bipartisan opposition in the Senate.

But it was uncertain today whether Republican governors would formally endorse the decision, as their Democratic counterparts were frequently called upon to support President Johnson's conduct of the Vietnam war.

California Gov. Ronald Reagan, the chairman of the governors' association, told reporters he strongly supported the President's decision and would like to see the GOP governors endorse it. Agnew, in a separate interview, said he did not expect his former colleagues to act formally on the matter "because the President has made it very clear this is not a partisan issue."

Agnew reportedly counseled the governors in closed session against taking any action that would smack of White House "arm-twisting."

The Vice President's defense of Safeguard was in the conciliatory tone adopted by other Administration spokesmen in recent days, since the extent of the Senate opposition became clear.

Calling the President's decision "the minimum, feasible, responsible action necessary to guarantee the security of this Nation," Agnew said "the system itself is layered in safeguards for the American people.

"It will be deployed in careful phases," he said. "It is subject to annual Congressional review. A large portion of its initial funds are allocated to research and development. This means America's options are open every step of the way."

Before heading for the golf course, the Republican governors approved a statement praising the President's early moves toward "the revitalization of the Federal system."

#### THE ANTIBALLISTIC MISSILE

Mr. KENNEDY. Mr. President, the Amalgamated Meat Cutters and Butcher Workmen, AFL-CIO, a 500,000-member labor union, will oppose both authorization and appropriation legislation concerning the antiballistic missile.

The union's executive board unanimously adopted a policy statement on April 29, saying:

The Amalgamated firmly believes that our domestic problems—reconciliation of our people, reconstruction of our cities, war on poverty, elimination of hunger, end of consumer and environmental health dangers—must have priority in federal spending and federal action.

It continued:

We firmly believe in a strong defense posture for our nation. But we cannot imagine that the missiles and arms can safeguard America's security if our people are sharply divided and embittered and if our domestic ills sap our willingness to battle foreign aggression.

In addition, the executive board pointed to the many instances of the "incredible past incompetence of Defense Department procurement." And it questioned whether the ABM is "aimed at any specific purpose," since its stated objectives continuously shift.

Mr. President, the policy statement of the executive board of the Amalgamated Meat Cutters and Butcher Workmen, AFL-CIO, represents an excellent analysis of the ABM problem. I commend President Thomas J. Lloyd, Secretary-Treasurer Patrick E. Gorman, and the other members of the executive board for it.

Their action on the ABM issue is in keeping with the many public services of the union. For example, it pioneered farm labor reform legislation in the 1950's and

early 1960's, and it has been the leader in the fight for strong meat, poultry, fish, and other consumer-protective legislation concerning food.

Mr. President, I ask unanimous consent to have the policy statement printed in the RECORD.

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

#### POLICY STATEMENT OF THE INTERNATIONAL EXECUTIVE BOARD OF THE AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN (AFL-CIO), CONCERNING THE SAFEGUARD ANTI-BALLISTIC MISSILE, APRIL 29, 1969

The Anti-Ballistic Missile controversy has raged in Congress and the nation with increasing intensity for over a year. Every aspect and consequence of the system is under debate. They include the effect on U.S. foreign policy, the past wastefulness of Defense Department purchases, the technical efficiency of the ABM, the possible sites for the ABM and—most important of all—the budgetary consequences of the proposed ABM spending.

**ABM's objective.**—The stated objective of the ABM has changed a number of times during the debate. That fact is very disturbing. We assume that when an extremely expensive program, such as the ABM, is proposed, it is to be a solution to a particularly distressing problem. Yet the nation has been told successively that the system should be deployed because (1) it is needed to defend our cities against possible Chinese—but not Russian—attacks in the 1970s, (2) it is needed to defend our cities against possible Russian attacks and (3) it is needed to defend our offensive missile sites—not our cities—against possible Russian attacks.

The latest objective—the one espoused for the Nixon Administration's Safeguard system—involves the missile sites. Secretary of Defense Melvin R. Laird particularly pointed to the danger of a Soviet rocket, the SS-9, knocking out American offensive missiles in a first strike. He warns that the nation could lose its retaliatory capability. But Secretary of State William P. Rogers told the same Congressional hearing that the likelihood of such a first strike is doubtful!

The shift in objectives and the intra-Administration argument leads to the obvious question whether the ABM is aimed at any specific purpose. Is its construction and deployment actually necessary?

**Past incompetence.**—There is also a debate over the ABM's technical capability. This Executive Board obviously cannot comment on that issue. It is, however, disturbing to us that there is sufficient question for the scientific advisors to Presidents Eisenhower, Kennedy and Johnson and other leading scientists to argue its effectiveness.

Also, the public record of the Defense Department's past incompetence on procurement is almost incredible. On many occasions, billions after billions of dollars have been spent on systems which were later abandoned. For example, the B-70, which was heralded only a few years ago as "the plane of the future," is now a \$1.5 billion exhibit in the Air Force Museum.

Some systems which were not abandoned were found to operate at only a fraction of the effectiveness performance originally promised. For example, a recently-publicized Pentagon evaluation showed that only some of the airplanes and missiles of the 1950s and 1960s achieved 25 per cent or more of expected performance.

And in the overwhelming number of cases, new weapons systems cost immensely more than the originally contracted price tag. For example, construction of 120 C-5A cargo planes is costing \$2.1 billion more—so far—than the original \$3.1 billion contract.

**Amalgamated criticism.**—The Amalgamated

Meat Cutters and Butcher Workmen (AFL-CIO) has long been a sharp critic of the Defense Department's and Armed Services' procurement policies and actions. Another Policy Statement by this Board details the problems our Union has had. The procurement officials' arrogance, their unwillingness to listen to appeal or reason, their ability to do as they please almost without challenge has taken its toll in costly errors concerning the defense of our nation—as it has in the defeat of workers fighting for the goals of union organization and collective bargaining agreements.

**Budget problems.**—But this Executive Board's greatest concern about the ABM is the budgetary problems and the budgetary priorities it would create. The Safeguard System has been announced as costing between \$6 billion and \$7 billion. In all likelihood, it will cost much more because (1) systems almost always multiply in costs and (2) many Defense Department leaders have stated bluntly that the "thin shield" of the Safeguard must be sharply increased. According to Sen. Stuart Symington (D. Mo.), former Secretary of the Air Force, the ABM may cost \$400 billion before completed.

Even without these astronomical figures, the nation is currently in a budgetary squeeze. The Nixon Administration is applying the fiscal brakes in an effort to stem inflation Programs to deal with the nation's critical domestic problems are either kept static or even cut back because of the budget problems.

**Domestic priorities.**—The Amalgamated firmly believes that our domestic problems—reconciliation of our people, reconstruction of our cities, war on poverty, elimination of hunger, end of consumer and environmental health dangers, etc.—must have priority in federal spending and federal action. We firmly believe in a strong defense posture for our nation. But we cannot imagine that the missiles and arms can safeguard America's security if our people are sharply divided and embittered and if our domestic ills sap our willingness to battle foreign aggression.

We therefore oppose the construction and deployment of an extremely expensive and highly controversial weapons system, as the ABM, when it would take much needed funds from the work of healing our internal ills. We look forward to the use of an overwhelming amount of the budgetary savings resulting from a Vietnam peace—the "peace dividend," of which former Secretary of Labor W. Willard Wirtz spoke so eloquently to our merger Convention in San Diego—to deal with and solve our domestic problems.

The Amalgamated therefore will oppose authorization and appropriation legislation involving the Safeguard Anti-Ballistic Missile. Our Union strongly urges the President and Congress to rectify the Defense Department procurement incompetence, to approve only those military items for which there is a clear and definite need and to give legislative and budgetary priority to programs dealing with our civilian, domestic problems.

#### THE SENATE'S CYNICAL DESIGN

Mr. SAXBE. Mr. President, we are now engaged in a debate concerning the state of our Nation's defense, its role in the world community, and the order of our national priorities. I believe that this is our function as is so ably pointed out by Felix Morley, a Pulitzer Prize-winning former newspaper editor and college president. In the current issue of the Nation's Business he explains that the Senate is merely exercising its proper role in our system of checks and balances as envisaged by Alexander Hamilton 182 years ago.

The Senate is an integral part of the tripartite system of checks and balances. As an independent body we must not forego our inquisitorial role with respect to all issues before us. No opinions should be cursorily accepted because of its sponsor. None should be silenced. Silencing the expression of an opinion is a peculiar evil. In the words of John Stewart Mill:

If the opinion is right, they (the human race) are deprived of the opportunity of exchanging error for truth; if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth produced by its collision with error.

I commend Mr. Morley's article to all my colleagues 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:

THE SENATE'S CYNICAL DESIGN  
(By Felix Morley)

It is to Alexander Hamilton that the United States Senate owes the grant of great political power which it has exercised throughout our history and continues to exhibit today.

More clearly than the other Founding Fathers, Hamilton foresaw that a Second Chamber, representing the States rather than the people, would give the Federal Republic a stability lacking in a purely democratic form of government.

He saw that an independent-minded Senate would serve to curb any executive tendencies towards dictatorship. To guarantee this he developed the plan whereby Senators are elected for a longer term than the President and face the voters only one third at a time, thus giving the body a degree of permanency lacking in the House of Representatives.

In the drafting of the Constitution Hamilton did not try to ram through his somewhat extreme personal viewpoint, which would have given Senators seats for life, thus probably making them too powerful. Instead he won his colleagues over by making concessions whenever he could not convince them by logical argument.

Thus we find that of the five essays devoted exclusively to the Senate in *The Federalist* two probably were written by James Madison and one by John Jay, as well as the two which are unquestionably of Hamilton's authorship. But, though all three collaborated, the basic thinking as to the Senate was contributed throughout by Hamilton. He is the one whom the Administration should blame, if it now finds some Senators unpleasantly contentious.

The Founding Fathers, of course, had no inkling whatsoever of the specific problems on which a number of contemporary Senators refuse to pull their punches. Meeting in Philadelphia, 182 years ago this month, none of them had ever heard of Viet Nam. Neither Russian nor Chinese activities then gave the slightest concern. Nobody anticipated anything like the Pentagon, nor the threat of what President Eisenhower, in his last message to Congress, called the "military-industrial complex."

The Eighteenth Century argument for the Senate was based entirely on enduring principles of politics, as valid now as they were in 1787. Because of this permanence they can be applied without prejudice to current issues. Indeed, they must be so applied, if we want to maintain the American heritage.

The primary advantage of the Senate, in the opinion of its major architect, is that it draws to national service able men from every State, whether large or small. As was often said, and is still true, a Senator from Delaware can by personal ability exert as much influence as a Senator from New York. One State, two Senators, is a much older slogan than one man, one vote.

Members of the House, many of them here today and gone tomorrow, are most concerned with the interests of their small constituencies. Senators, with a longer tenure and a larger base, are better positioned to consider broader problems, affecting the nation as a whole. Therefore the Senate should exercise particular authority in the entire field of foreign relations.

Concretely, the Senate should have, as it does, special powers in the consideration of treaties and over the appointment of Ambassadors as well as other high executive officers. This power of "advice and consent" has never been taken lightly. After the first World War the Senate broke Woodrow Wilson by refusing to ratify the Treaty of Versailles. The opposition, in this strong President's opinion, was concentrated in "a little group of willful men." But that, omitting the derogatory adjective, was how it was intended to be. Even George Washington had trouble with the Senate of his day.

When viewed against current issues the foresight of the Founding Fathers often seems almost miraculous. John Jay was not prominent at the Constitutional Convention. For most Americans he is now a forgotten man. But Jay's examination of the Senate's role in international negotiations, as set forth in No. 64 of *The Federalist*, reads like the news stories of today.

"In the negotiation of treaties," wrote Jay, "perfect secrecy and immediate despatch are sometimes requisite." Therefore it is desirable that the President should "manage the business of intelligence . . . as prudence may suggest." The safeguard is that the outcome of secret negotiations will be subject to public consideration by the Senate, where "all the States are equally represented" so that "they will all have an equal degree of influence."

This comment by Jay was first published on March 7, 1788. It was on March 27, 1969, that Secretary of State Rogers told the Senate Foreign Relations Committee that secret discussions in Paris are a prerequisite of progress toward peace in Viet Nam. Although most members of that committee have been for years distinctly critical of Viet Nam policy, the right of the Administration to negotiate as it sees fit, defended by Jay nearly two centuries ago, went unquestioned.

But well-reasoned tolerance on procedure does not deprive the Senate of its critical function in foreign policy. That body, wrote Hamilton, is "designed as a method of National Inquest [his capitalization] into the conduct of public men." And he asked rhetorically: "What other body would be likely to feel confidence enough in its own situation" to try cases of impeachment, which happily have been rare in our history.

To perform its "inquisitorial" role it was of course necessary for the Senate, once established, to develop the elaborate committee system through which its investigations are performed. On all these specialized committees the party in office and the opposition are represented in proportion to their respective Senate membership. It follows that the Administration is likely to find the going rough when its party does not dominate the Senate, and when committee chairmen are consequently members of the opposition, as is currently the case.

Because of its special authority in foreign relations the Senate committee charged with that function has always been one of the most important on Capitol Hill. Sen. Fulbright, as its chairman, has followed both precedent and Constitutional design in emphasizing the critical function: "Inquisitorial" is what it was intended to be. So the Arkansas Senator merely observes the rules of the game when he questions whether the Pentagon "should sponsor or carry out programs designed to educate or indoctrinate the public on foreign policy issues." Activities of this nature by the Department of State would not be, and have not been, condemned.

Of course everything has not worked out as anticipated. Much depends on the individuality and personal viewpoint of the committee chairmen. Some are much more critical than others and it is natural that questioning should be subdued when the sensitive issue of national defense is on the carpet.

Other factors may be involved. "It is no accident," charged John W. Finney in the *New York Times* recently, "that military bases spring up or weapons contracts are placed in the home districts of [Armed Services] committee members. The Pentagon takes care of the committee members, and the Senators take care of colleagues not on the committee."

The accusation may be protested, though it certainly is apparent that Armed Services has been much more gentle than Foreign Relations in the ABM inquiry, which concerns them both. But if the reporter quoted above seems cynical, that also is in keeping with Alexander Hamilton's design for government. Although a strong advocate of centralized authority, he never thought that fallible men could be trusted to exercise it unrestrained.

Conflict between strong Presidents and outspoken Senators has been continuous throughout our political history. It is to be expected again, now that the traditional honeymoon period for President Nixon draws to a close. As the drama develops there will be less acrimony if we remember that it was planned that way.

Before his well-merited election to the Senate, a staunch Republican, the late Arthur H. Vandenberg of Michigan, wrote a notable book entitled "If Hamilton Were Here Today." In it he paid tribute to this forerunner's role in designing "a government safeguarded by checks and balances which refuse to any one department the privilege or opportunity of autocratic power."

Since 1913, Senators have been chosen by popular election; not by State Legislatures as was the original method. But those who are remembered, both before and after that divide, are the Senators who stood up for the system of check and balance which more than any other factor has made the United States secure.

CLOSURE OF JOB CORPS CAMPS

Mr. EAGLETON. Mr. President, throughout history the lot of the overwhelming mass of mankind has been to exist in dire, mortifying, spirit-destroying poverty.

Only in the last few generations in the western world—and particularly in this country—has man been able to construct a society in which poverty is not the all-pervasive fact. Ours is an economy based on abundance. We are dedicated to the ideal of the full, rich life for all.

To an amazing degree we have succeeded. The majority of our citizens are better fed, better housed, better clothed than any mass group in history. Ironically, the prosperity of the majority tends to blind us to the distress of others. For here, in the midst of this affluent society, there is another America.

This other America is not impoverished in the same sense as some poor nations where millions cling to hunger as a better alternative than starvation. But it is an America where millions exist without adequate and proper food, jobs, housing, education, and medical care. They live at levels beneath those necessary for human decency and dignity.

Because of my concern for these matters, I was pleased to see that President Nixon in his message to Congress of Feb-

bruary 19, 1969, on the poverty program indicated an understanding of what remains to be done. In that message he said:

The blight of poverty requires priority attention. It engages our hearts and challenges our intelligence. It cannot and will not be treated lightly or indifferently, or without the most searching examination of how best to marshal the resources available to the Federal Government for combating it.

The President discussed at some length the various Federal manpower programs which provide training and work experience for those members of our society who are chronically unemployed or underemployed. He announced the transfer of the Job Corps to the Department of Labor to integrate and coordinate it with other programs, thus making available additional training and service opportunities for young men and women enrolled in the Job Corps.

Along with many other Members of Congress, I was led to believe from the President's statement that he had made a real commitment to working at a solution for the problems of poverty. In particular, we were encouraged by his program for expanded opportunities within the Job Corps.

However, now I am beginning to have some concern about the depth of the aforementioned commitment.

No more than 6 weeks after the President pledged his continuing support for the program, Mr. Shultz, the Secretary of Labor, announced that 59 of the 106 Job Corps centers and conservation camps throughout the country are to be shut down. These closings would eliminate more than 17,000 openings for hard-core, disadvantaged young persons in comprehensive, live-in, job training centers.

In subsequent statements and in his testimony before a Senate subcommittee, Secretary Shultz made clear that the primary reason for this action was economic—it will yield a \$100 million savings in the next fiscal year.

The administration's aims in cutting the budget and saving money are laudable. But I think that an analysis of this particular action will show it to be a false economy which will prove extremely costly in the future years.

The closed-down Job Corps centers are to be replaced with 30 so-called "mini-centers" to be located in urban areas. These centers have not yet been authorized or funded, but their cost, coupled with the waste of nearly \$75 million of existing facilities to be abandoned, will undoubtedly exceed the short-term \$100 million saving. There is an enormous dollar loss involved in returning to the slums and to the depressed rural areas the 17,000 youths who would otherwise have received valuable vocational training and guidance counseling designed to convert them into productive taxpaying citizens.

Moreover, these matters cannot be measured solely in dollars and cents. How do we count the bitterness and hopelessness of a youth who has seen the first real opportunity ever offered him snatched away?

How do we count the loss resulting from the dismissal of 6,000 dedicated

teachers and trainers in the centers to be closed?

Finally, how do we count the loss to the Nation every year of 34,000 fewer opportunities for Job Corps-type training for disadvantaged young people?

I do not insist that the Job Corps is the only method for training these young men and women, nor do I say that economies cannot be realized in such training programs.

But I do protest the abrupt closing of these centers and camps and the turmoil and chaos resulting from a sudden directive to the enrollees that they must leave before their training period has been completed.

In Missouri, the Poplar Bluff Job Corps conservation camp has been ordered to cease its training and release the approximately 220 men enrolled there. This is a center that has proved its worth to the entire area. I have received a great many letters from local residents, Republicans as well as Democrats, who initially opposed the establishment of the Poplar Bluff camp, but who eventually became outspoken supporters of the program after having observed its results.

In St. Louis, the Job Corps center which currently is training 600 women has been ordered to be closed.

I have joined with 31 other Senators in submitting a resolution expressing the sense of the Senate that the proposed Job Corps shutdown be suspended until the Congress completes its normal legislative and appropriation action on the program. We do not seek by this resolution to foreclose the administration from acting to improve the Job Corps. We do, however, ask that the present drastic cutback be postponed until Congress has had an opportunity to consider it fully.

I ask unanimous consent that several relevant letters in opposition to the Job Corps closings in my home State of Missouri be printed in the RECORD.

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

APRIL 18, 1969.

HON. CARL D. PERKINS,  
Chairman of the House Education, and  
Labor Committee, Washington, D.C.

DEAR SIR: Presented, herewith, are some of the facts and figures of the Poplar Bluff Job Corp that we wish you would take into consideration before you make a final decision, to close, what we the following list of names consider to be an outstanding job well done. Please note the first page which shows that the Poplar Bluff Job Corp ranks Number One of 45 Forest Service Job Corp Centers.

JODA L. BESS,  
Chairman, Butler County Republican  
Party.

JUNE COX,  
Cochairman, Butler County Republican  
Party.

W. J. LONG,  
Chairman, Poplar Bluff Central Re-  
publican Committee.

BERNARD J. WHEELCLEY,  
President, Poplar Bluff Chamber of  
Commerce.

L. E. LUMPE,  
Past President, Poplar Bluff Chamber  
of Commerce.

THOMAS J. COX,  
Certified Public Account, Member of  
Small Business Administration ad-  
visory Council.

ST. LOUIS JOB CORPS CENTER FOR WOMEN,  
St. Louis, Mo., March 31, 1969.

Senator THOMAS EAGLETON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR EAGLETON: As the Director of the St. Louis Job Corps Center for Women I am very concerned by the repeated reports of planned cuts in the Job Corps program. I am particularly concerned about the future of the 600 young ladies we have enrolled. I thought that perhaps you would be interested in what this Missouri Center, at least, has accomplished during the 2½ years we have been in operation.

1. We are placing 92% of the Corpswomen who complete our program. The results have been very rewarding—for example, we were told by the executive secretary of the Greater Miami Printing Industry that they would place any of our young women trained in our graphic arts program. We have been told by local hospitals that they would hire all the licensed practical nurses we train.

2. According to a recent report from OEO headquarters our average length of stay (9.3 months) is among the top in all the women's Job Corps Centers, and our dropout rate (2.6 per week) is among the lowest.

3. Because of the uniqueness of our program and the education and training methods we have developed, our Center is used by the University of Missouri (at St. Louis) for practice teaching in their Teacher Corps Adult education training. We were told by the director of this project that ours was the best adult education program he has seen.

4. Although we have been in operation only two and one half years, information about our education and training program has spread, and we constantly have visitors from schools, colleges and other training institutions to study our methods and materials.

5. We have over 100 Negro staff members whose positions range from supervisory to maintenance, and in each job there is continued opportunity for upward mobility.

6. Because of the policy now to assign young women to the Centers closest to their homes, we have increasing numbers from Missouri.

7. We have received continued support from the City of St. Louis, and in turn our young women have given hundreds of hours of volunteer time to community projects such as tutoring, supervising ghetto playgrounds, etc.

I have tried to be brief and hit only a few of the major points. I would be honored if you could visit the Center when you have an opportunity and see our program for yourself.

At any rate, I hope that you will take any action you can to see that our program continues.

Sincerely,

AL ANDROLEWICZ,  
Center Director.

SALEM, MO.,  
April 15, 1969.

HON. CARL D. PERKINS,  
Chairman, House Education and Labor Com-  
mittee, House of Representatives, House  
Office Building, Washington, D.C.

DEAR MR. PERKINS: I have read that you are conducting a hearing concerning the closing of Job Corps Centers by the Department of Labor and want to commend you for looking into a situation which I think is deplorable. I am familiar with the Poplar Bluff Civilian Conservation Center operated by the Forest Service, U.S. Department of Agriculture in Missouri. This Center is doing an excellent job of fulfilling the educational and work experience needs of many deprived young men in a wholesome rural atmosphere. I cannot comprehend that the urban centers envisioned by the Department of Labor can commence to give poverty youth from ghetto areas the different experience they are receiving from the rural living and work situation

they are getting in the Conservation Centers. This living situation is an excellent opportunity for the ghetto youth to learn of another way of life and that there are areas in the United States not covered by concrete and asphalt. The proposed ghetto training centers will leave youth in their same environment which, to me, is a mistake. I believe they should be given an opportunity to know and become a part of rural living such as they experience in Conservation Centers.

Our Poplar Bluff Center, within the Clark National Forest, is rated as one of the best Conservation Centers in the United States. This Center has had a record of being ranked #1 or near the top in such areas as length of corpsmen stay, educational gains and operating costs. Overall ranking as compared to other Centers has always been excellent. The corpsmen and staff morale along with community relations has been excellent since the camp started.

The corpsmen have participated in many valuable conservation projects including the construction of five camp and picnic areas on National Forest land. Two of these projects are near Salem and contribute to the economy of our area. These projects provide corpsmen work training in heavy equipment operation, carpentry, plumbing, chain saw operation, and electrical installation as well as the main function of learning how to work and stay with a job.

I am very enthused and encouraged with the education and work training programs that are provided at the Conservation Centers for uneducated and deprived youth. I believe the needs of these youth are being fulfilled at these locations. I cannot see that a change in the program as proposed by the Department of Labor is going to do any better job than is being done now.

The public is getting a return on the Conservation Center investments from the much needed conservation work being completed by the Corpsmen during their work training experience.

I strongly support the retention of the Conservation Centers, especially the Poplar Bluff Center in Missouri. This Center has such a fine record of accomplishment that I cannot conceive how it is listed to be closed down when other Centers with lower ratings are to be retained. Anything you can do to remedy this situation will certainly be appreciated.

Sincerely yours,

JACK T. MASTERS,  
Mayor.

U.S. DEPARTMENT OF AGRICULTURE,  
Rolla, Mo., January 6, 1969.

HON. THOMAS F. EAGLETON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR EAGLETON: Leo Drey suggested that I send you information concerning the work and activities of the Poplar Bluff Civilian Conservation Center and the Clark National Forest. Included are newspaper clippings and other information depicting some of the community activities in which our corpsmen involve themselves during their off-duty hours, as well as information on recreation developments that the corpsmen have built within the National Forest.

In addition to the Markham Spring area (brochure enclosed), the corpsmen have built a 20-unit campground at Lane Spring, twelve miles south of Rolla, rehabilitated a recreation area near Fredericktown, Missouri, and have built many latrines, picnic tables, and fireplaces for our other expanding picnic and campground areas within the Forest. The Corpsmen have also done much work on the Mark Twain National Forest, also located in Missouri, with headquarters at Springfield, Missouri.

The Job Corps program has been a real asset to the National Forest in Missouri, and the Poplar Bluff Center is considered as another unit of the Clark National Forest, the same as our seven ranger districts.

I am very enthused with what the boys have done for the Forest as well as what the Forest Service has done in education and training for young men who have not had an opportunity in life to develop themselves and their abilities. In my opinion, the conservation centers are a very worthwhile program and much public gain will be lost should they not continue.

We have had very favorable relations with the community of Poplar Bluff and the surrounding communities where our corpsmen stay while they are working on conservation projects for the National Forests. The Center has been recognized by Poplar Bluff as a definite asset to the community, both for the work the boys do and as an employment source for Forest Service employees and contractors in the Poplar Bluff area. The Center provides a sizeable economic base for the Poplar Bluff community.

Yes, we have some incidents with our boys in town, and at the Center; however, I do not see that they are really any different than any other group of young men who would be placed in a situation such as they—in a junior college, or any other institution where they, at times, like to let off a little steam.

I am not sure how familiar you are with the National Forests in Southern Missouri, so I will give you a little background concerning these public areas which are available to the people of St. Louis and elsewhere within the State for recreation such as camping, picnicking, hunting, and fishing. The Clark National Forest contains 775,000 acres within the exterior boundaries and the Mark Twain National Forest contains 612,000 acres of Federally-owned land. These public lands are managed for timber production, watershed protection, outdoor recreation, and the development of habitat for wildlife. The National Forest lands in Missouri provide nearly 1,400,000 acres of public land which is available for the several public uses and is the largest area of land open for hunting within the State of Missouri.

We are required by law to return 25 percent of the gross receipts from the sale of products from the Forest to the counties within the individual National Forests. This amounts to a considerable sum for the Clark National Forest since the discovery of the lead ore in the Viburnum, Missouri area. A considerable amount of this ore is under National Forest lands. The total return to the counties at the end of June 1968 was \$156,538 within the Clark. The Mark Twain returned about \$41,000 to their counties within that time, but they do not have the same income as the Clark because of our favorable position for mineral development.

I was disappointed that we couldn't have an opportunity to see the operation of the Poplar Bluff Center and some of the other National Forest operations. I sincerely hope we can work up a date to make a short tour of the Clark National Forest and the Center operations.

Sincerely yours,

RODNEY F. YOUNG,  
Forest Supervisor.

POPLAR BLUFF CIVILIAN CONSERVATION CENTER,  
Poplar Bluff, Mo., April 11, 1969.

HON. THOMAS F. EAGLETON,  
U.S. Senator for Missouri,  
Washington, D.C.

DEAR SIR: I am in the Poplar Bluff JCC. And I have been here quite some time. I like it very much. I have learned a very good trade.

When I was here just one month, I had learned a lot from the Corpsmen, and Staffs. They made me feel like I was at home.

When I heard that some Job Corps Centers were closing down, I said to myself "We don't have anything to worry about, because we know that we are a number one Job Corps."

That next day I heard that we were on

that list, to be closed. I just couldn't believe it. I mean I was just shocked.

I think very much in my heart that the Job Corps has helped many thousands of young men and women all over America.

It gives us this only chance to get out in the world and to make something out of ourselves. I am not just talking about myself but of others in the Job Corps. If you take this chance from us, I don't want to say what well might happen to us.

Well, I am hoping that I have said enough to persuade you from closing our center here in Poplar Bluff.

Sincerely yours,

ROBERT DENNIS.

SHELBYVILLE, MO.,  
April 4, 1969.

HON. THOMAS EAGLETON,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR EAGLETON: Over the last two years, I have learned of the wonderful work the Womens St. Louis Division of the Job Corps has been doing to rehabilitate the under privileged youth that are assigned to them. On this mornings news, I heard that 60% of this work would be discontinued. Since our youth of today will be our leaders of tomorrow, I think worthwhile programs like this should not be curtailed, and I hope that you will use your influence to preserve the St. Louis Womens Division if at all possible.

Yours respectfully,

VIVIAN SALING.

St. Louis, Mo.,  
April 17, 1969.

TOM EAGLETON,  
Senate Office Building,  
Washington, D.C.:

Our Job Corps Center for girls merits reconsideration for steady improvement and recent encouraging statistics.

Mrs. W. D. McDowell,  
President, Church Women  
United of Metropolitan St. Louis.

CLAYTON, Mo.,  
April 11, 1969.

The President of the United States,  
Mr. RICHARD NIXON,  
The White House,  
Washington, D.C.

MY DEAR MR. PRESIDENT: As a woman, an attorney, and a prosecutor of juvenile delinquents for the Circuit Court of the City of St. Louis, Missouri, I am disappointed to hear of the decision to close the Women's Job Corps Center in St. Louis and in other cities throughout the country. I strongly urge that this decision be reconsidered and I offer my support and assistance to those persons and groups seeking an increase in the Job Corps program.

Daily I sit in court and hear the life histories of children and urge that they be placed in institutions because they are dependent, neglected, or delinquent. These children have been rejected in every way by parents, schools, and the community. Even though a child can not be held civilly responsible for his acts, he is criminally responsible; and regardless the very failures become a part of his personality and future.

I am appalled by the lack of resources local communities offer for teenagers. There are prisons and State Training Schools or nothing. Now there is Job Corps. I believe in Job Corps: Job Corps helps those persons that all other agencies reject. Job Corps offers pride and recognition to persons who have failed at home and in school. Job Corps offers a skill to teenagers who really want to work, and Job Corps helps young people to assume the responsibilities of adulthood. If Job Corps has ever failed, it is because of the impossibility of undoing the damage of what a neglectful society has done.

I also believe in a Woman's Job Corps. It is unrealistic today not to prepare women to financially support themselves. A young teenage girl who has no where to go or no one to turn to turns to motherhood. Let's give these girls an alternative. One where they can mature and learn before they take on the responsibilities of raising others in their footsteps.

Sincerely,

ELLEN A. HANSON,  
Attorney at Law.

MUNICIPAL NURSES ADVISORY BOARD,  
St. Louis, Mo., April 15, 1969.

The Honorable THOMAS F. EAGLETON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR EAGLETON: I enclose a copy of a letter I am sending to Secretary Shultz relative to the closing of the St. Louis Job Corps Center.

Countless bills have been introduced in Washington seeking ways and means of relieving the critical shortage in health manpower in our nation. It seems ironical that the present administration decides arbitrarily to shut down an installation which is doing such an excellent job in this area.

I hope that you will use your good office to see that a complete and thorough study is made of the results in St. Louis before this Center is closed.

Sincerely,

(Mrs.) IRENE F. McCABE,  
Chairman, Municipal Nurses  
Advisory Board.

St. Louis, Mo.,  
April 14, 1969.

Mr. GEORGE P. SHULTZ,  
Secretary, Department of Labor,  
Washington, D.C.

DEAR MR. SECRETARY: I am writing you as a private citizen who for many years has been involved in the health field in our state. I am deeply concerned by the report that the St. Louis Job Corps is to be closed. I have visited their installation in St. Louis and was tremendously impressed with the overall job they were doing to help so many unfortunate young women find their niche in life.

My chief concern is the closing down of their training of personnel for the health field. As you doubtless know, health manpower is one of our most critical needs. The federal government is well aware of this need.

The St. Louis Job Corps has a basic nurse aide program which qualifies young women who complete the course successfully for employment by the Veterans' Administration.

Those who show aptitude for further training have been trained as practical nurses in our Board of Education School for Practical Nursing with clinical experience in our city hospitals.

Last October the Job Corps set up its own school for practical nurses with faculty recruited from our local Board of Education School. Only last week I met with representatives of the Job Corps to discuss members of an Advisory Committee, a requirement of our State Board of Nursing.

It seems ironical that such a worth-while and much-needed program should be shut off mid-stream.

Selected students at the Job Corps have also been trained as surgical technicians with the cooperation of our city hospitals. These people are now working at several local hospitals.

All hospitals, nursing homes and agencies which care for the sick and infirm need skilled personnel. To remove one source from a metropolitan community is a serious step.

I hope you will review this with the Secretary of Health, Education and Welfare and find some way to continue this much needed program in St. Louis.

Sincerely,

(Mrs.) IRENE F. McCABE,  
Chairman, Municipal Nurses Advisory Board.

TOELLNER BAKING CO.,  
Poplar Bluff, Mo., April 21, 1969.

The Honorable THOMAS F. EAGLETON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR EAGLETON: We join a majority of our area business people and other concerned Missourians in questioning the merits of the Administration decision to include the Poplar Bluff Job Corps Center among those reported listed for closing.

This Center has been built at considerable cost to the taxpayers. It has gone through the "growing pains" of a new program and survived to become—in the opinion of informed observers—a "model" Center for the rehabilitation of disadvantaged American youth. We feel that Missouri has something to offer the boys that cannot be measured in dollars and cents.

At the same time, we feel that the boys, their able supervisory personnel and the tax dollars invested in the program here, are returning to Missouri lasting benefits that cannot be given any exact price tag.

Learning while working, these Job Corps boys are building permanent capital improvements on our two National Forests—the Clark and the Mark Twain. When they leave their training sessions here, they leave behind new forest road construction, new public use areas including permanent recreation areas such as the Markham Springs development in Wayne County, and the proud memory of having helped Missourians in times of distress and community need.

These benefits cannot be measured in dollars and cents alone. We hope you will share some of our enthusiasm for the program and feel the program offers sufficient long-range benefits to warrant your support.

Very truly yours,

W. H. TOELLNER,  
President.

SUTTON REALTY,  
Poplar Bluff, Mo., April 21, 1969.

HON. THOMAS F. EAGLETON,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.

DEAR MR. EAGLETON: I am disturbed to learn of the possible closing of the Job Corps Center in Poplar Bluff, Missouri.

I do not know about the program nationally, of course, but the Poplar Bluff Job Corps Center has been doing an outstanding job. I say this from very personal experience, as I have had many of these young men as guests in my home for meals over the past few years and have had many others as my guests at various civic functions.

I have visited the Job Corps Center on several occasions and know first hand of the fine training program that is being conducted here. Many of these boys consider the Job Corps their last chance and while I know there are some "goof ups" and "trouble makers" I also know that this center has served society as a whole, as well as these boys, because it is giving them a chance to make something of themselves and giving them that chance, on terms and in ways they can understand.

If there is anything that I can say or do to help the Job Corps please let me hear from you.

Sincerely yours,

ROBERT L. SUTTON.

ROTH'S DEPARTMENT STORE,  
Poplar Bluff, Mo., April 20, 1969.

HON. THOMAS F. EAGLETON,  
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.

NEW BETHANY CHRISTIAN CHURCH,  
St. Louis, Mo., April 15, 1969.

Senator THOMAS EAGLETON,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR EAGLETON: We protest the announced closing of fifty-nine job corps centers throughout the nation. Reportedly the reason for this action is to save \$100 million. No doubt there is just cause for thrift, but we feel the saving could be extracted from less critical areas.

One of the few urban centers to be closed is in our city. Since its establishment the St. Louis Women's Job Corps Center, located in the heart of the ghetto, has testified to the importance of human values among those who have been deprived of the opportunities which most of us enjoy. One of our members, who is an instructor at the center, affirms the importance of the work being done here.

The proposed "skill centers" seem inadequate to meet the needs of training the poor for jobs, especially women. We urgently request that reconsideration be given to closing the centers. We have noted in the press your opposition to the closing action and encourage you to pursue another decision.

Sincerely,

Donald G. Pelsue, Minister; Martha E. Gentry; George W. Maple; W. Elbert Staru; Otto H. Laatsch; Esther R. Ehly; Norma J. Twedell; Charlie Watts; Sharon Gregg; Frank L. Gregg; Carol MacDonald; R. Gerald MacDonald; Anne Behler; Judy Wilensky; Frances S. Laatsch; Mary Coffman; Charellese T. Coleman; Neil E. Topliffe; Anna May Watts; Marian L. Jones; Elder M. Steley; Jerry O'Malley; Sandra Topliffe; Else M. Gissenaa; Bill Gibson; and Donald G. Pelsue, members of Bethany Christian Church.

#### THE ANTI-BALLISTIC-MISSILE SYSTEM

Mr. INOUE. Mr. President, concern over the proposed deployment of an anti-ballistic-missile system continues to mount across the Nation. Particularly concerned are the people of those States which have been selected as future missile sites. The State of Hawaii is one of those States designated as an anti-ballistic-missile site, and the people of Hawaii are some of the most concerned of our citizens.

In their deliberations on the proposed deployment of the anti-ballistic-missile system, Senators will, I am sure, be interested in House Resolution 24, adopted on April 11, 1969, by the House of Representatives of the Fifth Legislature of the State of Hawaii. The resolution requests that the U.S. Congress stop the appropriation of funds for the land acquisition and construction of anti-ballistic-missile sites.

I ask unanimous consent to have printed in the RECORD the text of House Resolution 24, which enumerates the reasons for the opposition of the State of Hawaii's House of Representatives to the deployment of an anti-ballistic-missile system.

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

HOUSE RESOLUTION 24

Resolution requesting the President of the United States, the Secretary of Defense, the Speaker of the United States House of Representatives, the President of the United States Senate and the Hawaii Congressional delegation to stop construction and land acquisition of an anti-ballistic missile site on Oahu

Whereas, Oahu is one of the first twenty-five sites selected for future anti-ballistic missile sites; and

Whereas, the establishment of an anti-ballistic missile system does not assure defense against nuclear warfare and instead tends to escalate the arms race without affording secure advantages; and

Whereas, the costs of such a system would be poured into a military and industrial complex at the expense of major programs needed to solve the major social and economic ills of the country which deserve immediate attention and action; and

Whereas, numerous scientists, legislators, and leaders in government have expressed reservations concerning the need and effectiveness of an anti-ballistic missile system and have expressed opposition to its establishment; now, therefore,

Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, that the Congress of the United States is hereby requested to stop further funds for the construction and land acquisition of anti-ballistic missile sites; and

Be it further resolved that duly certified copies of this Resolution be forwarded to the Honorable Richard M. Nixon, President of the United States, the Honorable Spiro Agnew, Vice-President of the United States, the Honorable John McCormack, Speaker of the United States House of Representatives, the Honorable Melvin Laird, Secretary of Defense, the Honorable Hiram Fong, Senator, the Honorable Daniel Inouye, Senator, the Honorable Spark Matsunaga, Representative, and the Honorable Pasty Mink, Representative.

THE POPULATION PROBLEM

Mr. CASE, Mr. President, the President of the World Bank, Mr. Robert McNamara, has become in a few short months one of the most forceful and effective exponents of timely action to defuse the "population bomb." The message he delivered last week at the University of Notre Dame was a particularly lucid effort to unravel "the tangled problem of excessive population growth," and I commend it to all who seek better understanding of the problem. His concluding observation is especially pertinent, it seems to me.

What we must comprehend is this: the population problem will be solved one way or the other. Our only fundamental option is whether it is to be solved rationally and humanely—or irrationally and inhumanely. Are we to solve it by famine? Are we to solve it by riot, by insurrection, by the violence that desperately starving men can be driven to? Are we to solve it by wars of expansion and aggression? Or are we to solve it rationally, humanely—in accord with man's dignity?

I ask unanimous consent that the full text of Mr. McNamara's address be printed at this point in the RECORD.

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

ADDRESS TO THE UNIVERSITY OF NOTRE DAME BY ROBERT S. McNAMARA, PRESIDENT, WORLD BANK GROUP, NOTRE DAME, IND., MAY 1, 1969

I am grateful for this award, and pleased to become an honorary alumnus of Notre Dame.

This university, over the years, has become a catalytic center of creative thought. It does what universities do best: it probes. It probes the past for what is most relevant to the present. It probes the present for what is most formative of the future. And it probes the future for what will most enlarge man's freedom and fulfillment.

I want to discuss with you this afternoon a problem that arose out of the recent past; that already plagues man in the present; and that will diminish, if not destroy, much of his future—should he fail to face up to it, and solve it.

It is, by half a dozen criteria, the most delicate and difficult issue of our era—perhaps of any era in history. It is overlaid with emotion. It is controversial. It is subtle. Above all, it is immeasurably complex.

It is the tangled problem of excessive population growth.

It is not merely a problem, it is a paradox. It is at one and the same time an issue that is intimately private—and yet inescapably public.

It is an issue characterized by reticence and circumspection—and yet in desperate need of realism and candor.

It is an issue intolerant of government pressure—and yet endangered by government procrastination.

It is an issue, finally, that is so hypersensitive—giving rise to such diverse opinion—that there is an understandable tendency simply to avoid argument, turn one's attention to less complicated matters, and hope that the problem will somehow disappear.

But the problem will not disappear. What may disappear is the opportunity to find a solution that is rational and humane.

If we wait too long, that option will be overtaken by events.

We cannot afford that. For if there is anything certain about the population explosion, it is that if it is not dealt with reasonably, it will in fact explode: explode in suffering, explode in violence, explode in inhumanity.

All of us are, of course, concerned about this.

You, here at Notre Dame, have been giving constructive attention to this concern for several years. And yet it may seem strange that I should speak at a center of Catholic thought on this awkward issue, which might so conveniently be ignored, or left to demographers to argue.

I have chosen to discuss the problem because my responsibilities as President of the World Bank compel me to be candid about the blunt facts affecting the prospects for global development.

The bluntest fact of all is that the need for development is desperate.

One-third of mankind today lives in an environment of relative abundance.

But two-thirds of mankind—more than two billion individuals—remain entrapped in a cruel web of circumstances that severely limits their right to the necessities of life. They have not yet been able to achieve the transition to self-sustaining economic growth. They are caught in the grip of hunger and malnutrition; high illiteracy; inadequate education; shrinking opportunity; and corrosive poverty.

The gap between the rich and poor nations is no longer merely a gap. It is a chasm. On one side are nations of the West that enjoy per capita incomes in the \$3,000 range. On the other are nations in Asia and Africa that struggle to survive on per capita incomes of less than \$100.

What is important to understand is that this is not a static situation. The misery of

the underdeveloped world is today a dynamic misery, continuously broadened and deepened by a population growth that is totally unprecedented in history.

This is why the problem of population is an inseparable part of the larger, overall problem of development.

There are some who speak as if simply having fewer people in the world is some sort of intrinsic value in and of itself. Clearly, it is not.

But when human life is degraded by the plague of poverty, and that poverty is transmitted to future generations by too rapid a growth in population, then one with responsibilities in the field of development has no alternative but to deal with that issue.

To put it simply: the greatest single obstacle to the economic and social advancement of the majority of the peoples in the underdeveloped world is rampant population growth.

Having said that, let me make one point unmistakably clear: the solution of the population problem is in no way a substitute for the more traditional forms of developmental assistance: aid for economic infrastructure; aid for agriculture; aid for industrialization; aid for education; aid for technological advance.

The underdeveloped world needs investment capital for a whole gamut of productive projects. But nothing would be more unwise than to allow these projects to fail because they are finally overwhelmed by a tidal wave of population.

Surely, then, it is appropriate that we should attempt to unravel the complexities that so confuse this critical issue.

II

One can begin with the stark demographic dimensions. The dynamics are deceptively simple. Population increase is simply the excess of births over deaths. For most of man's history the two have been in relative equilibrium. Only in the last century have they become seriously unbalanced.

Though the figures are well known, they are worth repeating—if for no other reason than to forestall the familiarity with unpleasant facts from cloaking itself with complacency. It required sixteen hundred years to double the world population of 250 million, as it stood in the first century A.D. Today, the more than three billion on earth will double in 35 years time, and the world's population will then be increasing at the rate of an additional billion every eight years.

To project the totals beyond the year 2000 becomes so demanding on the imagination as to make the statistics almost incomprehensible.

A child born today, living on into his seventies, would know a world of 15 billion. His grandson would share the planet with 60 billion.

In six and a half centuries from now—the same insignificant period of time separating us from the poet Dante—there would be one human being standing on every square foot of land on earth: a fantasy of horror that even the *Inferno* could not match.

Such projections are, of course, unreal. They will not come to pass because events will not permit them to come to pass.

Of that we can be certain.

What is not so certain is precisely what those events will be. They can only be: mass starvation; political chaos, or population planning.

Whatever may happen after the year 2000, what is occurring right now is enough to jolt one into action.

India, for example, is adding a million people a month to its population—and this in spite of the oldest family-planning program in Southeast Asia.

The Philippines currently has a population of 37 million. There is no authorized government family-planning program. At the present rate of growth, these limited islands—

in a brief 35 years—would have to support over one hundred million human beings.

The average population growth of the world at large is 2%. Many underdeveloped countries are burdened with a rate of 3½% or more. A population growing at 1% doubles itself in 70 years; at 2% it doubles in 35 years; at 3½% it doubles in only 20 years.

Now, if we are to reject mass starvation and political chaos as solutions to this explosive situation, then there are clearly only three conceivable ways in which a nation can deliberately plan to diminish its rate of population growth: to increase the death rate; to step up the migration rate; or to reduce the birth rate.

No one is in favor of the first choice. On the contrary, under the impact of public health programs, death rates are falling throughout the underdeveloped areas. Even simple medical improvements—better sanitation, malaria suppression, widespread vaccination—bring on a rapid and welcome decline in mortality. The low-level death rates which Europe required a century and a half to achieve are now being accomplished in the emerging areas in a fifth of that time.

The second choice is wholly inadequate. Increased migration, on any scale significant enough to be decisive, is simply not practical. Countries concerned about their own future crowding are understandably disinclined to add to it by accepting more than a limited number of foreigners. But the more important point is that the continually expanding increment, on a global basis, is already so massive that migration as a solution to population pressure is manifestly unrealistic. We can put a man on the moon. But we cannot migrate by the millions off our own planet.

That leaves the third choice: a humane and rational reduction of the birth rate.

Is it feasible? It is.

Is it simple? It is not.

Is it necessary? Without question.

It is necessary because the consequences of continuing the present population growth rates are unacceptable.

### III

Let us examine those consequences.

One cannot sense the inner significance of the cold, remote, impersonal demographic data by merely tracing a line upward on a graph, or by scanning the print-out from a computer.

The consequences of rapid population growth—piled on top of an already oppressive poverty—must be grasped in all their concrete, painful reality.

The first consequence can be seen in the gaunt faces of hungry men.

One half of humanity is hungering at this very moment. There is less food per person on the planet today than there was 30 years ago in the midst of a worldwide depression.

Thousands of human beings will die today—as they die every day—of that hunger. They will either simply starve to death, or they will die because their diet is so inadequate that it cannot protect them from some easily preventable disease.

Most of those thousands of individuals—individuals whose intrinsic right to a decent life is as great as yours or mine—are children. They are not mere statistics. They are human beings. And they are dying; now; at this very moment; while we are speaking.

They are not your children. Or my children. But they are someone's children. And they are dying needlessly.

And yet the thousands who die are perhaps the more fortunate ones. For millions of other children, suffering the same malnutrition, do not die. They live languidly on—stunted in their bodies, and crippled in their minds.

The human brain reaches 90% of its normal structural development in the first four years of life. We now know that during that critical period of growth, the brain is highly vulnerable to nutritional deficiencies: de-

ficiencies that can cause as much as 25% impairment of normal mental ability. Even a deterioration of 10% is sufficient to cause a serious handicap to productive life.

This is irreversible brain damage.

What is particularly tragic in all of this is that when such mentally deprived children reach adulthood, they are likely to repeat the whole depressing sequence in their own families. They perpetuate mental deficiency, not through genetic inheritance; but simply because as parents they are ill-equipped mentally to understand, and hence to avoid the very nutritional deprivations in their own children that they themselves suffered.

Thus hunger and malnutrition forge a chain of conditions that only spiral the total human performance dimly downward. Alertness, vitality, energy, the ability to learn, the desire to succeed, the will to exert an effort—all these inestimable human qualities drain away.

How many children today are caught up in this crisis? How many of them subsist at levels of hunger and malnutrition that risk their being irreversibly mentally retarded for the rest of their lives? Some three hundred million.

But the population explosion's corrosive effects on the quality of life do not end with hunger. They range through the whole spectrum of human deprivation. With entire national populations, already caught up in the dilemmas of development, now doubling in as short a time as 20 years, there is a chronic insufficiency of virtually every necessity.

Current birth rates throughout the emerging world are seriously crippling developmental efforts. It is imperative to understand why. The intractable reason is that these governments must divert an inordinately high proportion of their limited national savings away from productive investment simply in order to maintain the current low level of existence.

Each additional child brought into the world must not only be fed, but clothed, housed, medically cared for, and supported by at least minimal educational services. All of this requires new capital—new capital that cannot be invested in other desperately needed sectors of the economy. For approximately the first 15 years of their lives, children cannot contribute economically to the nation: simply because they are young they are consumers rather than producers.

If the number of children in the total population—as a result of high birth rates—is very large, a nation is under the compelling necessity to expend ever greater resources simply to keep its people from slipping beneath minimum subsistence levels. A treadmill economy tends to emerge in which the total national effort will exhaust itself in running faster and faster merely to stand still.

More and more classrooms must be built; more and more teachers must be provided; more and more vocational training facilities must be established. But despite all this effort both the quantity and quality of education will inevitably decline. It simply cannot keep pace with the mounting waves of children. Thus, one of the prime movers of all human development—education—is sacrificed.

Further, as ill-educated, perhaps wholly illiterate, children reach the age when they ought to become producers in the economy, they are engulfed by the hopelessness of underemployment. In many of the world's shanty towns 50 to 60% of the adolescents are out of work.

Not only are these youngsters unequipped for the jobs that might have been available, but the total number of meaningful jobs itself tends to decline in proportion to the population simply because the government has been unable to invest adequately in job-producing enterprises. The capital that ought to have been invested was simply not avail-

able. It was dissipated by the ever rising tide of additional children.

This, then, is the cruel and self-perpetuating dilemma that governments face in underdeveloped countries overburdened for long periods with high birth rates.

Their plans for progress evaporate into massive efforts merely to maintain the status quo.

But what is true at the national level is repeated with even greater poignancy on the personal family level. Millions of individual families wish to avoid unwanted pregnancies.

And when these families cannot find legal and compassionate assistance in this matter, they often turn to desperate and illegal measures.

Statistics suggest that abortion is one of the world's most commonly chosen methods to limit fertility—despite the fact that in most societies it is ethically offensive, illegal, expensive, and medically hazardous.

In five countries of western Europe, it is estimated that there are as many illegal abortions as live births.

In India, the estimate is that each month a quarter of a million women undergo illegal abortion.

In Latin America, illegal abortion rates are among the highest in the world. In one country, they are said to total three times the live birth rate; in another, to be the cause of two out of every five deaths of pregnant women. Further, there are indications that the illegal abortion rate in Latin America is increasing, and that multiple illegal abortions among mothers are becoming common.

The tragic truth is that illegal abortion is endemic in many parts of the world. And it is particularly prevalent in those areas where there is no adequate, organized family-planning assistance.

The conclusion is clear: where the public authorities will not assist parents to avoid unwanted births, the parents will often take matters into their own hands—at whatever cost to conscience or health.

### IV

Now I have noted that this entire question of population planning is incredibly complex. There are, of course, certain precise and painful moral dilemmas. But quite apart from these, there is a vague and murky mythology that befores the issue. Not only does this collection of myths obscure the essential of the problem, but worse still, it builds barriers to constructive action.

I should like to turn now to that mythology, and examine some of its more irrational premises.

There is, to begin with, the generalized assumption that somehow "more people means more wealth." As with all fallacies, there is a deceptive substratum of plausibility to the thesis. With the earlier rise of nationalism in the West—and the more recent emergence of newly independent countries in Asia and Africa—rapid population growth has often been regarded as a symbol of national vigor. It provided, so it was believed, the foundations of a more powerful military establishment; an economically advantageous internal market; a pool of cheap labor; and, in general, a prestigious political place in the sun.

But in the underdeveloped world, nearly every one of these assumptions is false. Because rapid population growth tends seriously to retard growth in per capita income, the developing nation soon discovers that its economic vigor is diminished rather than enhanced by the phenomenon of high fertility. The hoped-for internal market becomes a mere mass of discontented indigents, without purchasing power but with all the frustrations of potential consumers whose expectations cannot be met.

"Cheap labor" in such countries turns out not to be cheap at all. For sound economic growth requires technological improvements, and these in turn demand higher levels of training than the strained government re-

sources can supply. Though individual workers may be paid lower salaries than their counterparts abroad, their efficiency and productivity are so low that the nation's goods are often priced out of the competitive export market. The "cheap" labor turns out to be excessively expensive labor.

Even the argument of expanding the population in order to provide a powerful military force is suspect—not merely because the expansion of one nation's forces will, in time, lead to a reactive expansion of its neighbors' forces, but also because modern defense forces require an increasing ratio of educated recruits rather than mere masses of illiterate troops.

As for political prestige, nations caught in the catastrophe of an uncontrolled population growth do not enhance their position in the family of nations. On the contrary, they find it slipping away as their once optimistic plans for progress turn inevitably to the politics of confrontation and extremism.

Akin to the myth that "more people means more wealth" is the notion that countries with large tracts of uninhabited open land have no need to worry about birth rates, since there is ample room for expansion.

The argument is as shallow as it is misleading. For the patent fact is that mere open land does not, in and of itself, support a high rate of population growth. Such open land—if it is to become the home of large numbers of people—must be provided with a whole panoply of heavy government investments: investments in roads, housing, sanitation, agricultural and industrial development.

The sound economic argument is quite the other way round. What such raw space requires first is not surplus people, but surplus funds for investment. And it is precisely surplus people in a developing economy that make the accumulation of surplus funds so incredibly difficult.

What is equally overlooked is that a rational restraint on fertility rates in an emerging country never implies an absolute reduction of the total population. It simply hopes for a more reasonable balance between birth and death rates. And since death rates in the future are certain to drop with continued advances in medicine—and in highly underdeveloped countries the drop in the death rate is characteristically precipitous—there are no grounds whatever for fearing that a nation's population, under the influence of family planning, will dangerously ebb away. The danger is quite the opposite: that even with family planning—should it be inadequately utilized—the population will proliferate in the future to self-defeating levels.

A still more prevalent myth is the misapprehension that official programs of family planning in a developing country are wholly unnecessary since the very process of development itself automatically leads to lowered birth rates. The experience of Europe is cited as persuasive proof of this theory.

But the proof is no proof at all, for the theory is hopelessly irrelevant to today's conditions in the underdeveloped world. There are no comparable circumstances between what happened in Europe's early period of modernization, and what is happening in the emerging world today.

Aside from a lapse of logic which fails to grasp that the current population growth in these areas inhibits the very economic development which is supposed to curb that growth, the historical fact is that conditions in Europe during its initial developmental period were far more favorable to lower rates of population growth. The birth rates were much lower than they are in the underdeveloped world today, the death rates had not yet drastically fallen, and by the time public health measures had accomplished that, the infrastructure of industrialization was already in place.

Further, in nineteenth century Europe, unlike in the developing countries today, marriages were entered into later, and the level of literacy—always an important factor affecting population growth—was considerably higher.

Even in spite of all these advantages, it required some 70 years for Europe to reduce its birth rates to present levels. Today the average birth rate for developing countries is 40 to 45 per 1000 of population. To get this rate down to the 17 to 20 per 1000 that is common in contemporary Europe would require a reduction in the developing world of some 50 million births a year. To suppose that economic advancement by itself—without the assistance of well organized family planning—could accomplish this in any feasible time-frame of the future is wholly naive.

Indeed, even with family planning, no such promising results are feasible in less than two or three decades. What is feasible—indeed what is imperative—is the establishment of family planning on a scale that will stave off total economic and political disintegration in those countries where social progress is being seriously limited by the glut of unwanted births.

No government can, of course, ultimately succeed in convincing its own population to undertake family planning, if parents themselves do not really want it.

But the almost universal fact is that parents do want it. They often want it far more than their own political leaders comprehend.

People—particularly poor, ill-educated people—may not understand the techniques of family planning. Most of them have only the most tenuous understanding of human biology. Often their limited comprehension is tragically confused by gross misinformation.

But the notion that family-planning programs are sinister, coercive plots to force poor people into something they really do not want, is absurd.

The pervasive prevalence of voluntary illegal abortion should be enough to dispel that fiction.

The poor do not always know how to limit their families in less drastic and dangerous ways, but there is overwhelming evidence that they would like to know how.

Another serious misunderstanding is the fear that family planning in the developing world would inevitably lead to a breakdown of familial moral fiber—and that it would encourage parents to limit the number of their children for essentially frivolous and selfish reasons: that it would trade the responsibility of having a large number of children for the opportunity of acquiring the needless gadgetry of an advancing consumer economy.

But one stroll through the slums of any major city in the developing world is enough to dispel that concept. If anything is threatening the fiber of family life it is the degrading conditions of subsistence survival that one finds in these sprawling camps of packing crates and scrap metal. Children on the streets instead of in non-existent classrooms. Broken men—their pride shattered—without work. Despondent mothers—often unmarried—unable to cope with exhaustion because of annual pregnancies. And all of this in a frustrating environment of misery and hunger and hopelessness. These are not the conditions that promote an ethically fibered family life.

Family planning is not designed to destroy families. On the contrary, it is designed to save them.

All of us accept the principle that in a free society, the parents themselves must ultimately decide the size of their own family. We would regard it as an intolerable invasion of the family's rights for the State to use coercive measures to implement population policy. We can preserve that right best by assisting families to understand how they can make that decision for themselves.

The fact is that millions of children are born without their parents desiring that it happen. Hence, a free, rational choice for an additional child is not made in these cases. If we are to keep the right of decision in the hands of the family—where it clearly belongs—then we must give the family the knowledge and assistance it requires to exercise that right.

Nor need anyone be deterred from appropriate action by the pernicious, if pervasive, myth that the white western world's assistance in family planning efforts among the non-white nations of the developing areas, is a surreptitious plot to keep the whites in a racial ascendancy. The myth is absurd on purely demographic grounds, as well as on many others. Non-white peoples on the planet massively outnumber whites. They always have and always will. No conceivable degree of family planning could possibly alter that mathematical fact.

But a more relevant answer is that if the white world actually did desire to plot against the non-white nations, one of the most effective ways possible to do so would be for the whites to deny these nations any assistance whatever in family planning. For the progressive future of the non-white world is directly related to their indigenous economic development—and that, in turn, as we have seen, is dependent upon their being able to bring birth rates down to a level that will allow a significant increase in per capita income.

v

There is one more myth that obstructs the road to action. It is the belief that the time for decisive action is past, and that sweeping famine is inevitable.

The distinguished British scientist and novelist, C. P. Snow, has recently noted that it is the view of men of sober judgment that "many millions of people in the poor countries are going to starve to death before our eyes."

"We shall see them doing so," he adds, "upon our television sets."

He stresses that when the collision between food and population takes place, "at best, this will mean local famines to begin with. At worst, the local famines will spread into a sea of hunger. The usual date predicted for the beginning of the local famines is 1975-80."

In summing up his own view, he suggests that "The major catastrophe will happen before the end of the century. We shall, in the rich countries, be surrounded by a sea of famine, involving hundreds of millions of human beings."

"The increase of population," he predicts, "all over the rich world may get a little less. In poor world it won't, except in one or two pockets. Despite local successes, as in India, the food-population collision will duly occur. The attempts to prevent it, or mollerate it, will be too feeble. Famine will take charge in many countries. It may become, by the end of the period endemic famine. There will be suffering and desperation on a scale as yet unknown."

Now, though Lord Snow is a brilliant and perceptive man of good will, I simply do not believe that one need feel quite so near despair—even in the face of a situation as ominous as this one.

Wholesale famine is not inevitable. I am convinced that there is time to reverse the situation, if we will but use it. Only barely sufficient time. But time nevertheless.

It is the time which has been given us by those who have created the revolution in agricultural technology; a revolution based on new seeds, hybrid strains, fertilizers, and the intensified use of natural resources.

It is a revolution which already has increased the yields of food grains by more than 100% in parts of Southeast Asia, and which promises to boost yields by one-half ton per acre throughout Asia. It is a revolution which has expanded the number of

acres sown with the new seeds from 200 in 1965 to 20,000,000 in 1968—and an estimated 34,000,000 in 1969—but which has yet to touch more than a small percentage of the rice and wheat-producing acreage of the world.

If we will but speed the spread of this agricultural revolution—by adequate and properly administered technical and financial assistance to the developing countries—we can expect that for the next two decades the world's food supply will grow at a faster rate than its population.

The predicted spectre of famine can be averted.

It will take immense energy and organizing skill, and significant infusions of new capital investment—but it is possible to stave off disaster.

What is required to accomplish this is not so much a psychologically comforting optimism, as an energetic, creative realism.

I believe enough of that realism exists among men of good will—both in the developed and in the emerging world—to do the job.

This is the fundamental reason I do not share Lord Snow's degree of discouragement.

There is no point whatever in being naively over-optimistic about a situation as full of peril as the population problem.

But I am confident that application of the new technology will dramatically expand the rate of agricultural growth and will buy two decades of time—admittedly the barest minimum of time—required to cope with the population explosion, and reduce it to manageable proportions.

#### VI

How can this best be done?

To begin with, the developed nations must give every measure of support they possibly can to those countries which have already established family-planning programs. Many have. The governments of India, Pakistan, Korea, Taiwan, Hong Kong, and Singapore have established both policies and specific targets for reducing population growth rates and have shown some measurable progress.

Ceylon, Malaysia, Turkey, Tunisia, the United Arab Republic, Morocco, Kenya, Mauritius, Chile, Honduras, Barbados, and Jamaica are giving government support to family-planning programs, but need substantial technical or financial assistance before any significant reduction in birth rate can occur.

Some 20 other governments are considering family-planning programs.

In other countries, where governments are only dimly aware of the dangers of the population problem—but would like, nevertheless, to ponder the matter—the developed nations can quietly assist by helping with the demographic and social studies that will reveal the facts and thus point up the urgency of the issue, and the disadvantages of delay.

It is essential, of course, to recognize the right of a given country to handle its population problem in its own way. But handle it, it must.

The developed nations can point out the demographic facts; can explain the economic realities; can warn of the consequences of procrastination. They can—and should—inform. They should not—and cannot—pressure.

Technologically advanced countries can make one of their greatest contributions by initiating a new order of intensity in research into reproductive biology. They have starved their research facilities of funds in this field. The result is that we are still only on the threshold of understanding the complexities of conception, and therefore only at the outer edge of the necessary knowledge to help make family planning in the developing countries beneficial on a meaningful scale.

Annual worldwide expenditures for research in reproductive biology now total

roughly 50 million dollars. The hardheaded estimate is that the sum should treble to 150 million dollars annually—for the next ten years—if we are to develop the knowledge necessary for the most effective and acceptable kinds of family planning.

Our parsimony in this matter in the United States is illustrated by the discouraging fact that out of a total budget of nearly one billion dollars, the National Institutes of Health this year are spending less than ten million dollars for research in population-related phenomena. Hundreds of millions of dollars for death control. Scarcely 1% of that amount for fertility control.

And research efforts should range far beyond biology.

Demography, as a fully developed science, remains in its infancy. It is likely that fewer than half the world's births are even registered. And while the crude estimates of birth rates almost inevitably turn out to be too low, it is essential that more precise data be developed in those areas where the population problem is the most acute.

Similarly, there is a pressing need for far more research in the socio-cultural aspects of family planning. There is manifestly a great deal more to population planning than merely birth control. Attitudes, motivation, preferences differ from country to country, and this essential research can clearly best be conducted locally. The developed nations should be generous in their financial support for such studies and surveys.

Above all else, there is a need to develop a realistic sense of urgency in all countries over the population problem.

Programs are beginning to show progress in limited areas. But no reduction in birth rates has yet been achieved anywhere in the underdeveloped areas which can significantly affect overall world population totals.

This means that family planning is going to have to be undertaken on a humane but massive scale. Other massive efforts in our century—for example, in the field of public health—have been mounted and have been successful. And granted all the difficulties, there is no insuperable reason this one cannot be.

The threat of unmanageable population pressures is very much like the threat of nuclear war.

Both threats are undervalued. Both threats are misunderstood.

Both threats can—and will—have catastrophic consequences unless they are dealt with rapidly and rationally.

The threat of violence is intertwined with the threat of undue population growth. It is clear that population pressures in the underdeveloped societies can lead to economic tensions, and political turbulence: stresses in the body politic which in the end can bring on conflicts among nations.

Such violence must not be allowed to happen.

You and I—and all of us—share the responsibility of taking those actions necessary to assure that it will not happen.

There is no point in despair.

There is every point simply in getting busy with the job. That is surely what God gave us our reason and our will for: to get on with the tasks which must be done.

I do not have to convince you of that here at Notre Dame.

You, and the Roman Catholic Church at large, are completely dedicated to the goal of development. One has only to read the Second Vatican Council's *Pastoral Constitution on the Church in the Modern World*, and Pope Paul's *Populorum Progressio* to understand that. Both these impressive documents call for a solution to the population problem as it relates to development. Such controversy as remains in this matter is merely about the means, not at all about the end.

I am confident that you in this university, and those in the Catholic community that

reaches out around the globe, and the fatherly and compassionate Pontiff who stands at your helm—as well as men everywhere of whatever religious allegiance—I am confident that all of us are dedicated to that end however much we may disagree on the specifics of the means.

The end desired by the Church—and by all men of good will—is the enhancement of human dignity. That, after all, is what development is all about.

And human dignity is severely threatened by the population explosion—more severely, more completely, more certainly threatened than it has been by any catastrophe the world has yet endured.

There is time—just barely time—to escape that threat.

We can, and we must, act.

What we must comprehend is this: the population problem will be solved one way or the other. Our only fundamental option is whether it is to be solved rationally and humanely—or irrationally and inhumanely. Are we to solve it by famine? Are we to solve it by riot, by insurrection, by the violence that desperately starving men can be driven to? Are we to solve it by wars of expansion and aggression? Or are we to solve it rationally, humanely—in accord with man's dignity?

There is so little time left to make the decision. To make no decision would be to make the worst decision of all. For to ignore this problem is only to make certain that nature will take catastrophic revenge on our indecisiveness.

Providence has placed you and me—and all of us—at that fulcrum-point in history where a rational, responsible, moral solution to the population problem must be found.

You and I—and all of us—share the responsibility, to find and apply that solution.

If we shirk that responsibility, we will have committed the crime.

But it will be those who come after us who will pay the undeserved . . . and the unspeakable . . . penalties.

#### THE 85TH BIRTHDAY ANNIVERSARY OF FORMER PRESIDENT HARRY S. TRUMAN

Mr. INOUE. Mr. President, I am honored to extend special greetings to former President Harry S. Truman on this very happy day—the day of his 85th birthday—and convey the gratitude of our Nation for his years of outstanding service to our country as a U.S. Senator, as Vice President of the United States, and as President of the United States.

His steadfast courage and strong conviction, abiding faith in God and the American people, unflinching patriotism, and inspiring leadership have endeared him to millions of his fellow countrymen. I, for one, have long admired the leadership he gave our Nation during some of its most trying years. Under his leadership, we saw victory in World War II and the initiation of plans to revive war-torn Europe. The Truman doctrine stands as a testament of his compassion and understanding.

In a day when the cause of human freedom and rights is the rallying cry of all concerned Americans, it is fitting to pay special tribute to President Truman for the direction he gave us 14 years ago. His early commitment to national fair employment practices and the integration of our Armed Forces set the tempo for the civil rights legislation passed in recent years. For his compassion and courage, we will always be entirely grateful.

The people of the State of Hawaii have always had a special aloha for President Truman, a man who knew the true meaning of the spirit of aloha—the spirit of love. The strength of character and integrity which he showed in office have endeared him to the people of Hawaii and the Nation.

I join the Nation today in extending my warmest congratulations to President Truman on his 85th birthday anniversary and in wishing him many happy years of good health.

#### MINNESOTANS OPPOSE ABM

Mr. MONDALE. Mr. President, the Minneapolis Star & Tribune has just published the results of a poll of Minnesotans on ABM and related issues.

For the first time, the poll reveals that a slight plurality—45 percent—were critical of the ABM system proposed by President Nixon. Only 44 percent of those polled said that they supported the proposed Sentinel system.

Considering that the public normally has no basis for rejecting a recommendation of the President of the United States on a matter affecting national security, I believe these results are extremely interesting. They demonstrate the eminent good sense of the American people.

They also underline that the administration, despite having the vast resources of the Pentagon and a substantial portion of the press in support of its position, has not been able to convince the American people of its case.

That, of course, is because the case is so weak.

I hope that the citizens of other States will stand with those of Minnesota in opposing this senseless plan.

I ask unanimous consent that the text of the article reporting the results of this survey be printed at this point in my remarks.

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

#### MINNESOTA POLL: MINNESOTANS SPLIT ON ABM PLAN

Minnesotans are sharply divided over the antiballistic missile (ABM) plan advanced by the Nixon administration.

Forty-four percent of a statewide sampling interviewed by The Minneapolis Tribune's Minnesota Poll said the plan sounded good to them. "Anything that indirectly protects us is good," said a Minneapolis housewife. "We got to show Russia we are protected and never let our guard down."

Just as many people (45 percent) were critical of President Nixon's approach. A retired businessman from Bemidji touched upon many reservations people voiced in the survey when he said: "I'd save the \$7 billion. If missiles were coming from all angles, how could that protect missile sites? The government puts fear in people's minds to get more money."

Eleven percent offered no opinion on the ABM question.

Mr. Nixon reviewed the Johnson administration's plans for ABM defense and recommended that the nation concentrate on protection of U.S. missile sites and not try to defend cities. That did not satisfy congressional leaders who would like to scale down the arms race between the United States and Russia.

In this showdown battle between the Pentagon and some congressmen, Mr. Nixon is said to need strong support from the people to have his plan adopted. Rarely has public opinion played such a crucial role on a military issue.

At the present time most Minnesotans do not think they have a good grasp of the subject. Sixty percent said they do not understand the ABM issue at all well.

Can the United States and Russia agree to stop building up their defenses? Fifty-four percent in the survey said it was possible and 43 percent said it was not.

Most Minnesotans believe that at the present time Russia could not destroy the United States in one blow and escape unharmed. More people think that, in the next 20 years, a major world power actually will try to destroy another major world power, but a majority still reject that possibility.

Having expressed themselves on those subjects, Minnesotans were told these things: "The ABM is a weapon which defends an area by destroying attacking missiles. President Nixon wants the United States to build an ABM system designed primarily to protect our missile sites from attack but would not protect American cities. It would cost about \$7 billion."

Of the people who said it sounded like a good plan to them, the 44 percent, the idea of being prepared to defend our own missile sites was given most frequently as the reason for their support. The next most frequent reason for approval was that the plan struck a reasonable compromise between protection and cost. Some of those people felt cities still would gain some protection from the proposed setup.

Those who termed the administration proposal a poor plan (45 percent) mainly said it did not provide enough protection, it would not be necessary and soon would become obsolete, and that it would cost too much money.

Five hundred ninety-four men and women living in all parts of Minnesota were interviewed about two weeks ago. They represent in miniature all adults in the state. People were asked questions on a variety of subjects in home interviews by trained field reporters.

The questions relating to ABM and the answers obtained are as follows:

"Do you believe it is possible or is not possible for both the United States and Russia to stop building up their defenses by agreement between the two countries?"

[In percent]

Is possible.....	54
Is not possible.....	43
No opinion.....	3
	100

"Do you believe Russia could or could not destroy the United States at this time by surprise attack and come out relatively unharmed?"

[In percent]

Russia could do this.....	25
Could not.....	69
No opinion.....	6
	100

"In the next 20 years do you think it is likely or not likely a major world power will try to destroy another major power in one blow?"

[In percent]

Is likely to happen.....	43
Is not likely.....	52
No opinion.....	5
	100

"There's been a great deal of public debate over the ABM or antiballistic missile. How well do you feel you understand the ABM issue—very well, fairly well, or not well at all?"

[In percent]

Understand very well.....	5
Fairly well.....	35
Not well at all.....	60
	100

The background statement on ABM quoted above was followed by this question:

"Does that sound like a good plan to you or a poor plan?" The answers should be read across the page.

[In percent]

	Sounds like good plan	Sounds like poor plan	No opinion
All adults.....	44	45	11
Men.....	49	45	6
Women.....	38	45	17
Democratic-Farmer-Laborites.....	37	50	13
Republicans.....	51	40	9
Independents.....	47	43	10

#### TRIBUTE TO POLISH 3D OF MAY CONSTITUTION

Mr. PROXMIRE. Mr. President, I rise today to pay tribute to the citizens of Polish origin in the United States and around the world who throughout the month of May commemorate the signing of the Polish 3d of May Constitution. This is a time when all Americans have an opportunity to demonstrate their friendship toward the Polish nation, to honor the light and spirit of which the May 3 Constitution of 1791 is such a bright symbol, and to express their sorrow that a Communist tyranny has dimmed—though by no means quenched—that light.

Only 2 years after our own Constitution was adopted in 1789, Poland adopted its own trailblazing Constitution without a revolution or even disorder. That Constitution succeeded in reforming Poland's public life and stopping her internal decline. It made Poland one of the first pioneers of liberalism in Europe.

One of the principles at the foundation of the 3d of May Constitution was stated in these words:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

It is clear that our own Constitution and the great 3d of May Constitution had each drawn inspiration from the same enlightened philosophy of government.

Thus the close ties between the Polish nation and the United States are ancient bonds.

#### A TIME FOR DECISION

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial carried by the Courier-News, Plainfield, N.J., on April 26, 1969, entitled "A Time for Decision." In these days of emotional charge and countercharge, the editorial provides a welcome relief. I think all Members of the Senate will find the pragmatic approach which it sets out a useful contribution.

There being no objection, the editorial

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

#### A TIME FOR DECISION

The recent action taken at Harvard University against the Reserve Officers Training Corps (ROTC) which would classify it as an extra-curricular activity is dangerous because it could set a pattern for all Ivy League schools. Harvard is too prestigious in this nation to set such an example.

The military has always been a respectable profession in this nation, ranking along with the ministry, medicine and law. Such professions are not extra-curricular activities.

We would like to believe that the action taken at Harvard, and considered at Dartmouth, resulted from a lack of understanding on the part of students and a segment of the faculty, rather than being a contrived plot. However, there is too much at stake for the nation to take this action lightly. Therefore, we would like to set the record straight.

Let's start by admitting that the ROTC has often been the butt of campus complaints and jokes because it is outward and visible.

The Reserve Officers Training Corps was strengthened by the National Defense Act of 1920, following World War I, when it was realized that we had committed this nation to war in Europe without an adequate army, that we fortunately were given the time and circumstances to build it, and that we were about to destroy it following the war.

By strengthening the Reserve Officers Training Corps, the people of the United States held together the structure of a citizen corps for national defense and dedicated to the preservation of peace. The act created a reserve pool of officers which could be called on if needed for the Regular Army, the National Guard and the U.S. Army Reserve. The same sort of structure was built for the Navy and the Air Force. It was of inestimable value in World War II, following the unprovoked attack at Pearl Harbor.

There is far more to military training than just close order drill, tactics and weapons. It also goes into the subjects of government, history, administration, transportation, communication, supply and all the ramifications of logistics.

The reserve officer student is also given the basics of discipline, leadership training and command decision. These are capabilities which are extremely valuable for the executive in business and industry as they are for the commander in the field, on the sea or in the air.

Even more important to our nation is the fact that the military strength of this nation does not rest on a palace guard or the military elite. West Point, Annapolis and the Air Force Academy supply the professionals; but in time of emergency the national strength is in the citizen soldier. That strength is a cross section of every business and profession in every part of America. The trained reserve officer in each branch of the service not only gives strength to the nation, but he brings innovation and decisive action when it is needed in time of national emergency.

In the social revolution that is taking place in this nation and around the world today, there is a vast difference between the processes of orderly change and mutiny in the ranks. Each must be identified and dealt with in the matter that it deserves. Harvard in our opinion has made a serious mistake, and the error must not be allowed to spread through the precipitate actions of students or faculty.

#### NATIONAL AUDUBON SOCIETY ADDRESS BY ELVIS J. STAHR

Mr. BAYH. Mr. President, the president of the National Audubon Society, Dr. Elvis J. Stahr, on April 28 delivered a very thought-provoking speech at the

annual convention of that organization in St. Louis. Before he assumed this position of leadership with the Audubon Society last year, Dr. Stahr had a distinguished career both in higher education and public life, having served as president of both West Virginia University and Indiana University, dean of the law school at the University of Kentucky, and Secretary of the Army under President Kennedy.

In addition to analyzing the important conservation role played by the Society which he heads, President Stahr spoke with great insight on the environmental problems which man's presence and activities on earth have caused and commented on the major tasks ahead if our natural resources are to be protected and preserved for future generations. Acknowledging that human actions are "more damaging than nature's dramatic storms and earthquakes," he stressed nevertheless that "man possesses the intelligence and the means to solve every one of these environmental problems."

Mr. President, I agree with Dr. Stahr in his conclusion that there is "nothing more down-to-earth than recognizing that man must learn to live with nature if man wants to live at all," and ask unanimous consent that the full text of this excellent speech be printed in the RECORD.

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

#### NATIONAL AUDUBON—NOW AND TOMORROW: THE PRESIDENT REPORTS

(Speech delivered by Dr. Elvis J. Stahr at the National Audubon Society Annual Convention, St. Louis, Mo., Apr. 28, 1969)

Chairman Setzer, Secretary Train, Members and Guests of the National Audubon Society: There are thousands upon thousands of species of life on earth. The most complex, and the most dangerous, is the one called man.

Man is the only one which has achieved the power to destroy himself and all other life. And he is steadily engaged in doing it. Rarely is any part of this his deliberate objective—but rarely does he deliberately guard against it. His impact on the natural environment of this little planet, which he shares with so many other forms of life, has already been tremendous. He is now altering that environment, however, at a rate whose acceleration is almost staggering. No matter what aspect of the natural environment one considers, one finds that man is destroying or degrading it: land, rivers, forests, wildlife, even the oceans and the atmosphere. And that aspect of the environment which might be called *man made* is in some ways the worst of all: the cities.

Why is all this happening? Because many men don't know what is happening: even more men do not understand why it is happening, and far too few men are committed to spreading the knowledge and the understanding and acting upon it while there may yet be time. We here tonight are committed.

The biggest problems of man's relation to his environment have resulted from his own actions. Infinitely more damaging than nature's dramatic storms and earthquakes are what man does day-in and day-out. Curiously, most of the problems can be expressed or suggested in words that also begin with the letter "p": population, pollution, pesticides, petroleum, power plants—from atomic reactors to automobile engines—ploughing, paving, plundering, politics, quick profits, passivity, and lack of planning for the good of our posterity on this planet.

And yet man possesses the intelligence and the means to solve every one of these environmental problems. If he had put half the resources of brainpower, determination and money into mitigating the evil effects of his technology—and every evil effect was foreseeable, and many were foreseen—that he has put into the development and short-term applications of that technology, we would already have a far better environment and a far better chance to survive. As it is, only an aroused public, willing not only to accept but even to demand some very hard decisions, seems likely to produce the human power necessary to turn us around or even slow us up on our lemming-like rush to make a hell of earth. How many crises, how many catastrophes, how much irretrievable loss, must be suffered before this arousal becomes real? What must those who already do understand the problems, and the perils, do to educate and activate a broader public?

National Audubon is even now developing projects and stimulating programs to these ends. And I want to try to tell you in twenty-five minutes tonight something of those plans—and something of our dreams.

If I were to pick out one word to sum up what I have to say, that word would be "excitement". This is an exciting time to be part of the conservation movement—a time when more and more of our fellow Americans are sensing there are things desperately wrong in the way man is treating nature and the environment. People are looking to conservation organizations for leadership—leadership away from smog, and noise, and crowding, and filthy rivers, and dying lakes, and urban sprawl, and the destruction of natural beauty—and toward a world that's fit to live in.

To meet this exciting challenge for leadership, your Society has some exciting plans. For me, personally, of course, the most exciting thing of all is that I am in the thick of these plans and have been given—by you—a special opportunity to serve in a cause so crucially important to the world my children will inherit.

Let's look at a couple of benchmarks. To show the pace of change, let's first compare where National Audubon stood at the time of our last convention, a year and a half ago at Atlantic City, with where we stand today and where we confidently expect to be by 1974—at the end of a five-year plan we are undertaking to meet the needs ahead.

Take membership. At the time of our last convention, membership was somewhat over 50,000. Now we're very close to 80,000 memberships—and enough of these are family memberships that this means well over 100,000 members. In a few more years we expect to top 200,000. Two hundred thousand may sound like a lot—but before you raise an eyebrow, remember that at Atlantic City Charlie Callison went out on a limb to predict that we'd pass 100,000 memberships in 1970. That sounded like pretty bold talk then, but today it appears that Charlie was a pretty good prophet. (As a matter of fact, Charlie usually is a pretty good prophet.)

At the time we met in Atlantic City we had 125 chapters. Now we are already close to 150; most of the old ones are larger and more active than they were then, and we expect to have 500 or more in five years or less. What's more, we expect them to cover every state in the Union, and every major community in those states. And we want those chapters—like many but not enough of our chapters now—to include the key opinion leaders of the community, and to include more young people—tomorrow's leaders.

When you met at Atlantic City, National Audubon was just starting to expand its regional organization. We had a Western man, and a Florida man, and had just set up two representatives in the Northeast. Today we have seven. You met them all last night. They're outstanding young men. But the new

five-year plan (if we can finance it) calls for at least 18. Furthermore, we hope that we will have many more states with an effective statewide Audubon organization—state councils built from our leadership in local communities and reaching outward to our regional and national nerve centers. Opinion leaders, concerned young people, and our other committed members across the land will be firmly linked in a truly effective grass roots organization—ready to take on and win local conservation battles, backed by information and expertise from the national organization, and ready to back state, regional and national battles with a groundswell of unselfish public pressure that can make our voice heard and our creed respected at every level of decision-making. This is what I call *environmental action*.

In addition, we intend to broaden and intensify the other major area of our activity, *conservation education*. For in the last analysis, wise policies depend on the level of *understanding* of the natural environment by people—by the members of the family of man.

That's what lies ahead. Do you wonder that I am excited? I have been fortunate enough to live a very interesting life up to the time I cast my lot with you—I have been a lawyer, a teacher, a government official and a university administrator, among other things, and I enjoyed them all (most of the time), but in all sincerity I believe that I am now in the most thoroughly fascinating and basically important work in which any man could be engaged: fighting for the future quality of life on earth. Conservation to me simply means bringing man's intelligence to bear on preserving and producing on planet Earth an environment fit for man and all his fellow creatures to live in—habitable, if you will, in the face of a rapacious technology through which man himself—who ought to know better—is steadily defacing, degrading, and headed toward destroying, the quality of life for himself, for his fellow creatures, and for his posterity.

I have admitted to being pretty excited about all this. Maybe some of you out there think I'm too excited and am going overboard. I may, for example, sound as though I think these are all brand new ideas. Let me assure you, I know there is nothing new about National Audubon providing constructive and farsighted leadership. You've been doing it for 64 years now. You began as fighters, to save endangered species. What I'm talking about for the future, then, is not changing direction: I'm talking about *building* on a long, proud history of significant service, and magnifying its impact. The polluters, the destroyers, are magnifying their impact, whether willfully or ignorantly. We must match their will and dispel their ignorance, for man, numerous though he is, is now an endangered species too.

And there may be others in this audience—though I doubt it—who think I'm going overboard in the other direction when I talk about a voice heard and respected in a great movement throughout the land. *Those* might as: Is it really up to the *bird-watchers* to save us?

I put the question somewhat flippantly, because I'm only setting it up as a straw man, but I think the question can serve as a starting point for a deeper look at where we've been and where we are heading—a look deeper, I mean, than the figures I hurried through a few moments ago. Is it up to the bird-watchers? . . . What *better* people to start with? They have an almost instinctive understanding of the balance of nature. And concern for birds was certainly the starting point for the National Audubon Society, when it set out to save the egret from the plume hunters, and birds remain a very real concern of this Society—particularly at our sanctuaries and in our research department, but in other ways too.

Maybe this would be a good place to mention some things we have been doing lately that apply directly to birds. Those of you who were at the Members' Meeting last night heard our Research Director, Sandy Sprunt, tell about our work to save the bald eagle. Sandy, for any of you who missed it, has long *suspected* that insecticides are one of the key reasons for our national bird's catastrophic decline in the past 20 years. Yesterday he announced that his long and painstaking work in this part of his eagle study has paid off: we now have scientific *proof* of the harm DDT is doing to this regal bird.

Sandy is also heading a committee working on the problems of the brown pelican, which has been disappearing at an alarming rate from the East and Gulf Coasts and now appears to be in trouble on the West Coast, too. We are undertaking some new studies on the wood stork—our Corkscrew Swamp Sanctuary, remember, is the largest remaining nesting place for these big birds. And we're strongly involved in the efforts to save the California condor, the peregrine falcon, the flamingo, the golden eagle, the golden-cheeked warbler, and other threatened species.

Early this year an alert staff member at Audubon House brought together from the other side of the world the cold facts that resulted *last month* in the banning by the Federal Government of imports of grey jungle fowl, a bird that is found only in India. The jungle fowl has been pushed close to extinction and it's illegal in India to shoot them, but they are still being killed by poachers because the feathers are in demand for making flies for American (and other) fishermen. Now our action has resulted in drying up a big part of the poachers' market, and we've ground for hope that the species will be saved.

In short, no one can say that the National Audubon Society is neglecting the birds.

But neither, of course, does our interest stop with birds. For that matter, if it did, the birds themselves would be in *worse* trouble. The basic reason that the wood stork is in trouble, for example, is because of Florida's bad habit of ditching and draining wetlands to turn a quick real estate dollar; this has systematically been wiping out the feeding grounds of these fish-eating storks.

But while I'm on the subject of Florida wetlands, let me mention again, as Senator Jackson did Saturday, the biggest threat yet to Everglades National Park, the priceless natural heritage which your Society helped to bring into the National Park System and also to protect from extinction through water shortage. The new threat is a proposed, massive jet-port that would cover 39 square miles of Everglades country just north of the Park. A huge access road with a 1,000-foot right-of-way is also proposed. These—plus the related construction and development which almost inevitably springs up around great international jetports—would not only further interfere with the flow of water to the Everglades from the north, but seriously pollute the water that does get through, with both oil and sewage, and also add the noise and air pollution that come with big jets and related ground traffic and activities.

We are convinced that this could only cause great damage to the Park, and very probably would be its death knell. This, it seems to me, we must not allow to happen—particularly since there are practicable alternatives for solving this particular transportation problem.

I personally invited leaders of five other national organizations to meet with me on this problem in Washington a few weeks ago. We had a good meeting and a complete consensus. By last week we had enlisted 19 organizations and alerted the public media that we intend to *fight*. We're going to call

on all our members and the conscience of America to rally to the defense of the Everglades.

I may seem to be getting myself sidetracked. My point in so doing, though, is that if we really want to help the storks and spoonbills and alligators and all the rest of the rich wildlife and unique ecology of the Everglades, we have to concern ourselves with things like jetports!

And if we want to save the eagle, we have to do more than prove that damage is being done by DDT; we have to, somehow, put a stop to the use of DDT, which poses threats far, far beyond the farmer's fence.

Did you read in the papers, about ten days ago, that Michigan totally banned the sale of DDT? Great news! We pray that this will lead other states, and the federal government, to ban this persistent chlorinated hydrocarbon and its vicious chemical relatives and permit only less dangerous insecticides on the market. Senator Gaylord Nelson now has a bill pending to ban DDT nationally. There are selfish interests which will fight it.

This leads me to recall to you that the Michigan victory is a story well worth another short sidetrack. It's a story that goes back to the Member's Meeting at our Atlantic City Convention, where a couple of resolutions were passed that led to the founding, about a week later, of the Environmental Defense Fund—a mouthful of a name which I shall shorten to "EDF". The EDF went to court in Michigan later that same year for injunctions against spraying with DDT by the municipal governments of eight Michigan cities; by the end of last month, and with the backing of Michigan Audubon, they had won legal agreements banning sale of DDT in every city in Michigan. Then the whole state banned it! I might just add that it is ironic that meanwhile, Dr. Wurster—the biologist from EDF whom you heard speak about DDT this very morning—had publicly predicted the havoc that DDT would cause with Michigan's prized coho salmon—the high mortality among the fry, and the high concentrations of DDT in the adult fish that has now made many of them unfit for human consumption—which eventually triggered the state-wide ban.

After the years of discouragement and rebuffs we had as the leader in the fight for sane pesticide policies—it's eight years now since Rachel Carson published *Silent Spring*—it's comforting to find our efforts haven't been in vain, after all.

But don't think the pesticide battle is over. It's only begun. EDF is right in the midst of the DDT fight in *Wisconsin* and we are still trying to raise money to meet the costs, as I said following Dr. Commoner's speech Saturday and Dr. Wurster said to you Monday morning. There will be other fights in other courts against other outrages against nature. Checks should be made out to the Rachel Carson Memorial Fund and sent to Audubon House—or handed to any of our staff who are here, if you prefer.

Now to get back—do we, as Audubon members, have some *special* sort of responsibility to our fellow men and our posterity, a special mission to perform?

I think we do. Whatever it was that led each of us to this Society—whether it was bird-watching or other enjoyment of the out-of-doors, or concern about plunder and pollution, or about the crying need for ecological education—whatever avenue has led each of us here has also led us all to the same underlying knowledge. Through various routes we have come to know that the quality—and ultimately the survival—of life on this planet for all creatures, including man himself, hinges upon the wisdom or folly of man's own actions and attitudes toward the natural environment. We know it with a renewed sense of urgency after hearing the words of Dr. Commoner at this convention.

We know it, but too many of our fellow Americans still don't! Far too many of our agricultural school graduates have no idea what the farmer's insecticides are doing to Dr. Wurster's Bermuda petrels far out at sea; what in fact, the chemicals intended to increase the yield of food this year in one farmer's field may be doing to decrease mankind's total food supply in future years. Far too many of our engineers are educated in the mechanics of making highways and dams without even being asked to think that their bulldozers may be irreversibly altering a region's ecology to the ultimate detriment of both wild and civilized life. Too many doctors are concerned only with pills and surgical techniques and don't recognize smog and noise and crowding as health hazards . . . or else believe that correcting those hazards is somehow not the doctor's proper concern. Too many humanists and social scientists and civic leaders don't realize how much the quality of people's lives depends on the quality of their environment. Too many industrialists don't know or care that Dr. Lamont Cole, of Cornell, has computed that the territory of the 48 contiguous United States is annually replenishing only 59% of the atmospheric oxygen being consumed within it. In fact, I could spend all evening citing examples of great gaps in the awareness of key people.

That's why the educational job of the National Audubon Society is so important, and why we must do much more than we have been doing, even though what we have done has been done well indeed.

One great lesson—relating, or, more properly, "re-relating," the separate fields of natural science—is one we can and must pass on to more and more teachers, camp counselors, and others who work with youth and in turn can pass it on to the youngsters they teach. Each year these teachers and counselors and leaders—in a multiplier effect—reach more and more students, spreading our message further and further, ultimately reaching more and more present and future engineers, doctors, planners, and the rest. We must plant oaks even while we are fighting forest fires!

In the same way our nature centers have an ever-widening effect, as more and more youngsters and teachers visit them, and as more and more communities follow our lead and establish centers. Ours should be models—continually studying what works and what doesn't work well, continually improving techniques of outdoor conservation education, and we must pass this know-how on to others.

There isn't time this evening to go into the specifics of our planning for all our educational programs if I'm to leave plenty of time for our distinguished next speaker, as I intend to do. You heard some of our thinking, of course, at Saturday afternoon's session on "Environmental Education in Urban America." Let me just say, briefly, that we want to make sure we are reaching the people who can make best use of our help—teachers, counselors, youth leaders. Our Chapters can help bring them into Audubon programs, and I urge them to do so. And we intend to work with publishers on developing conservation-oriented school texts; to make more effective use of our great nature-film program for teaching sound environmental doctrine; to work with TV networks, educational and commercial, on programs to bring the conservation message to millions. We want to develop closer ties with higher education, the source of teachers, of professional people, of much research, of future leaders. We want more members on college campuses, more ecology in college curricula. We must get our message to those who have the most to gain from a better environment—and surely that includes two big groups of our population that are inadequately represented here this evening: black people and

young people. The great majority of both those groups want *constructive* causes, I am convinced. Let's challenge them to a great one!

This leads me back to the "citizen action" side of our program—the powerful citizen's movement in which we must mobilize leaders and workers in every major community in the nation.

You members who are at this convention know the kind of action I mean. I know you know, because many of you have been *doing* it for years. It's based on the kinds of insights which Leonard Hall articulated brilliantly for us in introducing his film Saturday evening. You have been doing it, but in too many areas of the country there is little or no Audubon Society or even other relevant activity. And even where we are now doing a good job, we must still try to do *better*. The times demand it. We're still not reaching enough opinion leaders, enough decision makers, or enough people.

That's why the Society is setting out to expand the Regional Representative staff, and the back-up team at Audubon House: to strengthen our weak spots, to build more Chapters, to help our strong Chapters accomplish even more, and to mould an organization that will be a powerful watchdog and voice across America.

With stronger state, regional and national ties, we will be able to make all our action more effective. There are, after all, some conservation matters best dealt with locally, others on a statewide basis, still others nationwide.

Today—let's face it—we are missing opportunities at all three levels. We are still too spotty in our geographical representation. And there is a very big national job to do—yet thus far we are only 100,000 members in a nation of some 200,000,000 souls. Can we measure up to the big job?

I think we can.

And here's why.

First, the climate is right—the climate of public interest and concern. This was demonstrated only a few months ago by the widespread national interest taken in the new Administration's appointments to the top policy posts in the Department of the Interior. That wouldn't have happened a decade ago. We're honored to have the most outstanding conservationist among those new leaders here to address us this evening.

Second, public support has made possible a great deal of important and farseeing national legislation just in the decade of the '60's; Senator Henry Jackson, one of the principal architects of these breakthroughs, sketched further challenging objectives at our opening session. And we earnestly hope that appropriations for the programs already enacted will soon begin to measure up to authorizations.

Next, there is the fact National Audubon itself has been effective time after time. I'm sure you were all as delighted as I was by the kind things Senator Jackson had to say about conservation causes in which we have played, or are playing, an important role:

Saving the Red River Gorge (I'm very proud that the first fight I got into after coming to your presidency last fall was that successful one in my own native state, but I readily admit that it was *Audubon* magazine that brought the Red River Gorge to my attention); helping to shape such important legislation as the Wilderness and Scenic Rivers Acts (and let me say that in Charlie Callison we have a man who is really effective in Washington); the *Audubon* magazine article in 1966 that did so much to awaken America to the threat of dams in the Grand Canyon—and there have been other successes—and there have been defeats. But, there's been other evidence that the public interest is awaiting only leadership to make itself felt. There's Michigan banning DDT, and other county, state and federal bodies

who are beginning to understand about persistent pesticides. Radio-active fallout continues to be a danger, but we can at least feel the world is concerned about this problem "Thermal pollution" was a pretty esoteric term a year or so ago, yet it has already become a topic of hot debate in Washington. The *Torrey Canyon* oil spill, and then the off-shore oil blunder at Santa Barbara, may have finally awakened the Congress to the need to make oil polluters responsible for their actions. There's no denying the widespread and growing concern about smog, polluted lakes and streams, traffic congestion, noise, and the threat of the super-sonic boom—I could go on and on with the list, but there's no need.

I'm sure you'll agree that our fellow countrymen are beginning to wake up to what their uncontrolled technology is doing to their way of life. The point is, when they wake up, they want action. They are looking for real help.

This gives us a double opportunity. Of the many people who want to be shown the way, large numbers are already looking to us for leadership; but there are even more people looking for a strong conservation organization to join—and they include many of the additional leaders we need. I urge our chapters to go after them!

In short, there are great opportunities to match the great task ahead. It's not an easy task, but I'm convinced it is a task we can do. We have a distinguished and dedicated Board, an able staff, hundreds of sparkplug types in our Chapters, and tens of thousands of loyal members; in fact, I think of National Audubon as *Americans committed to conservation*—and beyond that, as people determined to protect and improve the total environment! And most importantly, it's a task someone *must* do, if we—and our children and grandchildren—are to have a livable world. Audubon people, of all people, should be the last to say, let George do it. Let's never let anybody again get away with saying we're a bunch of idealistic, impractical people. For there is nothing *more* practical than air and water and soil, and the balance of nature—nothing *more down-to-earth* than recognizing that man must learn to live with nature if man wants to live at all!

I am quite aware that our cause—*conservation education and environmental action*—will require renewed dedication and new efforts from us all, and that we must ourselves enlist many more people and cooperate with all others who share our objectives. For it will require a movement with a powerful thrust to lift our countrymen away from the paths of self-destruction and toward the simple truth that they must respect and cherish their natural environment—as if their very lives depended on it!

If enough people learn enough to care enough soon enough, we will *succeed*. And that's the keen excitement I share with you tonight—and in the coming days.

#### "SENIOR AIDES" AT WORK IN AROOSTOOK

Mr. MUSKIE. Mr. President, in mid-1968 the U.S. Department of Labor granted funds for establishment of pilot "senior aide" programs that would enlist older Americans in service projects that might not otherwise be performed.

In providing the wherewithal for this effort, the Department of Labor was at least partially fulfilling a longstanding goal of the U.S. Senate Special Committee on Aging, of which I am a member. That committee has sought for some years establishment of a national older

American community service program which would provide opportunities for the elderly to engage in work that would have great meaning to them and to the people they serve.

One of the senior aides programs was established in Maine, and I am happy to report that it appears to be making its mark in Aroostook County. Although it is modest in numbers—only three aides are involved—it appears to have found its way into the life of the community in very down-to-earth, effective fashion.

This "good neighbor" approach is refreshing and worthy of emulation elsewhere, to judge by a report made at the recent biennial meeting of the National Council on the Aging in Washington, D.C. That report was made to the NCOA by Andrea Dyer, home economist of Aroostook action program. I ask unanimous consent that it be printed in the RECORD.

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

ANDREA DYER—VIGNETTE FOR NCOA  
BIENNIAL CONFERENCES

When the Central Aroostook Action Program, based in the northern tip of Aroostook County, in Presque Isle, Maine, 12 miles from the Canadian border, was initially approached in October 1968 by the State Office of Economic Opportunity with regard to the possibility of three slots for Senior Service Corps food assistance workers for our agency, we shuddered at the thought and wondered what we could possibly do to keep three part-time, low-income senior citizens busy.

Now, six months later and an established caseload of almost 3,000 Aroostook County citizens, we wish we had ten more like the three we currently have.

In the initial steps of setting up the donated commodity program, three communities were approached. The three (3) were chosen because they were the three largest population centers in our area and had not participated in the commodity program for the last 5 or 10 years. They were asked to provide storage facilities, volunteer manpower when necessary and payment of all expenses incurred. Two responded affirmatively and one declined, saying that the cost would be prohibitive. Keep in mind that this was a community of approximately 13,000 population that only expended 1/2 of its welfare budget in the previous year.

The central Aroostook action program and the Senior service corps then began to operate the donated commodity program in earnest. Though skeptical, the communities let us begin on a trial basis even though, "there are no poor people in our community."

The initial certification to determine eligibility was done in mid-October with the first shipment of commodities due to arrive in November.

After the first delivery and distribution, the results were plain to see. The need was there and without the Senior Service Corps food assistance workers, there never would have been a chance to discover the need, much less meet it in a tangible manner.

Through the National Council on Aging, these three Senior Service Corps personnel are paid individually \$32 a week for a twenty-hour work week. For \$96, a week, approximately 3,000 people are being served in the donate commodity program by the Senior Service Corps in Aroostook County.

The attitudes of the surrounding communities in the area are changing rapidly. Four more communities are participating in the program with several more inquiries pending—all due to the inception of the Senior Service Corps last October. By employing three low income senior citizens in northern Aroostook County, almost 3,000 citizens of all ages are being helped.

They are completely involved in the program. Certifying eligible recipients, completing orders and inventory reports, providing delivery services for senior citizens unable to pick up their commodities. By becoming involved, active members of society, with their participation in the Senior Service Corps, they are helping not only themselves but many others in the Central Aroostook County area.

BUCHWALD ON THE PROCURE-  
MENT OF GROMMETS

Mr. PROXMIRE. Mr. President, if, as you read the morning papers about TFX's, C-5A's, and ABM's or even AMSA's and MIRV's, you have been confused over the difference between "short-falls" and "cost overruns," or if you found it impossible to distinguish between "R. and D.," on the one hand, and in the "contract definition stage," on the other, your problem is solved.

If you have ever wondered, as you perused the CONGRESSIONAL RECORD, what the distinction is between "renegotiation" and "total package procurement," the simple and easy answer has now been supplied.

If you have been confused between "change orders" and "buy in bidding," that will now end.

Mr. Art Buchwald has come to the rescue. He has written an article published in the Washington Post which will forever end the confusion. It will even end the problem of understanding how "competitive negotiation" differs from "competitive bidding," on the one hand, and "negotiated contracts," on the other.

At a minimum, the article should be clipped and carried in one's wallet. When confronted with modern "new speak" or "double talk" or "Pentagon rubrics," just pull out the Buchwald piece.

Entitled "Cost of Grommets Going Up," it does for military procurement what the old adage "You can't tell the players without a program" does for sports.

And it does it in a simple, direct style. There are no modern barbarisms such as "disintermediation" or "reprivatization" or "deghettoization" in Mr. Buchwald's explanation.

In every way, it is a model of modern exposition.

I am prevented from asking that it be printed as a public document, distributed free of charge to Capitol tourists, and made required reading at the military academies and at the colleges of business administration, only by my profound belief that in these perilous times we should not add to the burden of the budget.

But I can, and do, ask that the article be printed at this point in the RECORD.

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

[From the Washington Post, May 7, 1969]

COST OF GROMMETS KEEPS GOING UP

(By Art Buchwald)

One of the reasons the Military-Industrial Complex is catching it from everybody is that there seems to be a certain amount of skepticism regarding the price tags they put on our military hardware. Just the other day, it was revealed that Lockheed promised to build 120 big air transports for a total cost of \$2.9 billion. But now it turns out that the planes are going to cost \$5.2 billion. And, even for

an apathetic taxpayer like myself, that seems like a lot of money.

I was shocked when I read the news, but that was because I have no idea how the military purchasing system works. Fortunately, I have a friend who deals with the Government, and he explained it to me.

"You shouldn't come to conclusions just because the C-5A transport cost almost twice as much as everyone thought it would. Anyone can make a \$2 billion mistake. Nobody's perfect."

"I still don't understand it."

"Let me explain it to you. As you know, we build grommets for the military."

"Suppose they come to us and say, 'We understand the Soviets have a new grommet, so we have to have a new grommet, too.' Well, we tell them it won't be any trouble developing a new grommet. As a matter of fact, we've been doing research on new grommets, and we already have one on the drawing boards which will make every other grommet obsolete."

"So they give us a contract to deliver 1 million grommets to them at 34 cents a piece, plus retooling costs, advertising, executive bonuses and a fair profit. This brings the grommets up to \$1.50 each."

"We start with a prototype which has to be tested. Unfortunately, in the tests it turns out that the grommet expands when someone breathes on it. So we send it back to research and development. While they're trying to work the bugs out of it, we have to pay our workers to stand by the production line and this adds to the cost of the grommet. We inform the military the grommets will cost \$5.50 each. They approve it, and finally we get what we consider an excellent grommet."

"We start production but when we send the first batch off, an Air Force general requests an extra groove in the grommet. We inform him that we will have to retool the entire factory and he okays it. The grommets now cost \$19 each."

"Since this grommet is supposed to be used for the Navy as well, the Navy research people scream that for their purposes the grommet has to have one less groove on it rather than one more. So we have to retool two production lines, which sends the cost of the grommet up to \$30."

"With the new specifications, our engineers discover that the Air Force grommet screws on too tight and the Navy grommet can't be screwed on at all. So we have to develop a special screwdriver to be issued with each grommet, which brings our costs, before we take in a labor strike, to \$103.30."

"That's a lot of money for a grommet."

"Not necessarily. Any defense contractor will tell you there is no price you can put on grommets when the national security of the United States is at stake."

CONTROL OF THE TRAFFIC IN  
OBSCENITY

Mr. TYDINGS. Mr. President, I welcome President Nixon's initiatives toward control of obscenity. As a member of the Judiciary Committee, I am pleased to be able to cosponsor these proposals.

I am confident we can find a way to reduce the traffic in obscenity and protect citizens who do not wish to receive that kind of material. Control of the traffic in obscenity, as I have frequently said, is one of the most urgent problems confronting the Government.

For that reason, I was one of the sponsors of the legislation which created the National Commission on Obscenity and Pornography and have cosponsored the legislation of our distinguished colleague, Senator SMITH, dealing with motion picture classification.

I am sure the findings of that Commission, taken with the proposals of the

President, will help us find effective and constitutional methods to deal with pornography and those who traffic in it.

#### PRIVATE ENTERPRISE AND SOCIAL PROGRESS

Mr. GOODELL. Mr. President, from all walks of life today come expressions of concern about the relevance of government in meeting the needs of people. Some say government is too large and impersonal; others, too lethargic and immobile.

For whatever the reasons, there is a clear need to examine the role of government in today's society and its relationship to private enterprise.

Mr. Arthur K. Watson, chairman of the IBM World Trade Corp., presents a perspicacious evaluation of government in his speech which I ask unanimous consent to place in the RECORD.

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

The ministers, when I was a boy, used to begin their sermons by announcing that they would take their text from a parable.

Following religious inspiration, I shall take my text from the parable of the quarrelling brothers and the rotting tomatoes. To understand my parable you must first understand that you can not grow tomatoes in the northern United States during the winter. Our tomatoes are grown mostly in Florida or, more recently, many grow in the States of Sinaloa and Sonora in Mexico.

You must understand one other thing. That the Mexican tomato is generally tastier than its American cousin, but it is also, unfortunately, slightly smaller. My story turns not on taste, but on size.

It seems that the United States Department of Agriculture has the power to regulate the size of tomatoes that may be sold in my country. While I don't fully understand why the majesty of government must concern itself with the size of tomatoes, I do know that a group called the Florida Tomato Committee has great influence with the Department of Agriculture and persuaded it to pass a new regulation last January.

The regulation stipulated the exact minimum size for tomatoes; and while 80 to 85 percent of Florida's tomatoes are sufficiently large, nearly half of the Mexican crop was excluded.

Predictably, tomato prices have soared. What used to sell for 34c a pound is now 65c—there is a shortage in the United States and tomatoes are rotting on the ground in Mexico.

The Mexicans are complaining bitterly, of course, the Floridians are talking pompously about orderly markets and, up to the time I left New York, the Department of Agriculture was saying nothing.

Now, if you would, put aside the parable of the rotting tomatoes. I'll return to it later.

My second story is about a mood. It doesn't qualify as a parable. The mood has been signaled for a half dozen years now. To put it in broadest terms, it is a mood of popular disenchantment with governments. I am not talking about any particular government, or whether that government is a military dictatorship, a communist bureaucracy or a democracy. It seems to make little difference.

The disenchantment is with the whole idea of government as an instrument of either economic progress or social change. In the United States, this mood can be seen—and heard—in the very same circles that thirty years ago, or even ten, still believed that hu-

mane laws and progressive income taxes would solve all ills.

The American writer, Peter Drucker, puts it this way:

"Who," says Drucker, "any longer believes that administrative changes in the foreign aid program of the United States (or the United Nations) will really produce a rapid world-wide development? Who really believes that the war on poverty will vanquish poverty in the American cities? Who in France believes that one more commission on administrative reform will really change the system? Who, in Russia, really believes that a new program of incentives will make the collective farm productive?"

"We repeat the slogans of yesteryear," he adds. "Indeed, we still act on them. But we no longer believe in them."

Twentieth century governments, world-wide, have tried to fulfill the dreams of nineteenth century visionaries and have failed.

Perhaps, since we are the private sector, we should applaud. We told them so and they wouldn't listen.

That is not, my friends, the proper mood. In the presence of death one shows respect. We witness the death of a great vision and a great dream of the young.

And we must ask ourselves, most solemnly, what will replace it?

I am a trustee of a university in the United States, Yale University, so I make it my business to talk to young people. Time and again I've come away from these conversations asking myself "what do they really want?" Sadly, I've had to conclude that they don't know.

Thirty years ago, twenty, they knew precisely. They wanted government to undertake some kind of reform or other.

But now that has faded. They are suspicious of business, alienated from religion, but they have utter contempt for government. Government, to them, is a vast bureaucracy—remote, wasteful, ineffective.

It is a dangerous mood. We live in some real peril. The old dream is dead and millions of young people all over the world await the new prophet.

Yet in this troubled mood I find reason for optimism for private enterprise. If affluence is not the prime goal in a country like America, these young people are not indifferent to wealth. If bureaucracy is an enemy, they will at least concede that business is less bureaucratic than government. If government can not reach goals, what else is there but business?

There is a mood to give business another try. This is very explicit in the United States where the Nixon Administration has essentially adopted the social goals of Johnson, but intends to pursue them through private enterprise channels. I think that we will find this happening, if it has not already, in Latin America.

Furthermore, there is a critical distinction that has to be made. It is not the old goals that are in disrepute. It is the means of reaching them. That is where our opportunity lies.

Private enterprise is the wealth creator, and as I mentioned, these young people are not indifferent to wealth. Private enterprise can grow bureaucratic and inflexible but this is not its inherent nature. We can, I am convinced, learn how to accommodate individualism in our ranks.

Most important, I believe that we can effectively implement social change and social progress. I don't mean by that the small deed and the large publicity campaign. I mean basic change methodically and efficiently pursued without thought of public acclaim. I believe we can do this.

I wonder if we will.

What makes me wonder is stories like my parable of the tomatoes.

Can we, and I speak of private business,

indulge in petty, cruel trickery and ask to be taken seriously as the instrument of lofty good?

I talk of tomatoes but there are all too many examples.

I was involved in trade negotiations last month with the Japanese. Japan, with the second largest auto industry in the world, virtually excludes foreign made cars from its own market and will not allow other countries to manufacture cars in Japan.

Or I could tell you about the soybean tax and the common market. It would be a domestic tax, just within the common market, and no violation of GATT rules. But, practically all of the soybeans consumed in Europe are grown in the United States.

Schemes, petty and grand, are mounted to thwart international trade. Yet, trade grows and international production grows too. When a plant flourishes in hostile soil, I think we must concede that it is vigorous and world trade and free enterprise are flourishing. But, can this vigor be turned to broader goals?

Here, in Latin America, you have achieved far more than anyone publicly concedes. Your economic growth rate may not have reached the ambitious goals that were set but it still averaged 4.5% a year. That is not bad by any historic yardstick and it was achieved, we should note, primarily by private sector initiative. Social improvement may not have been the explicit goal, but it has most certainly occurred and that brings me full turn on these rambling remarks.

What it all means, I think, is that history has given private enterprise this second chance. Many people thought, a few decades ago, that private enterprise was doomed to be absorbed by ever growing government.

This threat is fading. It is government that overreached and disappointed popular expectation.

Now hope is groping for another answer and the popular dream, mixed with a lot of skepticism, is turning back to us. In my own country businessmen have been grappling with this for months and I think we have to admit that we are a lot better at assembling automobiles than educating a slum child. We know a lot more about organizing a missile system than eradicating a slum. Yet I do not concede that these achievements are beyond us if we, in turn, can learn two things: How to raise our own goals to broader issues and how to effectively cooperate with each other.

Here, in Latin America the LAFTA idea is an example of what I mean. No one seriously contends that it would not stimulate economic growth. Yet LAFTA drifts, it flounders and this happens largely because businessmen can not reconcile differences among themselves.

So we find ourselves and the idea we represent at a strange juncture. The world turns to us for progress that government cannot provide. Yet we have the older view of our own responsibility, and we find it hard to cooperate with each other toward a grander design.

We can learn?

This meeting, and others that will follow it, are a beginning. We have a little time.

I won't ask anyone, in these closing minutes to make any pious pledges. They are fine for conferences, but they seem a little unreal when we get back to our offices.

I just want to leave you with the thought that millions of restless, disillusioned young people are waiting to see what we will do. They do not really believe that private enterprise can step up to this vast job but, for the moment, they have not thought of an alternative.

We can, with this time fate has given us, divert ourselves a little longer with tomato wars. Or we can change the world.

We can change this world.

Thank you.

## AMERICAN LABOR AND THE STRUGGLE FOR HUMAN RIGHTS

Mr. PROXMIER. Mr. President, American organized labor has always been deeply involved in the struggle for human rights, both here in the United States and in foreign nations. In the final report of the President's Commission for the Observance of Human Rights Year, 1968, the following comments about the role of American labor were made:

The democratic labor movement has struggled to achieve and strengthen human dignity and social justice, not only for workers, but also for the people as a whole. In this spirit, the free trade union movement has initiated and supported policies to assist and advance social progress and human well-being among all peoples regardless of race, color, or creed.

Organized labor in the United States was deeply involved in the preparation and adoption of the Universal Declaration of Human Rights. It was the American trade union movement which first placed the problem of forced labor before the United Nations. In November 1947, American labor petitioned the United Nations Economic and Social Council to request that the International Labor Organization (ILO) make a comprehensive study of the extent of forced labor in the Member States of the United Nations.

In its devotion to human rights, the AFL-CIO was the primary force striving for UN action and condemnation of the Soviet military suppression of the Hungarian democratic revolution in 1956. Notwithstanding the worldwide moral revulsion against this brutal Soviet aggression, the USSR has again unleashed its military forces and occupied Czechoslovakia.

In April, 1968, the AFL-CIO Free Trade Union News in an article, "Forced Labor Remains on the Map in the Soviet Union," drew attention to a trend in the USSR toward reversion to Stalinist persecution of intellectuals, minority nationals and dissident workers. American labor continues its uncompromising opposition to all totalitarian and authoritarian methods for resolving social problems through the use of force and other arbitrary, dictatorial measures.

In the ILO and our fight for human freedom and dignity, we have undertaken the role of promoting human rights and freedom for all peoples. We have emphasized not only our commitments but our programs of activity for the realization of human rights throughout the world. We have likewise been uniting in our efforts to combat all racial and discriminatory practices, to enhance human dignity through the adoption of the ILO human rights convention, freedom of association and the right to work, abolition of forced labor, abolition of discrimination and the struggle for freedom of thought.

Despite the leading part that American organized labor has taken since 1947 to end the practice of forced labor throughout the world, the United Nations Convention on Forced Labor remains unratified by several nations. The United States, unfortunately, is one of these countries that have failed to meet its responsibilities. Let us act now to complete the struggle that our own labor movement began. Let us ratify the United Nations Convention on Forced Labor.

### ADDRESS OF LAWRENCE GELB

Mr. RIBICOFF. Mr. President, the voices of despair receive more than enough attention today.

From all sides, we are told that conflicts within our society—particularly racial conflicts—cannot be resolved.

It is encouraging, therefore, to hear from a man who does not share so pessimistic a view.

Such a man is Lawrence Gelb, chairman of the board of Clairol, Inc.

In a recent speech, Mr. Gelb said that progress is not only possible. It is being achieved now.

Mr. Gelb wisely points out that much of the racial unrest results from the legitimate desires of people for achievement and opportunity after many years of repression.

I commend to my colleagues Mr. Gelb's speech before an Anti-Defamation League dinner March 31, 1969, in New York City and ask unanimous consent that it be printed in the RECORD at this time.

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

#### ADDRESS BY LAWRENCE GELB

You've heard a lot about the problems our country faces. You'll hear a lot more tonight. But I, for one, refuse to look at them despairingly.

I trust you will not regard me as a blind optimist when I say to you, let's look at the bright side.

Let's remember that much of the unrest in our nation is due to the desire for achievement and opportunity. For the first time, minorities are beginning to see some real light ahead. That's why they are trying so much harder to reach that light.

We should feel re-assured that people, who have been denied so much, can still hope and work for a chance to determine their own fate. And we should recognize how important it is to protect their rights and interests as well as our own.

For we know what every doctor knows: For the body to be truly healthy, every one of its parts must be sound. If our nation neglects the rights and needs of any one group of citizens, we will have a sick society.

It matters not whether they are unemployed farmers, disenfranchised voters, deprived schoolchildren, or qualified professionals who are banned from equal opportunity because of their religion or their color. If one minority is overlooked in the equitable distribution of opportunity in our society, then *we are all in trouble*.

If we keep this thought in mind, I suggest we might find a new way of listening to the voices of all minorities in our country.

The truth is that the basic message of the underprivileged is neither threatening nor frightening. It is, instead, a fervent appeal—sometimes militant, sometimes conciliatory—for self-determination and dignity. Doesn't this demand our fullest respect, attention, and, above all action?

Therefore, in our dialogue with minorities, we must develop an acute sense of hearing. We must learn to listen to things we may not wish to hear, to things that may embarrass us, that even generate feelings of guilt among us.

But, by listening, we can learn. And we can use whatever power we have to help do what has to be done.

Listen, for example, to what black people are saying, and you will hear a cry—a plea—for the opportunity to share in this Nation's bounty, a respectable job, a decent home, a good education and the chance to do better.

Today there are new powerful voices, the voices of our young people—and, by the way, I'm afraid there are more of them than

there are of us—and they too ask to be heard.

Listen to the dropouts, to the protesters, to the doubters and the bewildered, who are trying so hard to find their way. Listen also to the songs our young people are singing. They sing of love—and friendship—and, yes, they sing about brotherhood. They are all trying to tell us the same thing—that maybe we older people have lost some of our sense of human values.

Whether that is true or not, one thing is certain. We must pay heed and respond to their message. Because, if we cannot communicate our values by the quality of our everyday actions, then perhaps we really have lost them.

But when the raucous voices of the extremists of any race, color, or creed shout hate and engender fear, let us not be stampeded. Let us react courageously and listen fearlessly and understandingly patiently.

And if we do, the message will come in loud and clear—the message that we are being asked to find a new way to look at the concept of equality.

It is a fact that equal treatment, as we have known it, is meaningless to people who have been treated unequally for generations. What is needed is not so much equality as equity. Our task is to discover equitable means by which minority groups can share in the unprecedented opportunities that America offers.

Those of us who are working in that direction know that much has been accomplished. And we know how rewarding it can be. But our successes must not breed complacency. For there is a never-ending amount of work to be done.

Like the walls of Jericho, the barriers of discrimination and prejudice are beginning to tumble. In our businesses—in practically every walk of life—we have found a new way of looking at these things.

We must vow, each of us, in our everyday dealings to treat every man, in business, in our social lives, and in our political involvements only on the basis of his true individual worth.

If we can do this, we can really harness the genius and drive of decent people everywhere, to the challenge of helping all groups in our country become happy, proud, and productive and we will have taken a giant step forward.

If we can apply our capacity for facing realities and making tough decisions, as well as our knack for communicating ideas to the problems of individual prejudices, we will get brotherhood rolling—and fast.

It is time—right now—to stop wringing our hands and start linking our arms, to address ourselves to rights rather than to rifts, to work to bridge the gap that separates people, to find fulfillment in the knowledge that each of us—one man at a time, one day at a time—has made some meaningful contribution to better human understanding.

If we made this effort we will build, unquestionably, a far better world for ourselves and for those who follow us. Thank you.

### THE SAFEGUARD ABM SYSTEM

Mr. GOODELL. Mr. President, THOMAS F. EAGLETON, the junior Senator from Missouri, recently spoke against the antiballistic-missile system. I believe Senator EAGLETON's speech makes a significant contribution to the dialog on the proposed Safeguard ABM system.

I ask unanimous consent that the text of Senator EAGLETON's fine speech be entered into the RECORD at this time.

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

SPEECH TO COMMUNITY FORUM BY SENATOR THOMAS F. EAGLETON, MERAMEC COMMUNITY COLLEGE, ST. LOUIS, MO., APRIL 7, 1969

Americans are concerned today—perhaps more than at any time in a generation—about the awful cost and the fundamental irrationality of the arms race.

In a dangerous and unpredictable world, we have tried to give ourselves the best protection possible. For a quarter-century, we have felt compelled to explore every avenue of military technology which offered hope of better protection, and done so with very little regard for cost.

Now it is proposed that we try yet another major new arms system—the anti-ballistic missile system, or ABM.

But there is a difference. A very large number of Americans are refusing to support the try-anything, buy-anything philosophy of national defense we have pursued in the past. And I think they are right.

The Pentagon's case for an ABM is predicated on the fear that almost all of our nuclear force could be simultaneously destroyed in a first strike by the enemy, leaving us without the power to retaliate with a devastating "second strike" on the Soviet Union.

If this were true, the deterrent power on which our security has until now been premised would indeed be in jeopardy. In the judgment of an overwhelming majority of the independent scientific community, however, and in my judgment, the Pentagon's case won't hold water.

Secretary Laird cites the continued deployment by the Soviet Union of the SS-9, a large rocket comparable to our Titan-2, as the new threat to our land based retaliatory capability. The Pentagon has upped the estimate of the SS-9's nuclear warhead from 5 to 10 megatons of last year to an estimated 20 to 25 megatons this year.

The SS-9 has been around for several years. It is the only Soviet weapon capable of carrying multiple warheads. By 1975, an estimated 500 could be deployed, and each could carry four warheads. However, the megatonnage of each multiple warhead would be greatly reduced and thus require far more accuracy to destroy our hardened missile silos—a degree of accuracy which is presently impossible and highly improbable in 1975.

Moreover, our second strike retaliatory capability is not based solely—or even primarily—on our Intercontinental Ballistic Missiles which the ABM is designed to partially protect. It currently includes our 41 Polaris submarines with their 658 nuclear missiles. (And 31 submarines have or will have these missiles replaced by the Poseidon missile, each with ten nuclear warheads—raising the total to 5120.)

Also, it includes over 600 Strategic Air Force bombers around the world with over 1,000 nuclear weapons; our intermediate range nuclear weapons in Western Europe; our 7,000 tactical nuclear weapons in Western Europe; an unspecified number of nuclear weapons at other foreign bases, and other tactical nuclear weapons throughout the world.

I find no one who convincingly argues that this aggregate retaliatory force can be almost instantaneously obliterated.

Granted: in a volatile world where technology can change rapidly, anything is possible. But can we, as a sane nation, base our defense and set our national priorities on the worst fears and fantasies we can conjure up?

Aside from the question of need, there is the problem of workability.

The preponderance of independent scientific testimony heard to date indicates that the system could be easily duped by penetration aides such as balloons, decoys, wire chaff, radio waves and "nuclear blackout" caused by nuclear explosions.

The indispensable component of the ABM is its complex radar system. Each ABM site depends on one radar, and should it break down or be destroyed, all intercept missiles would be useless.

And yet this radar system, according to most estimates, is ten times more vulnerable than the offensive missiles it is designed to defend. It is the weak link in a weak system—and without it the system is totally useless.

Eminent scientists, such as Dr. George Kistiakowsky and Dr. Wolfgang Panofsky, have suggested that more efficient and less costly defenses can be devised for our ICBM's. If there is a better way, let's find it. But let's not waste money on a system that won't do the job.

Next, I believe the ABM is a prescription for another futile round in the arms race, despite President Nixon's and Secretary of Defense Laird's statements to the contrary. If we try to build an ABM system, the Soviet Union will, in my judgment, react by devising additional offensive methods of penetrating an ABM system on the outside chance that our ABM might be successful.

We know just how this kind of escalation works. U.S. development of the "multiple independently targeted re-entry vehicle," or MIRV, was our response to the deployment by the Soviet Union of its own ABM system around Moscow. Reports now indicate that the Soviet Union has discontinued deployment of its ABM system—doubtless because of its ineffectiveness and high cost—but work on the MIRV by the United States continues. This kind of sustained over-reaction is common in the field of weapons systems, and the weapons race does not need a further stimulus at the very time we are attempting to explore arms control talks with the Soviet Union.

Finally, there is the enormous cost factor. No one can even reasonably estimate the final cost for an ABM system. Estimates—and they are just that—vary from a few billions of dollars to many billions of dollars depending on how far we go with it.

If history is a guide to the future, we may expect a cost far higher than the estimates. The Sentinel system was originally estimated at \$4.4 billion, grew to \$5.6 billion, and before it was replaced by Safeguard, it was estimated to cost \$9.6 billion.

A recent study by the Rand Corporation indicated that the average cost for missile systems has been three times as high as the original estimate, and the missiles seldom tested at even 60 per cent of the original specifications.

Using this study as a guide and the administration estimate of 7 billion dollars as a base, the Safeguard system, as now conceived, would cost over 20 billion dollars.

And as is usually the case, this is only the tip of the budget iceberg. Last week, before the Senate Armed Services Committee, Secretary of the Navy John H. Chafee testified in favor of the Navy's Sea-based Ballistic Missile Intercept System as a supplement to the ABM. He stated, "Primary calculations show that this plus the Safeguard anti-ballistic missile system can be an effective strategic defense-in-depth to deal with possible future Soviet or Communist Chinese weapons." Secretary Chafee's recent testimony is ominous in its implications for further escalation of the arms race and further escalation of the military hardware budget.

When queried as to cost, the Armed Services Committee responded that the information was "classified."

In the face of overwhelming evidence that such a system is not needed, will not work, will escalate the arms race and further distort domestic priorities, the Department of Defense has forged ahead with plans to deploy the Safeguard ABM.

And the veracity of the Department of Defense has been called into question by over-

zealous representations and even outright misrepresentations.

Just recently David Packard, Assistant Secretary of Defense, named Dr. Wolfgang K. H. Panofsky, head of Stanford University's linear acceleration center, as an "outside expert" with whom the Department of Defense consulted.

It was discovered that the "consultation" was a chance meeting at the San Francisco Airport, and that Dr. Panofsky felt that the Safeguard ABM was an "unwise decision" from the standpoints of engineering, economy and halting the arms race.

The press recently published a report of a 17-page classified Pentagon memo prepared by General Starbird which outlines a massive and expensive public relations campaign to sell the old city-defense Sentinel—which even the Pentagon now admits would have been "escalatory and unworkable." This campaign to influence the public, it should be noted, was to be paid for with public funds. When the original rationale for an ABM had to be abandoned, another—the defense of the missile sites against a new, secret, and still unsubstantiated Russian first strike threat—was conveniently and very promptly found.

Why, one may ask, does the Administration insist on going ahead with the system?

The ABM debate is about more than a weapons system. It is about a basic and recurring problem in this country which, if allowed to continue unfettered, may well destroy us.

We live in an age of specialization. And consequently, we tend to compartmentalize our thinking. Henry Kissinger, President Nixon's personal foreign policy adviser, pointed out in his professorial days that "as a nation of specialists we like to believe that a problem is either political, or spiritual, or economic, or military. And we are tempted to assume that among all our challenges we must concentrate on one to the exclusion of the others."

This has happened in the field of national security. Over the past quarter century the Department of Defense has emerged as the major spokesman for national security needs—viewing these needs in a one-dimensional military frame of reference, disregarding the other implications of development and deployment of evermore sophisticated weapons systems.

And yet military decisions markedly affect chances for disarmament and distort domestic priorities. They have enormous and still unmeasured political and social implications, to wit, the growth of an influential alliance between industry and labor and the military.

For over 20 years military programs have annually marched through Congress, cloaked in secrecy or wrapped in the flag, while Congress saluted and appropriated virtually without question or debate.

In my judgment, we have perhaps become the victims of a sort of Parkinson's law of military momentum, with military budgets and requests for sophisticated new weapons systems constantly feeding on themselves—self-perpetuating and ever growing with little regard for cost, effectiveness, or need.

I believe the ABM serves as a clear illustration of the heretofore irresistible momentum of the defense establishment. There is no need for an ABM and it is unworkable. It will escalate the arms race and it will take billions of dollars from urgent domestic needs.

And yet, the ABM marches on. As one commentator stated recently:

"One can hardly avoid the conclusion that the most important element in the decision to proceed with the deployment of the Sentinel system was simply an irresistible pressure to move ahead in the technology of nuclear warfare."

"The rationale, quite obviously, was of secondary importance. When one—the defense of the cities—had to be abandoned, another—the defense of the missile sites—was soon found. The important thing in the minds of those backing Sentinel was to get the project off the drawing boards and into production one way or another."

I fervently hope that the national debate generated by the insistence of the Pentagon to deploy the ABM will mark the return of sanity to our search for national security.

#### THE EVENING STAR ENDORSES DDT BAN—DAILY NEWS URGES BETTER CONTROLS

Mr. NELSON, Mr. President, in an editorial today, the Evening Star has endorsed legislation to ban the interstate sale or shipment of the pesticide DDT. Last week, the Washington Daily News recommended improved controls on the use of all persistent pesticides.

I have advocated a ban on DDT for several years and have introduced legislation to accomplish that goal in every Congress since the 89th. In addition, I have introduced legislation this year to establish a permanent National Commission on Pesticides to study and investigate problems arising from the use of pesticides and to establish improved programs and regulations for their use.

Both editorials acknowledge the accomplishments of this insect killer, but like so many other concerned observers, the newspapers have taken heed to the many warnings of potential danger to human health and our environment from the use of this persistent, toxic pesticide.

I ask unanimous consent that the editorials be printed in the RECORD at this point.

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

[From the Evening Star, May 8, 1969]

#### DDT

Anyone who was old enough to understand will remember the thrill caused by the news of DDT in the postwar years. Unlike the atom bomb, it was felt, here was a product of wartime research that would be of immediate, widespread, immeasurable benefit to humanity. From combatting the diseases of the slums to battling the insect enemies of bountiful harvests, the pesticide seemed a pure boon to mankind.

Things haven't quite worked out that way. A decade ago the late Rachel Carson warned that a Silent Spring could result from the unchecked use of the pesticide. Her warning went largely unheeded. Today the threat to our environment and to our health is much more acute and people are at last beginning to act on Miss Carson's plea.

In Congress, Senator Gaylord Nelson and Representative Bertram L. Podell have introduced bills to outlaw the interstate sale or shipment of the pesticide. Secretary Finch, of HEW, has appointed a study commission for the whole subject of environmental pollution with special emphasis on DDT.

The basic trouble with the chemical pest and weed killer is that it lasts, apparently, forever. It travels in water and accumulates in lakes and at the mouths of rivers. It has, to date, eliminated the peregrine falcon from the United States east of the Rockies, seriously endangered the survival of several species of fish and has lodged, in small but permanent amounts, in the tissues of most Americans. It is poison.

It may well be that under the threat of restrictive legislation, the chemical industry

will be able to create a DDT equivalent with a short-term life. At any rate, the legislation, as matters stand, deserves the support of all who care for the quality of our life at its most elemental.

[From the Washington Daily News, Apr. 30, 1969]

#### DDT, HELP OR HARM?

Dichloro-diphenyl-trichloro-ethane, under its mercifully short name DDT, is as much a fixture on the planet as "Coke" and the transistor radio, maybe more so.

When it came into widespread use as an effective insecticide in the mid '40s it was hailed as a great boon to mankind. It was, and still is. By killing off assorted bugs it has helped convert American agriculture into a miracle of productivity. As the nemesis of mosquitoes, DDT caused the number of malaria cases in India to drop from 75 million in 1953 to only five million in 1962.

But while being a blessing, it gradually has proven itself to be also a bane. Five years ago scientists were reporting that DDT had been found in aquatic plants in Arctic waters and in fish off Iceland. And that minute particles of DDT could kill crabs, shrimp, and oysters. Then DDT was found in birds, like seagulls, that prey on fish.

By now DDT is known to have made its way into the body of man himself—largely thru the food he eats—and the DDT problem is no longer regarded as merely interesting but potentially dangerous.

Each American body, Health, Education, and Welfare Secretary Robert H. Finch said the other day, now has 12 parts per million of DDT in its fatty tissue. The U.S. government regards cattle, hogs and sheep unfit to eat if the amount exceeds seven parts. After 14 tons of Lake Michigan coho salmon were confiscated for containing up to 30 parts per million, Mr. Finch set the permissible limit at five.

In case anyone needs reminding, DDT is a poison.

And the problem is that the "limits" can be set for this and that, no one knows for certain what will be the long-range effects of DDT on the key human organs, the liver, kidney, brain and reproductive organs.

Whether in alarm or prudence, Sweden has banned DDT for two years pending further study of its ill effects. Wisconsin, Michigan and Arizona have set bans or limitations. Mr. Finch appointed a commission of scientists to appraise DDT and report in six months.

While awaiting the outcome, it's fair to say a couple of basic things about DDT and similar pesticides: We need them to curb disease and protect crops. But we also need to control them much more carefully.

It would be the supreme irony, as Sen. Gaylord Nelson, of Wisconsin, once put it, if man, in his efforts to eliminate bugs as a means to his greater prosperity and better health, winds up eliminating himself—and turning the planet over to the bugs that survive.

#### DEFENSE MARKETING SURVEY ON SAFEGUARD ABM AND ITS COSTS

Mr. COOPER, Mr. President, the total cost of the projected Safeguard system has been stated by the administration as \$6.6 billion. Defense Marketing Survey, a McGraw-Hill publication, published in March has given an estimate of the total costs of the Safeguard system. In this study cost estimates of the system, component by component, have been made. The cost which the Defense Marketing Survey arrived at is over \$11 billion. This estimate does not include about \$1 billion of AEC warhead costs and some of the unit estimates of com-

ponents are low. The full costs of the Safeguard system would, according to this study, be almost double the figure given by the administration.

Mr. President, I ask unanimous consent that the Defense Marketing Survey report entitled "The Safeguard—Modified Sentinel—System," be placed in the RECORD.

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

[A Defense Marketing Survey Special Report, March, 1969]

#### THE SAFEGUARD—MODIFIED SENTINEL—SYSTEM

At his news conference on March 14, 1969, President Nixon announced a modified Sentinel system which would be oriented toward defending U.S. retaliatory forces rather than the cities as the "Johnson Sentinel" had been designed to do. This modified Sentinel, now known as Safeguard, will be deployed to provide protection for Minuteman missile silos, early warning and area defense of bomber bases and the command and control system. According to the Pentagon the new system will not require missiles or radars to be emplaced in or near major cities except in Washington, D.C. to protect the national command authorities.

#### SAFEGUARD DEPLOYMENT

The Safeguard plan includes a total of 14 sites, compared with 17 sites in the Sentinel system. Of the 14 sites, 12 are in CONUS. The other two, Alaska and Hawaii have been included as an option. Those cities eliminated are Chicago, New York, and Salt Lake City. Deployment approval has been given only for two sites: Grand Forks AFB, North Dakota and Malstrom AFB, Montana. Each of these will have a 4-face MSR, a one-face PAR and standard Spartans and Sprints. The schedule on which the remaining sites will be deployed is to be determined year by year in step with the emergence of the threat. Other areas under consideration as future sites include: Albany, Georgia; Boston, Massachusetts, Dallas, Texas; Detroit, Michigan; Los Angeles, California; Oahu, Hawaii; San Francisco, California; Seattle, Washington; and an unknown location in Alaska. Three other areas which have been selected are Washington, D.C.; Warren AFB, Wyoming and Whitman AFB, Missouri.

The Safeguard system, when and if it is fully deployed (excluding Alaska and Hawaii), would provide 12 MSRs with 48 faces and seven PARs with 11 faces. (The Sentinel would have had 17 MSRs with 38 faces and six PARs with six faces.) The additional faces are being added to provide better coverage of the U.S. including seaward approaches.

#### SAFEGUARD OPERATION

According to the Department of Defense, the Safeguard system consists of components of the original Sentinel system appropriately modified and redeployed to provide two types of defense, an area defense and a terminal defense. The area defense will be capable of intercepting ICBM's, SLEB's and FOBs above the atmosphere at ranges of several hundred miles and therefore will be able to protect large areas of the country. A large, long-range radar called the Perimeter Acquisition Radar (PAR) has been designed and will detect and track missiles at ranges of 1000-2000 miles. A similar radar, the AN/FPS-85, has been built and is now operating at Eglin AFB, Florida. Using information supplied by PAR, the long range intercept missile Spartan, with a nuclear warhead in the megaton range, is launched to intercept and destroy the incoming missile. A smaller radar called the Missile Site Radar (MSR) is located at the Spartan launch site and is used to steer the Spartan interceptor close to the incoming missile. Terminal defense is handled by the Sprint missile which seeks

out and destroys those warheads which have penetrated the atmosphere. It is also guided by the MSR.

**SAFEGUARD COMPONENTS**

The Safeguard system, like the original Sentinel, consists of six major components. Each of these will be discussed in the following paragraphs.

**Perimeter acquisition radar (PAR)**

The PAR system, using one or two-faced phased array radars, will detect and identify attacking re-entry vehicles and will be capable of handling several targets simultaneously. In addition to the radar proper, there will be a power plant and a small administrative and housing area; all of which will require approximately 150 acres of land. The radar will be housed above ground in a building some 140 feet high and 330 feet on each side and will be hardened to withstand an unspecified psi blast overpressure. General Electric in Syracuse, New York is doing a majority of the work on PAR.

**Missile site radar (MSR)**

MSR, with its data processing subsystem, performs surveillance and detection, target track, missile track, and command functions. For the Safeguard it will be configured with four faces to provide full hemispheric coverage. Its power and detection range are considerable less than that of the PAR but it functions to provide refined, closer in, tracking and missile command. The radar is installed largely underground in a building 120 feet square. Though the total height of the structure is not known, that portion above ground will be 30 feet. The MSR has its own underground power plant, offices and living quarters. It needs about 650 people to man it around the clock. The total installation requires between 220 and 250 acres of land. Raytheon Company in Bedford, Massachusetts is responsible for development and production of the MSR.

**Spartan missile**

Spartan is a three-stage, solid propellant missile which is to be fired from an underground cell. The first and second stage fire sequentially and once the missile exits the sensible atmosphere, the third stage is ignited on command from the ground computer based on computer computations of the course-to-target. An improved longer range Spartan is under development by the contractor, McDonald Douglas in Los Angeles, which will enable Spartan to intercept incoming warheads at greater ranges.

**Sprint missile**

The Sprint missile is the short range, quick reacting interceptor of the Safeguard system. It provides for close-in protection of radar sites and ICBMs, and is also stored in and launched from an underground cell. A two-stage solid propellant vehicle, it can deliver a nuclear warhead up to an altitude of 100,000 feet though it also has the ability to "kill" as low as 5000 feet. All ABM sites will be equipped with some Sprints. The four sites located in the Minutemen fields (Grand Forks, Malstrom, Whitman and Warren) will have a considerably larger number than the others. The contractor for Sprint is Martin-Marietta in Orlando, Florida.

**Data processing subsystem (DPS)**

The DPS has as its function the processing and evaluation of vast amounts of information accumulated by the PAR and MSR. The hardware is composed of the associate computer processors, memory banks, displays, tapes and disks, plus software. Univac Division of Sperry Rand is developing the DPS. A developmental system has been installed at Bell Labs in Whippany, N.J. On this system the various programs are developed and tested. A second system is being installed at Kwajalein for use in the full systems tests.

**Command, control and communication subsystem (CCCS)**

The function of CCCS is to tie together all elements of Safeguard and to direct the system as a whole. It is believed that Western Electric as overall systems manager responsible for integration of the various elements of Safeguard, is handling CCCS. Much of it, however, will be subcontracted to various firms.

**SAFEGUARD COSTS**

The original Sentinel which has been abandoned reportedly would have cost \$5.8 billion. The latest official figures on the Safeguard system show the investment costs for 12 sites to be \$6.7 billion and if Hawaii and Alaska are added, the cost goes to \$7.3 billion. It should be pointed out that these figures include only funds for procurement and construction and do not cover RDT&E, Operations & Maintenance, and warhead costs.

DMS has studied the costs of the original Sentinel and the Safeguard program and concludes that total costs for ballistic missile defense from the period 1969 through 1975 will total \$11 billion, assuming no cost overruns. A breakdown of these costs follows:

[In millions]

Perimeter acquisition radar (PAR) (PAR unit cost is estimated at \$80 million; will be installed at seven sites) .....	\$560
Missile site radar (MSR) (MSR unit cost is estimated at \$125 million; will be installed at twelve sites) .....	1,500
Spartan missile: Unit cost of Spartan when deployed is estimated to be \$3 million; DMS believes there will be 350 missiles installed .....	1,050
Sprint missile: Unit cost is estimated at \$800,000; DMS believes 700 missiles will be deployed with a greater number at Minuteman sites than at other sites .....	560
Data processing subsystem: Includes new generation computer, memory banks, displays, tapes and discs, plus an extensive amount of software .....	1,500
Command, control and communication subsystem: Includes various communication links between sites, NORAD, National Command Center and within a site .....	500
Warheads: Figure assumes 1,050 warheads at a cost of \$200,000 each. AEC funds are used for development and production .....	210
Construction: Figure assumes construction costs will average \$300 million annually through 1975 .....	2,100
<b>Total investment for 12 sites..</b>	<b>7,980</b>
Research and development: Figure assumes R&D costs of \$350 million per year through 1975. Does not include the \$150 million per year which will support work on new radars and interceptors .....	2,400
Operations and maintenance: Figure based on an average operations cost of \$100 million annually through 1975 .....	700
<b>Total Safeguard cost through 1975 (assuming no cost overruns) .....</b>	<b>11,080</b>

**SAFEGUARD OUTLOOK**

The major roadblock facing Safeguard at this time is Senate approval. The vote is sure to be close. If it is passed, the military will embark on the most expensive single program in its history. The ballistic missile defense program is not new. Its history can be traced back to 1956 when the Army started the Nike Zeus program. Recently the Army disclosed figures showing Nike Zeus/X and Defender program appropriations from FY 1956 through FY 1968 totaled \$4.5 billion.

**Nike Program:**

RDT&E .....	\$3,031,800,000
Procurement (in support of R&D) .....	170,100,000
Military construction .....	188,600,000
<b>Total .....</b>	<b>3,390,500,000</b>
Defender program RDT&E and military construction .....	1,117,700,000
<b>Total Nike/Defender program .....</b>	<b>4,508,200,000</b>

These figures represent the total amount of money used to support development of the Army Ballistic Missile Defense System.

Research efforts on ABM (including Safeguard, Nike X Advance Development and Defender) are expected to continue at a high level (\$350-500 million annually) during the next seven to ten years. A number of new concepts as well as hardware are currently under investigation. Preliminary research has pointed the way toward the following types of advances:

Radars of much higher frequency that offer the prospect of guiding the interceptor missile so close to the incoming warhead that interception could be made with either a much smaller nuclear warhead or even a conventional high-explosive charge.

A new third stage for the Spartan to enable it to fly out at greater ranges and to maneuver through a cloud of decoys to find and destroy the real warhead.

Defensive missiles carried either in ships or large aircraft deployed closer to the enemy's launching sites to achieve interception in the mid-course stage or perhaps earlier.

It is of course difficult at this time for anyone to state precisely what the costs of the new Safeguard program will be. Cost overruns have been quite apparent in such recent programs as the F-111, C-5A and the Navy shipbuilding program. Secretary of Defense Laird in his March 19, 1969 Defense Report to the Senate Armed Services Committee made clear the difficulties in trying to estimate costs. In a report on the FB-111 he said that three years ago the investment cost for a force of 14 operational squadrons (210 UE aircraft) was estimated at \$1.9 billion, excluding SRAM. The decision was made by former Secretary Clifford and reported in his FY 1970 Posture Statement to reduce the program to 6 operational squadrons (90 UE aircraft) with an estimated cost of \$1.8 billion, excluding SRAM. Thus, in a program as complex as Safeguard, historical experience indicates costs in the long run are likely to be considerably higher.

**THE ABM**

Mr. GOODELL, Mr. President, in the April 29 edition of the Washington Post, Frank Mankiewicz and Thomas Braden, nationally syndicated columnists, writing about the antiballistic missile—ABM—offered a notable contribution to the literature of satire, called an "Ever Normal Missillery."

As satire the column is amusing. It is also disturbing. I believe that it deserves a wide readership.

I ask, therefore, unanimous consent that the column be entered into the RECORD at this time.

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

AN EVER NORMAL MISSILLERY MIGHT BE THE ANSWER

(By Frank Mankiewicz and Tom Braden)

The oldest living employe of the Department of Agriculture—once a disciple of Henry

Wallace—has come up with an answer to Mr. Nixon's problem about the ABM.

Because his job was abolished 17 years ago, he does not wish his name to be used. But let us call him Dr. Plowshare. His proposal—revealed in an exclusive interview—is called the Ever Normal Missillery.

The problem it is intended to solve is simply this: How can we avoid a decline in the profits of the military-industrial complex?

The best that Mr. Nixon's advisers have come up with to date is the hastily contrived Safeguard ABM system. It will preserve profits for only a few years and may even be defeated in the Senate.

But Dr. Plowshare refused to panic. "We are a resourceful and pragmatic people," he says, "and our history is not without examples to guide our way."

Confronted in the 1930s with an impending glut in production, and a drop in prices on the farm, we devised a subsidy system. Our taxpayers, for only a \$3 billion payment per year, have the privilege of paying more for food at the supermarket and take their reward in sure knowledge that the sturdy corporate farm is prospering.

Why not, Dr. Plowshare urges, apply the same technique to weapons? Let the Department of Defense set base years, say from 1960-65 as the parity period, and guarantee the defense contractors 90 per cent of their average prices over that time, on condition—of course—that they limit production.

Far better, says the doctor, that the taxpayers support industry with an annual multibillion dollar subsidy for not delivering weapons than to pay for weapons which do not work or—worse—for those which do, and for which some dangerous use must then be found.

Under the Plowshare Ever Normal Missillery, there would be no slowdown in any of the crucial areas of defense production. The Pentagon, for example, could continue to run its graduate studies program in business administration and defense procurement for career officers, thousands of whom have found high-paid employment in defense industry, 210 at Lockheed alone.

Lobbyists could continue to work, scaring the public from time to time about this or that Chinese or Russian threat. Information could be periodically classified and then leaked to favored journalists in order to divert Congress and keep the support price at a reasonable high.

Over the past several years, Dr. Plowshare points out, we have, in fact, been paying enormous sums of money for weapons systems which, for the most part, do not work.

This has caused considerable anger on Capitol Hill and—presumably—some guilt on the part of the manufacturers. The Ever Normal Missillery would take care of both these emotional problems. In time of glut, overproduction of nonfunctioning missiles, helicopters, bombers and even rifles could be taken care of as we do in the farm program devised by Wallace. We could, in line with a famous Wallace formula, "plow under every third missile."

Disposal areas would be much sought after, if only for the local employment they would provide. So long as the House Armed Services Committee remains under its present chairman, at least 50 per cent of all surplus weapons bought at support prices would be destroyed and buried in or near Charleston, S.C., with an appropriate tasteful historical marker. . . . "L. Mendel Rivers, Chairman."

Ninety per cent of parity would be a reasonable price to pay, Plowshare believes. Rancorous problems would disappear from our national agenda; there would be no need to deploy an oversupply of probably unworkable missiles; profits would continue at close to their present levels, and local pride could be served.

In short, the Nation could sleep more soundly, knowing that once again our genius

for survival had assured the prosperity of the traditional backbone of our people—the publicly traded defense conglomerate. Neither Thomas Jefferson nor John C. Calhoun could have asked for more.

#### SENATOR HART'S STUDY OF OIL IMPORT QUOTAS

Mr. MUSKIE. Mr. President, it is accepted in the Senate that the senior Senator from Michigan (Mr. HART) will do an outstanding job with any matter he undertakes. His talent for thoroughness—and fairness—is perhaps most evident in his role as chairman of the Senate Antitrust and Monopoly Subcommittee. The issues there are always complex and controversial, but Senator HART makes understanding them much easier for the rest of us.

Recently, under Mr. HART's direction, the subcommittee took on one of its toughest assignments—an evaluation of the effect that Government's role in the oil marketplace has had on the American consumer.

The Senate should note that the New York Times, in an editorial of March 28, 1969, points out that even in this most complex area Mr. HART has performed up to his usual standards. To quote the editorial, the first set of these hearings were "brilliant."

Mr. President, I ask unanimous consent that the editorial be inserted at this point in the RECORD. And I call my colleagues' attention to the fact that these hearings will resume later this month.

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

[From the New York Times, Apr. 28, 1969]

#### NEW THEATER OF THE ABSURD

Senator Russell B. Long of Louisiana faithfully serves his petroleum constituency; so faithfully, in fact, that he recently brought the theater of the absurd to the floor of the Senate in a bizarre defense of the mandatory oil import quotas.

According to the argument tirelessly repeated by the oil interests, the mandatory import quotas were imposed in order to promote the "national defense," not to keep domestic prices above world levels at the expense of American consumers. Senator William Proxmire of Wisconsin punctured that oleaginous myth by pointing out that ample supplies are available from Canada in the event of an emergency. There ensued the following colloquy:

"Mr. LONG. . . . How does the Senator know whether a war would not break out between the United States and Canada? . . . That could happen. Has the Senator ever heard of the War of 1812?"

"Mr. PROXMIRE. Is the Senator from Louisiana really serious about that?"

"Mr. LONG. It is not inconceivable."

"Mr. PROXMIRE. Canada and the United States would engage in a prolonged war that could hold up our ability to produce oil in this country?"

"Mr. LONG. It is entirely conceivable to the Senator from Louisiana."

From that Mr. Long went on to posit the possibility of a prolonged, non-nuclear war between Russia and the United States in which domestic oil would again play a pivotal role. All this brave voyaging in the nightmare world of foreign policy helped divert attention from the hard fact that oil import quotas are costing the American consumers \$5 to \$7 billion a year in artificially high prices on petroleum products.

Senator Philip A. Hart of Michigan, chairman of the Senate Antitrust Subcommittee, provided brilliant documentation of the case against the import quotas in a recent series of hearings. Independent experts were virtually unanimous in characterizing the import quotas as an unnecessary burden upon consumers and a deterrent to efficiency and long-run profitability in the oil industry.

Domestic interests will have an opportunity to reply at future hearings. Perhaps they can then answer a question to which Senator Long, in his thespian role, did not address himself. If vast domestic reserves of crude oil are essential to the national security, why not take effective action to conserve them by removing the quotas on imports?

#### GEARING AGRICULTURE FOR THE SEVENTIES

Mr. GOODELL. Mr. President, we are all aware of the tremendous changes taking place within the agricultural sector of our economy and their effect upon the role which agriculture will play in the next decade. A timely and illuminating address on these issues was recently made by Mr. Donald Wickham, New York State Commissioner of Agriculture and Markets, who is president of the National Association of State Departments of Agriculture. I commend Mr. Wickham's comments before the Agribusiness Leaders' Luncheon to the attention of my colleagues, and ask unanimous consent that the text of his remarks be printed in the RECORD at this time.

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

#### GEARING AGRICULTURE FOR THE SEVENTIES

(Remarks by Mr. Don J. Wickham, president, National Association of State Departments of Agriculture at the Agribusiness Leaders' Luncheon, Washington, D.C., Apr. 24, 1969)

Trite as it may sound, gentlemen, times are changing and at such a rapid pace that there aren't too many of us left who recall the time when it took more than one mushroom to smother a \$2.00 steak!

I'm sure all of us realize that the changes we experienced in the '60's—as venturesome and as drastic as they may appear—will pale in comparison to what is in store for us in the '70's. As one man put it, they've done everything here in the United States in the '60's except change the price of gold and even this is changing everywhere else in the world.

You gentlemen here today, who lead vast business enterprises and who manage trade associations, know that a great deal has already been done to project people, business, and government in the '70s. Your own five and ten year plans attest to this. Here and there I hear of projections into the '80's and beyond and if you want to get a headstart on the next century, see the movie "2001."

It is indeed a privilege to have the opportunity of speaking to such a distinguished audience comprised of such leaders in the major agribusiness input fields as the:

American Association of Nurserymen;  
American Feed Manufacturers Association;  
American Seed Trade Association;  
Farm and Industrial Equipment Institute;  
National Agricultural Chemicals Association;

National Plant Food Institute;  
American Petroleum Institute,  
National Petroleum Refiners Association.  
To begin with, this meeting itself represents a change. In our positions with State Departments of Agriculture, many of us

have had the opportunity of meeting with you and representatives of your associations and, on occasion, you have met with us. However, I believe this is the first time that a meeting such as this has taken place. So on behalf of the National Association of State Departments of Agriculture—the NASDA Board of Directors and Officers—may I extend our sincere welcome!

Thinking in terms of the agriculture of the '70's let's review some of the changes that are underway within agriculture and changes that relate to agriculture's position in today's society.

The facts clearly indicate that few sectors of our economy have changed as much as agriculture.

Great strides have been made possible by the individual initiative of farm producers who have dared to risk their own money and whatever they could borrow to apply the science and technology that you men developed and marketed in the field of improved seed, feed, fertilizer, pesticides and farm machinery. It is the willingness to not only accept change—but in many cases to lead change—that characterizes those one million U.S. farmers who now produce about 85% of our total U.S. farm output.

Some current forecasts suggest that as many as two-thirds of the farmers now on farms will, in effect, either leave the farm completely and move to megalopolis or their output will be mainly for home consumption. So we can expect the agriculture in the '70's to be in the hands of less than a million primary producers. Further, many of these producers will have investments well in excess of a half-million dollars and quite a number well over a million.

Also, you have undoubtedly made provision for continuing integration. There are obvious signs that other segments of agriculture are moving somewhat in the direction of the broiler industry. There's much more advance planning, advance contracting, and bargaining in agriculture before crops are planted or livestock programs put into operation.

Along with this is the increased use of the futures markets and the development of new futures markets.

Each of you in his own field could cite many dramatic innovations which have made it possible for fewer people to produce more and do it better than ever before. For the most part this has been accomplished through the risks which you as businessmen have been willing to take through investment in research, production facilities and the battle for consumer acceptance on this nation's highly competitive markets.

As members of NASDA we salute you.

The success of American agriculture and the benefits it has shared with this nation and the world is an accomplishment generated by the separate but parallel courses you and farm producers have chartered and followed. The energy and excitement generated by this partnership is perhaps one of the proudest chapters in this nation's history.

If we are to have an agriculture at the very forefront of man's knowledge of biological and life sciences, then we must have new and even better seeds, we must use more fertilizers with the formulations that match the extent of man's knowledge. We must have available more pesticides which likely will be even more sophisticated than those in use today. The animal health products of the future will be called upon to keep even larger herds and flocks healthy from birth until market and since fewer and fewer people will be attracted to the drudgery of farm work, the farm machines of the '70's seem likely to have all the sophistication of space age science.

But while your minds can grasp these changes rather easily and many of you have already committed the capital in your long-range planning operations to research, produce, and market these items—how many

of the minds of the 200 million Americans are awake to the reality of an even more productive agriculture in the '70's. An agriculture whose productivity will directly benefit them because to a very real extent the benefits of efficiency in agriculture are realized at the mealtable. This is in addition to the millions of jobs created between the farm and the mealtable—to the production of the input items needed as well as the harvesting and handling of the product until it reaches the knife and fork.

Many of us in NASDA feel that the public's attitude toward the agriculture of the '70's will perhaps have more to do with what agriculture really is than the output of research laboratories and the availability of capital. We sense this because of the increasing interest of the United States Congress and legislatures in the 50 states in concerning themselves more and more with farm production and the agribusiness structure supplying it.

Each of you in your own sphere of operation knows of the bills that are introduced into the Congress or the state legislatures each year which directly affect your business. The number of bills is increasing—the hours devoted to hearings is growing—and the amount of legislation passed seems likely to increase.

Much of this legislation is restrictive in nature or in one way or another limits the development and marketing of products to agriculture. Someone recently said that a pill should be invented for those legislators who father too many bills.

Further, consider the tremendous amount of legislation introduced into the Congress and state legislatures which could properly be included under the broad heading of consumer interest. Such legislative interest includes the areas of prices, wholesomeness, quality, variety, safety, pollution, labor.

Here in Washington there has been a proliferation of consumer bills introduced into the 91st Congress. These bills specifically run the gamut from the establishment of a Cabinet-level Department of Consumer Affairs—to measures aimed at providing safe packaging of toxic household substances. Various segments of the public are insisting—indeed, demanding—to know more about every aspect of their food supply. Many accepted and essential farm production, processing, and marketing practices are being challenged. Scientists are being asked in public forum to defend essential practices such as fertilization, the use of pesticides, animal health products, and the addition of drugs and antibiotics to feed.

Basic agricultural institutions are being called upon to justify time honored programs and methods of operation. It is being suggested that substantial portions of the U.S. Department of Agriculture here in Washington be transferred to other agencies. Many colleges or schools of agriculture and land grant institutions have been organized into departments of biological and life sciences.

Many State Departments of Agriculture are under growing scrutiny by state legislatures, and in some cases they are urging that important functions be transferred to other government agencies. Regulatory intergovernmental agency boards are being established modifying or shifting the control of traditional agricultural programs.

This trend toward keying established agricultural institution to the expressed interest of an urban society probably will continue.

Moreover, this trend, which will most likely exist throughout most of the '70's, seems to call for statesmanship of the highest order by all of us interested in the broad field of agriculture and agribusiness. Agriculture and its institutions cannot fail to be responsive to expressed public interest. At the same time, however, should basic agricultural institutions be dismantled and spread throughout the structure of govern-

ment created in an urban society? Perhaps this is what prompted Secretary of Agriculture Clifford Hardin to comment that he hopes to be able to spend considerable time working directly with the heads of other agencies and departments in Washington and with the White House. You'll recall that in his introduction of Secretary Hardin, President Nixon said that he had looked for a Secretary of Agriculture who could speak for agriculture to the President. Those of you who are familiar with the operations of Washington government know that it is most important for the Secretary of Agriculture to have continuing access to the President, himself, particularly during this era wherein agricultural institutions are in a period of transition.

Those who work in federal and state government are also well aware that the future course of many interests in this country are determined by the wisdom, vigor, and leadership of those who speak for such interests in the highest councils of government—in the Cabinet Room at the White House, the Governor's Council Chambers in state capitols—and in the Office of the President or Chancellor of state universities. Unless men of ability and high principle speak for agriculture and agribusiness at these turning points, the findings of scientists may gather dust, and the pattern of U.S. agriculture may change from its dynamic course to one of stagnation.

For these and other similar reasons, State Departments of Agriculture have decided to accelerate their efforts in behalf of farmers and to supply whatever increased measure of service is needed to provide for the express needs of the consuming public.

While each State Department of Agriculture operates in accordance with the directives of the Governor and its legislature, nonetheless, we profit by working together in arriving at objectives and plans, and by counseling together we have the opportunity to share experiences and improve our operating performance.

One increasingly important activity in many State Departments of Agriculture is the broadened program of consumer information. The objective is to more fully acquaint the public with the services provided by State Departments of Agriculture.

Since we are fast becoming a nation city-bred and city-born, many of the things some of us take for granted because of our farm background can no longer be counted upon to condition the thinking of today's vast consuming public.

Another priority objective of State Departments of Agriculture is to upgrade the professional capability of our staffs in keeping with the added sophistication of the many scientific services we are called upon to perform.

We are also keenly interested in the development of model legislation and its implementation when enacted. Our Washington office, in conjunction with the state's liaison office, U.S. Department of Agriculture, serves as a clearing house for the dissemination of suggested state legislation to all those interested. It is directed by William Stanwood Cath, Executive Secretary.

We opened this office to enable State Departments of Agriculture to better coordinate our activities and to work more efficiently and effectively with the U.S. Department of Agriculture and other federal agencies in meeting agreed-upon objectives.

For instance, with respect to the model bills—the following are under consideration in many states:

- Pesticide Registration.
- Custom Applicators Law.
- Seed and Weed Laws.
- Egg Laws.
- Meat and Poultry Laws.
- Weight and Measures.
- Warehousing of Agricultural Commodities.

Fair Packaging and Labeling of Fluid Milk and Milk Products.

Some of these measures have already been enacted, thus providing for a degree of uniformity between the states in these areas.

Furthermore, I am sure I speak for most State Departments of Agriculture when I say that we, too, are finding it increasingly important to speak for agriculture to our Governor. Fortunately, most NASDA members enjoy very close working relationships with the Chief Executive of their state, and this relationship is the basis for legislative and administrative action which enables agriculture to make continued progress.

Recognizing the importance of Federal-State cooperation, President Johnson in 1965 "designated the Director of the Office of Emergency Planning to serve as liaison with the Governors of the fifty States for the purpose of establishing and maintaining better understanding, increased cooperation, and improving the lines of communication between the President and State governors and between the executive agencies of the Federal Government and State governments."

He reaffirmed that position last August when he directed the Office of Emergency Planning to continue "to serve as the clearinghouse for the prompt handling and solution of Federal-State problems involving the executive branches of the Federal and State governments."

One of the reports submitted to the President during the Eisenhower Administration—the Kestenbaum Report—on the relative positions of the federal and state governments said, and I quote:

"The maintenance of a healthy federal system has two aspects. The States must be alert to meet the legitimate needs of their citizens, lest more and more of the business of government fall upon the National Government. At the same time, the National Government must refrain from taking over activities that the States and their subdivisions are performing with reasonable competence, lest the vitality of State and local institutions be undermined." In this we fully subscribe.

As members of NASDA, we are honored that two of our members have been selected for "flag rank" in the U.S. Department of Agriculture; the Honorable Phil Campbell, Under Secretary, and the Honorable Richard Lyng, Assistant Secretary. Also, former Tennessee Commissioner of Agriculture, the Honorable Ed Jones was recently elected to Congress.

We can expect these men to bring to the Department of Agriculture and to the Congress the experience gained as heads of State Departments of Agriculture. They are accustomed to dealing with agricultural problems within states; they are close to problems where they exist. They know that the better the states can handle problems and opportunities within their boundaries, the fewer problems that wait for solution in Washington.

In the 70's, I hope we can look towards a decentralization of some of the functions of the Department of Agriculture and the assigning to states of those responsibilities which the states can handle best.

To this end we look forward to working closely with Secretary Hardin and his top staff, as well as the dedicated professional men in the U.S. Department of Agriculture, so that the public interest will be better served.

We must have strong State Departments of Agriculture efficiently performing those responsibilities delegated by legislatures; imaginative State Departments of Agriculture which seek new legislative authority in response to the expressed interest of producers and the public; inspired State Departments of Agriculture which are alert to the future needs and interests of producers and consumers—this is the broad base upon

which the U.S. Department of Agriculture can better serve the nation.

A U.S. Department of Agriculture that attempts to perform all services itself would require a staff of such tremendous size, that it is doubtful such an organization could be effective in today's complex urban society.

So with change abounding in the technical aspects of agriculture throughout much of the production phases—with changes coming quickly in the political structure surrounding agriculture, and in the federal and state governments, as well as our colleges and universities, the time may well be here for you men of business to consider whether it would be advisable to create a council, an agribusiness council, if you will, able to advise government on the direction and extent of change which surrounds us and which courses of action seem the best to serve the public interest.

Permit me to read an excerpt from the annual report of one State Agricultural Businessmen's Council:

"As vital as the commercial farm is in food production, it must be supported by industries that provide inputs essential to its successful operation.

"The suppliers of feed, seed, petroleum products, fertilizers, chemicals, equipment and other needs of today's farmer are greatly responsible for the remarkable success of a progressive agriculture.

"The Agriculture industry must be prepared to grow and to operate and make adjustments in even a more highly competitive market in the decade ahead.

"To help make this possible the State Agricultural Businessmen's Council is dedicated. It is dedicated to the further improvement of the agricultural and industrial business climate of the state in a manner consistent with American traditions and economic philosophy."

This Council has been successful in helping to promote good legislation for agriculture and for itself and generally in giving agriculture real support.

Certainly it would seem that the interest of the nation's commercial farmers and that of the men who supply production essentials and process its products might have a community of interests and that such interests could be directed at those issues and problems which might otherwise slow the advancement of agriculture and the contribution it can make to enriching the lives of Americans and many others in the world during the decade of the '70's.

As a national organization, we in NASDA conclude that our responsibilities in the '70's will have different priorities, new objectives and that our methods of operation will change. We are convinced that we must direct our energies to respond to the interests of the urban society of the '70's.

We recognize that through periodic conferences with you jointly or industry by industry, we may well find better solutions to some of the problems that confront us—problems of grade, specifications, and changing trade practice. Certainly it is our responsibility to streamline our operations so that the progress you are making can be capitalized upon fully by farm producers. To accomplish this we need continuing liaison with you. We need the benefit of your thoughts, and the expertise you possess in your specialized agricultural areas so that the decision-making process will be adequately protected from error. We must all recognize the benefits of working together on problems which transcend the interests of the individual and his ability to solve them.

So let us look ahead to the '70's—knowing that there is bound to be more people in the U.S. and in the world and that these people will require more food. Let us also hope that we can use our energies and resources to improve the nutrition of all—at all income levels. Let us find ways to get the needed food

to those still in need in the United States and continue our programs to help those who are hungry overseas in accordance with our strength.

Above all, let those of us whose responsibility includes any part of the food production and marketing processes use our energies to be creative and innovative in all that we do so that we can—through cooperation—capitalize fully on the advances made by other sectors of our society.

#### THE PESTICIDE PERIL—V

Mr. NELSON. Mr. President, the controversy over the use of DDT and other persistent pesticides accelerates daily as scientists, conservationists, and concerned citizens continue to add testimony to the already abundant collection of devastating facts regarding the effects of pesticides. On Tuesday of this week, three articles appeared in two Milwaukee newspapers reporting new evidence of the potential danger of DDT to both human health and wildlife.

Two of the articles, from the Milwaukee Journal and the Milwaukee Sentinel, reported on the latest hearing before the Wisconsin State Department of Natural Resources on the citizens petition to ban the use of DDT in Wisconsin. S. Goran Lofroth, chairman of a six-member committee which studies DDT for the Swedish National Research Council, testified that breast-fed babies ingest more than double the recommended maximum daily dose of DDT—a quantity which shows pharmacodynamical changes in laboratory animals.

Lofroth said that scientists do not know the true significance of these changes, but unless it could be scientifically shown that such levels of DDT are not dangerous, further use of DDT should be stopped.

Lofroth's statement was based on research that had shown that a woman secretes in her milk 125 percent of her daily intake of DDT and its chemical relatives, contrasted with the 2 to 10 percent which cows secrete in milk, giving a baby 0.02 milligrams of DDT daily for each kilogram of body weight. The World Health Organization says that no one of any age should ingest more than 0.01 milligram of DDT per kilogram of body weight daily.

Recently, Sweden became the first country to ban the use of DDT and related pesticides.

In the third article, in the Milwaukee Journal, the disturbing news that Lake Michigan is seriously threatened by pesticides and excessive fertilization was reported to scientists attending the Great Lakes research conference in Ann Arbor, Mich.

The level of pesticides in Lake Michigan, particularly DDT and dieldrin, is approaching the point where fish reproduction is endangered. Robert Reinert, an aquatic biologist with the U.S. Bureau of Commercial Fisheries at Ann Arbor, said that more than a normal number of young fish are dying. The pesticides concentrate in the yolk sacs of young fish, from which many fish derive their entire nourishment in the early stages of development.

Pesticide levels have remained fairly constant in Lake Michigan in recent

years and the only way to keep them out of the lake, according to Reinert, is to stop using them.

I ask unanimous consent that these three articles be printed in the RECORD. There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Milwaukee (Wis.) Sentinel, May 6, 1969]

**DDT LEVEL CALLED HIGH IN MOTHER'S MILK**  
(By Quincy Dadisman)

MADISON, Wis.—A Swedish scientist testified here Monday that many babies get double the recommended maximum daily dose of DDT if they are breast-fed.

S. Goran Lofroth, chairman of a six member committee which studies DDT for the Swedish national research council, told of his findings during a Wisconsin natural resource department hearing on a petition for an order that would ban use of DDT in the state.

**IN CHANGE RANGE**

Lofroth, a radiobiologist and toxicologist, said, "In my opinion, many breast-fed children ingest more than the recommended daily intake (of DDT). It is in the range where laboratory animals show pharmacodynamical changes.

"What these changes mean is not known. One cannot predict the consequences if these and similar changes work in man and one does not know what the future holds for persons exposed to that much DDT."

Lofroth based his opinion, he said, on research that had shown that a woman secretes in her milk 125% of her daily intake of DDT and its chemical relatives, contrasted with the 2 to 10% which cows secrete in milk.

Lofroth said he based his opinion on the amount of milk consumed by babies in relation to body weight; that on the average, a baby would get .02 milligrams of DDT daily for each kilogram of body weight; that the World Health Organization, a United Nations scientific agency, had said that no one of any age should ingest more than .01 milligram of DDT per kilogram of body weight daily.

**USE INCREASING**

He said that fewer and fewer American babies were fed human milk before 1966, with the percentage dropping from 38% in 1946 to 18% in 1966, but that use of mother's milk had increased since it had been shown that babies are generally healthier when fed human milk.

He pointed out that many babies are fed human milk by bottle rather than being directly breast-fed.

[From the Milwaukee (Wis.) Journal, May 6, 1969]

**DDT FOUND IN MOTHER'S MILK, HEARING TOLD**

MADISON, Wis.—Babies that are breast fed sometimes get twice as much DDT in their systems as the maximum level recommended as safe for humans, a Swedish scientist said here Monday.

S. Goran Lofroth of the University of Stockholm appeared as a witness at the natural resource department's hearing on whether DDT can be banned under the state's water pollution law. He heads a group of six scientists assigned to review the world literature on DDT and give a report to the Swedish Natural Science Research council.

Lofroth said the average breast fed baby would get .02 milligrams of DDT a day for each kilogram of body weight from mother's milk. Both the World Health Organization of the United Nations and the Food and Agricultural Organization recommend that humans ingest no more than .01 milligrams of DDT per day per kilogram of body weight, Lofroth said.

**NO PREDICTION**

Lofroth said the consequences of this ingestion of DDT could not be predicted. He

said the intake of DDT was in the range where laboratory animals showed drug induced changes.

"What these changes mean is not known," he said, "One cannot predict the consequences if these and similar changes work in man and one does not know what the future holds for persons exposed to that much DDT."

Lofroth said the average amount of DDT found in human mother's milk was .1 to .2 parts per million.

He also told the hearing that 5%, to 10% of the general world population had twice as much DDT in their fat tissue as the average. He said there should be no further spread of DDT's use unless it could be shown scientifically that this was not dangerous.

**USED AT CONFERENCE**

He said his group of scientists had not yet made a formal report to the Swedish Natural Science Research council, but that some of its information had been used at a conference of the Swedish national poison and pesticides board.

In March, this board banned all use of aldrin and dieldrin and household and home garden use of DDT (all persistent hydrocarbon pesticides) after next January. It also banned all other use of DDT on that date for two years, with possible exemptions, pending further research.

More time was spent on legal arguments than listening to Lofroth at the hearing.

Lofroth testified that his review of the record showed 10 to 11 parts per million of DDT in fat tissue of the general population of the United States. He gave a range of from 1.8 parts in one part of Australia to 19 parts in Israel.

The average for the world, he said, appeared to be 10 to 15 parts per million although reports were lacking from most of India, China and Russia.

The arguments over Lofroth centered chiefly around exactly whose witness he was and if papers he brought with him could be accepted as scientific treatises.

**PESTICIDES CALLED PERIL TO LAKE MICHIGAN**

ANN ARBOR, MICH.—Lake Michigan is seriously threatened by pesticides and excessive fertilization, scientists attending the Great Lakes research conference were told Monday.

Studies showed that pesticides appear to be approaching a level that impairs fish reproduction. Phosphorus—an element believed to stimulate nuisance algae growth and accelerate a lake's natural aging process—is flowing into the lake at an increasingly alarming rate.

"We feel we may be getting close to a pesticide level that may affect reproduction because more than a normal number of young fish are dying," said Robert Reinert, an aquatic biologist with the United States bureau of commercial fisheries at Ann Arbor.

**YOLK SACS**

The pesticides, notably DDT and dieldrin, concentrate in the yolk sacs of young fish, Reinert said, adding that many fish derive their entire nourishment from the yolk sacs during early stages of development.

The hardest hit species, he said are lake trout and coho salmon.

The food and drug administration recently established an interim level of five parts per million on the amount of DDT that may be contained in fish sold commercially.

Reinert said mature coho preparing to spawn and lake trout over 16 inches in length contained more than the minimum permissible amount of DDT.

**LEVELS GOING UP**

"And as these fish get older, we think the levels are going to go up," he said.

Whitefish, an important commercial fish, has not been subjected to study, Reinert said. "But I think the levels are going to be pretty high in whitefish. They're a very fatty fish."

He said pesticide levels had remained fairly constant in Lake Michigan over the last three

years and warned, "The only way to keep these compounds out of the lake is to stop using them."

**CITY PLAN**

Dr. Marvin E. Stephenson, a member of the Michigan State university institute of water research, reported that the total amount of phosphorus flowing into the lake from Manistee, Mich., south to the Indiana border averaged about 7,000 pounds a day in 1963.

Six years later, he said, the amount of phosphorus dumped into the lake by tributary streams totaled more than 18,000 pounds per day.

"The Great Lakes basin is now in danger of repeating the mistakes which have made the eastern megalopolis an ungracious, dehumanized, sometimes tortuous, chaotic sprawl that appears to be out of control," said Harlan Hatcher, president of the developing Great Lakes megalopolis research project.

The problems of a specific city or recreational area, lake or stream cannot be understood or met in isolation from the interlocking interests of the region," he said.

"This includes industrial growth and its effect on population clusters, education, local and area hospitals, and health centers—all of which deeply involve the local community but go beyond that to the total region."

The Great Lakes megalopolis now rapidly forming extends from Milwaukee to Buffalo in the United States and from Sarnia-Windsor to Toronto and Montreal in Canada, Hatcher said.

"The fact that this 192,000 square miles area is one of the fastest growing in the nation, and may easily double in population and activity in another generation or so, further dramatizes the problems and the urgent need for our best attention," he said.

**A SELF-HELP PROGRAM FOR ANACOSTIA**

Mr. GOODELL. Mr. President, it is no secret that the young people of our country are dissatisfied with many aspects of American society. The war in Vietnam, the problems facing our cities, the shocking fact of poverty in the midst of plenty, have made a deep impression on the postwar generation. As a result, American youth today are seriously concerned with improving the quality of life in this Nation. Unfortunately, many young people, in their bewilderment and frustration, have resorted to disruption and violence to dramatize their discontent. We read about these young people every day.

But there are other young Americans who have manifested their concern in constructive programs designed to right the wrongs in our society. One such group came to my attention recently. They represent the Afro-American Culture Center, Inc., of the Anacostia section of Washington, D.C. They have assisted the residents of Anacostia in establishing a unique self-help program.

Mr. President, I was greatly impressed by these young people and their ideas for the Afro-American Culture Center, Inc. At my request, they have sent me a letter explaining their concept and their plans in detail. I ask unanimous consent to enter the letter in the RECORD, and I hope that other Members of the Senate will take note of it. The intelligence and dedication of young people like those who helped plan this community program are to be highly commended.

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

## A SELF-HELP PROGRAM FOR ANACOSTIA

DEAR SENATOR GOODELL: Anacostia, two miles southeast of the United States Capitol, represents in a microcosm all the problems facing the American City in the 1960's: riots, poverty, race tensions and joblessness. The residents of Anacostia are the people who have to live these problems, but they have little or no chance to improve their lot because Anacostia, like the center of almost every major city, is controlled from the outside.

The goal of the Afro-American Culture Center, Inc., is twofold: to alleviate the basic problems and at the same time, to restore to the community some degree of control over its own destiny.

The Anacostia Afro-American Culture Center, Inc., is designed to be a self-supporting training program for high school students and dropouts in the Anacostia section of Southeast Washington. It was incorporated one year ago, and is presently operating a small segment of its broad education program on a grant from the Stern Family Fund. This summer, we will open an Afro-American Store in Anacostia. The store will provide steady jobs and practical training for twenty or more Anacostia residents; in addition, proceeds from the store will support the student-initiated education program. The project gets its vitality and its ideas from the Anacostia, but it will not be strictly an amateur effort. The program will employ a full-time professional staff—two at the beginning and more as they are needed—to oversee the education program and manage retail operations. Moreover, attorneys and businessmen in Washington have offered their help to ensure that we have a sound venture.

In the words of the youth who designed this program:

"We need this Culture Center to give Black people pride in their race and to learn about the past achievements of their Black ancestors. We feel that this Culture Center can give them this feeling of pride which will be hard for them to find in the schools, since Negro History classes are not generally offered and since little chance is there for them to prove that they can make their program work on their own. Our main purpose is to bring a good portion of the community together in meaningful dialogue."

The people of Anacostia realize that self-control requires self reliance. Our program is designed to be self reliant.

In the broadest sense, this program is an attempt to work toward the time when Anacostia residents can rely primarily on their own resources to meet their needs and the needs of the community. If we obtain the financial help we need now, that time may not be so far away.

Sincerely yours,

ERLINE WHITAKER,  
Acting Director.  
HERMAN PALMER,  
(age 17) Chairman.  
MACARTHUR WILDER,  
(age 17) Assistant Chairman.

AEC STATEMENT ON SAFEGUARD  
ABM WARHEAD COSTS

Mr. COOPER. Mr. President, on April 2, I addressed in a letter a series of questions to the Chairman of the Atomic Energy Commission, Dr. Glenn Seaborg, concerning the costs borne by the AEC for the Safeguard system. On May 1, I received answers to my questions from Chairman Seaborg. Of interest to the Senate is his statement that—

It is estimated that the Atomic Energy Commission will expend approximately 1.2 billion dollars in support of the Sentinel-Safeguard system.

This amount was not included in the presentation of the costs of the Safeguard system that have been made by the administration, which referred only to the costs of the Department of Defense. In the statements I made on the floor of the Senate last year concerning the costs of the then proposed Sentinel ABM system, I pointed out that the warhead costs borne by the AEC were not then included by the Johnson administration in their budget presentation.

I ask unanimous consent that my letter to Chairman Seaborg of the Atomic Energy Commission and his unclassified answer be placed in the RECORD at this point.

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

APRIL 2, 1969.

Dr. GLENN T. SEABORG,  
Chairman, Atomic Energy Commission,  
Washington, D.C.

DEAR MR. CHAIRMAN: It is my understanding that the Atomic Energy Commission is primarily responsible for research and development and production of warheads to be used in the interceptor missiles, Sprint and Spartan, of the proposed modified Sentinel anti-ballistic system, now designated Safeguard. I would appreciate receiving answers to the following questions as soon as possible. Where possible, I would like to have these answers in unclassified form. If, however, portions of the answers to my questions require them to be in classified form, I wish you would advise me as to the procedure necessary for me to receive the information. The questions are as follows:

1. How long has the AEC been conducting research and development warheads for ABMs?

2. Please supply the amount of money expended on (a) research and development, (b) production, and deployment, if any, of warheads for all ABM systems on a yearly basis up to the present.

3. How much money will be expended on R&D on ABM warheads in FY 70? What are your projections through 1975?

4. With regard to the Sprint missile:

(a) Has the AEC completed research and development on the Sprint missile warhead?

(b) What is the megatonnage of the Sprint warhead?

(c) If R&D has not been completed, when do you expect R&D to be completed, and when will production for deployment begin?

(d) What is the approximate cost of each warhead?

(e) Will underground testing be adequate to fully test the Sprint warhead? Where has the testing for the Sprint warhead been conducted?

5. With regard to the Spartan missile:

(a) Has the AEC completed research and development on the Spartan missile warhead?

(b) If R&D has not been completed, when do you expect R&D to be completed, and when will production for deployment begin?

(c) What will be the approximate cost of each warhead?

(d) What is the size of the Spartan warhead? It has been variously reported in the press that the Spartan warhead will be two to six megatons.

(e) Where has the testing for the Spartan warhead been conducted and where do you plan to test the warhead in the future? I have heard reports that the warhead will be tested in the Aleutian Islands. If this is correct, has the danger of earthquakes been fully considered?

6. (a) When will warhead testing for the Safeguard ABM system be completed?

(b) When would manufacture begin if deployment is approved by Congress?

(c) When would deployment begin if approved by Congress?

7. Would you please comment upon the testimony given on March 28, 1969, before the Senate Subcommittee on International Organizations and Disarmament of the Foreign Relations Committee as to the necessity to re-engineer the proposed ABM system including the missiles if they are to fulfill the President's requirements. (Copy of Dr. Panofsky's statement attached.)

Thanking you, I am,

Yours sincerely,

JOHN SHERMAN COOPER.

U.S. ATOMIC ENERGY COMMISSION,  
Washington, D.C., May 1, 1969.

HON. JOHN SHERMAN COOPER,  
U.S. Senate.

DEAR SENATOR COOPER: I am pleased to reply to your letter of April 2, 1969, wherein you requested information with regard to efforts by the U.S. Atomic Energy Commission on ABM systems and the Sentinel (Safeguard) program in particular.

This reply is intended to provide you with unclassified information in response to your questions. In addition, we will provide to you in care of the Senate Committee on Foreign Relations by separate correspondence a detailed classified amplification of this response.

The U.S. Atomic Energy Commission since its inception has been conducting experiments and doing research and development work in the military application of atomic energy under the authority of the Atomic Energy Act. These efforts have not only pursued programs developed within the AEC but have also been responsive to the desires expressed by the Department of Defense. In this context then, it is most difficult to provide the specific time period that AEC has been conducting research and development of ABM warheads. The same is true, of course, with respect to costs incurred. Generally, it can be said that AEC ABM activity became defined as such in the late 1950's. At no time prior to our start of engineering efforts on the Sentinel program were ABM efforts ever sufficiently well defined and of such magnitude as to enable the AEC to accumulate specific cost data in this area. In this regard, it is estimated that the AEC will expend approximately \$1.2 billion in support of the Sentinel (Safeguard) system.

The following comments concerning AEC support of the Sentinel (Safeguard) program pertain to warheads for both the Spartan and Sprint missiles. Research and development which includes such efforts as component development, component and system testing, and prototype fabrication will continue on the program until a reasonable time prior to deployment of the missiles. In accordance with the President's announcement on Safeguard, deployment is still a considerable period in the future. Production, too, is keyed to the deployment date fixed by the President and, hence, is only in the planning phase at this time. However, Construction Project 68-2-a for new weapons production capabilities at various AEC locations, with a total estimated cost of \$315.0 million, includes approximately \$121.0 million for construction and equipment related to production requirements for the Safeguard system. A majority of these funds for construction and procurement of equipment have been obligated.

For all warhead development efforts which are undertaken by the AEC, there are certain specific testing efforts that must be successfully accomplished prior to providing these warheads to the DOD for incorporation as a part of their missile systems. These tests involve individual component and materials tests to assure compatibility with design. These components and materials are then tested both as subsystems and as a final assembly where they undergo performance tests under varying environmental conditions. A part of these testing efforts are, of course,

carried out as underground nuclear tests to assure completeness in the development efforts and confidence in the final product.

With respect to warheads for Sentinel (Safeguard) missiles, AEC is pursuing the same normal development pattern as outlined above. Since these development efforts have not been completed, it is not possible to report on the final results. Insofar as testing has progressed along the normal pattern, however, it has been determined that the AEC designs for these warheads are satisfactory. Sufficient testing has been accomplished to provide the AEC with a high confidence level that we can meet the DOD requirements for the ABM system.

Underground nuclear testing in support of the AEC weapons research and development efforts is being accomplished at the Nevada Test Site. In addition, sites in the Central Nevada and Amchitka, Alaska, areas are being prepared for future tests in support of our development efforts. No tests have yet been conducted in these latter areas except for one calibration test with a yield range less than a megaton in Central Nevada.

The AEC is conducting a continuing, extensive program into the question of the relationship between underground nuclear tests and earthquakes. We are being assisted by geologists and seismologists from UCLA, MIT, other colleges and universities, and the U.S. Geological Survey. Our investigations have confirmed the existence of microtremors which continue for several weeks after a large underground test. These microtremors, measurable only on sensitive seismographs, are too small to constitute a hazard to persons or property. The investigations have included data from two tests of about a megaton yield each. The investigations do not support the theory that such tests cause earthquakes of a hazardous nature at any distance beyond the immediate vicinity of the ground-zero point.

Insofar as the need for reengineering the proposed ABM system is concerned, the AEC is responding in its research and development efforts to the requirements stated by the DOD. These requirements have evolved over a period of time from detailed exchanges between AEC and DOD personnel as well as from studies conducted by the DOD. As was stated earlier, the AEC has high confidence in meeting the DOD requirements.

It is recognized that this reply neither addresses all of your questions nor provides the detail which you desire. We hope that these discrepancies will be adequately covered by the classified response which is also being provided.

Cordially,

GLENN T. SEABORG,  
Chairman.

#### AIR POLLUTION CONTROL FOR MOTOR VEHICLES

Mr. MURPHY. Mr. President, on May 2, I had the pleasure of being with Secretary of Health, Education, and Welfare, Robert Finch, when he made an announcement long awaited by fellow Californians. The Secretary in a Los Angeles press conference announced that he had granted to California the right to enforce more stringent standards of air pollution control for motor vehicles as authorized by the Murphy amendment to the Federal Air Quality Act of 1967.

The granting of California's request will enable California to implement the State's Pure Air Act of 1968. The State measure provides for increasingly stringent motor vehicle emission control standards for the model years 1970, 1971, 1972, 1973, and 1974.

Mr. President, I ask unanimous consent that Secretary Finch's Los Angeles statement announcing the granting of the waiver to California be printed in full at this point in my remarks.

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

STATEMENT BY THE HONORABLE ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, LOS ANGELES, CALIF., MAY 2, 1969

Clean air is fast becoming a scarce commodity in widespread areas of the nation. In a continuous effort to achieve a more comfortable life, we often find ourselves stripping away resources of our human environment. Air pollution is a prime example, but air pollution represents a kind of environmental deterioration that can be countered by immediate and effective action.

The State of California has shown both the willingness and the ability to take such action. The need is clear. Therefore, I am today granting the formal request for the State of California to apply more stringent standards of air pollution control relating to more vehicle emissions than those established by Federal regulations.

My action is consistent with provisions of the Air Quality Act of 1967 and particularly with the strict conditions of the amendment to that Act by California's Senior Senator, George Murphy.

The action I am taking has been discussed with Governor Reagan and incorporates recommendations from him as well as from Senators Murphy, Cranston, and from the entire California delegation to the U.S. House of Representatives. The Act as reinforced by Senator Murphy's Amendment waives application of Federal standards for any State meeting several specified conditions. I am granting such waiver on the basis of public hearings and other information demonstrating that:

(1) California new motor vehicle emission standards prior to March 30, 1966;

(2) All parties appearing at the hearing agreed that compelling and extraordinary conditions do exist in California—that, particularly in Southern California, the unique combination of topography, low wind speeds, atmospheric inversions, and sunlight, together with a large automobile population, produce the most severe photochemical smog to be found in the Nation;

(3) This severe photochemical smog requires stricter control of hydrocarbons, carbon monoxide, and oxides of nitrogen in motor vehicles emissions, to achieve desired levels of air quality;

(4) The California Legislature, assisted by a Technical Advisory Panel comprising experts from industry, universities, and air pollution control agencies, gave full consideration to the existing technology of motor vehicle emission control, and its economic costs, and concluded that the more stringent standards are both technically and economically feasible.

A key feature of the 1967 Act is that the States in their various regions should play a strong role in the development and implementation of standards for air pollution control. The Federal role, on the other hand, should focus primarily on research, manpower training, technical assistance, and the development of instrumentation and control technology.

As Secretary of Health, Education, and Welfare, I support the initiative shown by the State of California in recognizing the gravity of the air pollution problem and applaud its willingness to take effective action to resolve it. Departmental experts in the National Air Pollution Control Administration assure me that the industry will be occasioned little trouble in meeting these progressively more stringent standards because,

imposed as they will be in annual increments, they will make relatively modest demands for improved technology.

There is need to step up our efforts to improve air quality. Industry, I am pleased to acknowledge, is cooperating vigorously in these efforts. Its expertise is essential, of course, in exploring ways to clean our polluted air, and I welcome its active partnership with government at all levels in mobilizing public concern and mounting action programs.

With the step taken today we will not, simply and finally, restore the quality of the air we breathe. But I believe it is a vital step in that direction.

Mr. MURPHY. Mr. President, in addition, I ask unanimous consent that a table showing the California vehicle emission standards, as authorized by the State's Pure Air Act of 1968, be printed at the close of my remarks.

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

(See exhibit 1.)

Mr. MURPHY. Mr. President, the granting of California's waiver culminates a long, hard struggle here in the Congress to make certain that California will be able to continue its pioneering efforts in the air pollution area and secure for our people the quality of air they demand and deserve.

I believe it would be helpful to trace the history of this victory. It was in 1966 during hearings on the Federal Clean Air Act that the issue of Federal preemption was first raised by me. During the hearings before the Senate Public Works Subcommittee on Air and Water Pollution so ably chaired by Senator MUSKIE, I said:

This raises a very interesting question, Mr. Chairman. The question of federal preemption. Since the federal government is in effect going to adopt the 1966 California standards as national standards on 1968 vehicles, the very serious question of whether the federal government's action will preempt the field and thus prevent California from enforcing more stringent standards established for 1970 is presented.

It would be undesirable from a policy standpoint for the federal government to preempt the field. I feel certain such was not the intent of Congress in enacting the Clean Air Act, since primarily the responsibility for air pollution was recognized rightfully to belong to the states. For obviously the degree of control needed in one community will vary with the degree of control needed in another. I therefore believe the committee should clarify this point.

Senator MUSKIE responded by saying:

We ought to make sure that the lesser or lower federal standards do not preempt the higher or more effective standards of any state, including California.

Thereafter, in 1967, the automobile industry argued that the nature of the industry's assembly-line operations required uniform national standards or Federal preemption. Because of the critical nature of the pollution problem in California and our pioneering efforts in this area, I could not stand by and allow the Federal Government to wipe out California's responsibility in this area. Therefore, I strongly argued against Federal preemption and I was able to persuade the Committee to preserve to California the right to set higher standards. I ask unanimous consent that the Committee report's discussion of this is-

sue and my amendment be printed at this point in my remarks.

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

On the question of preemption, representatives of the State of California were clearly opposed to displacing that State's right to set more stringent standards to meet peculiar local conditions. The auto industry conversely was adamant that the nature of their manufacturing mechanism required a single national standard in order to eliminate undue economic strain on the industry.

The committee has taken cognizance of both of these points of view. Senator Murphy convinced the committee that California's unique problems and pioneering efforts justified a waiver of the preemption section to the State of California. As a result, the committee incorporated in section 202(b) a waiver amendment offered by Senator Murphy. It is true that, in the 15 years that auto emission standards have been debated and discussed, only the State of California has demonstrated compelling and extraordinary circumstances sufficiently different from the Nation as a whole to justify standards on automobile emissions which may, from time to time, need be more stringent than national standards.

This situation may change. Other regions of the Nation may develop air pollution situations related to automobile emissions which will require standards different from those applicable nationally. The committee expects the Secretary to inform the Congress of any such situation in order that expansion or change in the existing waiver provision may be considered.

Until such time as additional problems of this type arise it seemed appropriate that the waiver provision of subsection (b) should be limited solely to California. This approach can have several positive values:

1. Most importantly California will be able to continue its already excellent program to the benefit of the people of that State.
2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.
3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.
4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation.

Mr. MURPHY. Mr. President, thus, my amendment allowing California to establish higher motor vehicle emission standards was incorporated into the Air Quality Act as reported by the Senate Public Works Committee on July 15, 1967.

On July 18, the Senate by a vote of 88 to 0 passed, with my amendment included, the Air Quality Act of 1967. I ask unanimous consent that a copy of my floor statement in support of the bill as passed by the Senate be included in the RECORD at the end of my remarks. I would like to emphasize, Mr. President, that not a single voice was raised in opposition to the amendment.

The measure was then referred to the House Interstate and Foreign Commerce Committee where a very strange thing happened to the California amendment on the way to the House floor. For the House Interstate and Foreign Commerce Committee, over objections by California members of that committee, deleted the Murphy amendment.

As soon as I heard of this House action, I expressed my deep disappointment over the committee's action, and urged that the California delegation "unite on this question and attempt to restore the amendment when it comes to the floor."

For those cynics who would say that the voices of the people have little influence in the shaping of legislation, I believe that what happened on the House floor proves otherwise. For following the House committee action, an aroused public opinion in California overwhelmed Congress, letting them know in no uncertain terms that Californians did not believe that the public interest had been served by the committee's action. The spontaneity of the response and its size have interested students of public opinion who have told me that the response of the California public was truly amazing. An example of this was one radio station in Los Angeles, KLAC, which received over 250,000 letters in opposition to the House committee action. This was front page news in California through this period and most newspapers in the State strongly editorialized in favor of the California waiver.

Backed by California public opinion, a united California congressional delegation rose to the challenge, reversed the action of the House committee and restored my amendment prior to House passage of the measure on November 2, 1967.

Although this represented a major victory for the State, we had not yet won the war. My interest continued undiminished. In January and June of 1968 the Department of Health, Education, and Welfare held public hearings on California's first waiver request. I appeared in San Francisco in support of California's request. As a result, California was granted a waiver for the following State standards and test procedures: First, California exhaust emission standards and procedures for 1969 model heavy-duty vehicles; second, California exhaust emission standards and test procedures for 1969 model passenger cars (light duty vehicles); and third, California fuel evaporative emission standards and test procedures for 1970 model light duty vehicles.

In 1968 the California State Legislature enacted the Pure Air Act of 1968, a milestone in our State's battle to achieve clean air. On September 27, 1968, California requested a waiver to implement its Pure Air Act. Again, in March of this year, in testimony to the Department of Health, Education, and Welfare, I strongly urged that the complete 4-year waiver to implement the Pure Air Act be granted to California.

Mr. President, I ask unanimous con-

sent that my statements of July 18, 1967, January 15, 1968, and March 12, 1969, be printed in full following my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibits 2, 3, and 4.)

Mr. MURPHY. Mr. President, I am indeed grateful to Secretary Finch for granting California this waiver. The Secretary's action is consistent with my amendment and the intent of Congress in accepting it. It demonstrates that the new administration by its actions, in addition to words, intends to encourage State initiative and responsibility. The Senate Public Works Committee report on the 1967 Federal Air Quality Act summarized the positive benefits that can result from encouraging California to move ahead. They are: First, most importantly California will be able to continue its already excellent program to the benefit of the people of that State. Second, the Nation will have the benefit of California's experience with lower standards which will require new control systems and design. Third, in the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems. Fourth, the industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation.

In conclusion, I am convinced, Mr. President, that the Secretary's decision will enable California to win its battle against smog within the next 4 to 5 years as well as show the way for the Nation to overcome pollution.

#### EXHIBIT 1

TABLE 4. California vehicle emission standards

- I. Gasoline-powered motor vehicles under 6,001 pounds manufacturer's maximum gross vehicle weight having an engine displacement of 50 cubic inches or greater—
  - A. Exhaust emissions:
    1. 1970 model year, 2.2 grams per mile hydrocarbons; 23 grams per mile carbon monoxide.
    2. 1971 model year, 2.2 grams per mile hydrocarbons; 23 grams per mile carbon monoxide; 4.0 grams per mile oxides of nitrogen.
    3. 1972 and 1973 model years, 1.5 grams per mile hydrocarbon; 23 grams per mile carbon monoxide; 3.0 grams per mile oxides of nitrogen.
    4. 1974 and later model years, 1.5 grams per mile hydrocarbons; 23 grams per mile carbon monoxide; 1.3 grams per mile oxides of nitrogen.
  - B. Evaporative loss: 1970 and later model years, 6 grams hydrocarbons per test.
- II. Gasoline-powered truck-tractor or bus over 6,001 pounds, manufacturer's gross weight—
  - A. Exhaust emissions:
    1. 1970 and 1971 model years, 275 ppm of hydrocarbons; 1.5 per cent carbon monoxide.
    2. 1972 and later model years, 180 ppm of hydrocarbons; 1 percent carbon monoxide.

#### EXHIBIT 2

##### AIR QUALITY ACT OF 1967

Mr. MURPHY. Mr. President, at the outset I want to congratulate Senator MUSKIE and Senator BOGGS for once again steering

through the Senate Public Works Committee, a bill which I believe represents a great, giant step forward in our Nation's battle against air pollution.

In addition, I believe S. 780 evidences the legislative branch's responding to a clear need in the most responsive manner. And, Mr. President, the record is clear that it has been the Congress that has taken the initiative in the country's battle against pollution, both air and water. In fact, many of us in the Congress have been greatly disappointed in the administration's budget requests in the pollution area.

To the credit of the distinguished chairman of the subcommittee, and to the ranking Republican member, Senator Boggs, this committee held most exhaustive hearings and developed an outstanding record. This record clearly documents the danger and suggests the direction in which the Nation should move in order to combat pollution. Subsequently, in executive session, the subcommittee hammered out and shaped the form of S. 780 that we now have before the Senate today.

It is a good bill; it merits the support of the entire Congress; it will receive the thanks of a concerned citizenry. Last year in a statement before the Senate Subcommittee on Air and Water Pollution, I stated:

"In my judgment the pollution problem is one of the most serious domestic problems facing our country today. While serious, it is not yet critical. The time is not on our side. It is running out. The delay will not only be costly in terms of dollars, but even more important, will be the possible detriment to human health and the interference with the general well-being of our society."

Mr. President, this bill, while recognizing the critical nature of the pollution problem, adopts a rational and reasonable approach to the pollution problem. It should do the job. It recognizes the legitimate and primary responsibility of the State and local governments in the field of air pollution but yet the message of the legislation is clear. Although we are going to give the States and the local governments the initiative in the pollution field, we will not permit inaction. The battle against pollution will and must be won. For while we are fully aware that cleaning up the air will be costly, an article in the Harvard Business Review estimated that expenditures of some \$105 billion will be necessary over the next 30-year period to provide clean air. While costly, we recognize clearly that we cannot afford to do less.

Mr. President, we already know much about the damage that pollution causes to both property and, more importantly, to persons. It has been estimated that property damages resulting from air pollution in the United States is \$11 billion annually. Agricultural losses in my State total approximately \$132 million each year. In addition, we know that pollution contributes to the deterioration and corrosion of our physical structures. As consumers, we can see the effects of pollution by the need for more frequent trips to the laundry and the need for more frequent car washes. Even more important, Mr. President, are the adverse effects that pollution may have on human health. Evidence continues to grow associating air pollution with certain respiratory disorders, such as asthma, bronchitis, emphysema and lung cancer. Surg. Gen. William H. Stewart on April 19 testified before the subcommittee and he centered his remarks on the adverse effects of air pollution on public health. Dr. Stewart, after discussing the types of evidence available linking air pollution and "specific health detriment" declared emphatically that air pollution was a health hazard and that the evidence created a "disturbing and convincing portrait of a major health menace."

It is clear, Mr. President, that we cannot wait until conclusive evidence is produced

for it is obvious that air pollution does not do anyone any good. Therefore, it behooves us to clean up the air. Since my father was one of the Nation's outstanding track coaches, I naturally have an interest in track. I read with interest a March 30 study which appeared in the Journal of the American Medical Association, which concluded that high levels of smog have a negative effect on the performance of long-distance runners.

Mr. President, as a Californian, I am very proud of the State's pioneering efforts in the field of air pollution. I am, however, as are most Californians, not satisfied with the quality of air that we have achieved. We can and we must do better. In Los Angeles County a vigorous and effective program to abate air pollution from stationary sources is paying off. Aimed at reducing the air pollution levels from stationary sources to those existing in 1940, the goal has almost been reached. Los Angeles County's control program for stationary sources has kept more than 5,000 tons of contaminants out of the air daily. Los Angeles County has demonstrated that pollution from stationary sources can be controlled. Los Angeles County and the State of California, for that matter, have demonstrated that local and State governments can, and are willing to, adopt and enforce standards to control pollution.

I only wish, Mr. President, that the State of California was making as rapid progress in controlling the pollution from the automobile as we have made in controlling the pollution from stationary sources. Unfortunately, such is not the case. Although we are making progress, the truth of the matter is that we have to run as fast as we can to stand still. This is so because of our rapidly growing population which is expected to double by the end of this century, and the increasing number of automobiles.

On May 27, 1966, the Air Pollution Control District of the County of Los Angeles issued its report to the board of supervisors regarding the status of air pollution control in Los Angeles County and the prospects of success of the current control program. Their conclusions were: First, current motor vehicle control programs will not achieve acceptable air quality in Los Angeles in the next decade, and second, control of motor vehicle emissions must be intensified and accelerated if Los Angeles County is to have acceptable air quality in 1980.

In California, Mr. President, it is estimated that emissions from the motor vehicles are responsible for approximately 80 percent of the Los Angeles problem, and I am certain that the automobile is a substantial contributor elsewhere. In 1966, all new cars were required by California law to be equipped with devices limiting the amount of hydrocarbons that can be emitted from 275 parts per million and carbon monoxide to 1.5 percent. Effective in 1970, standards have been adopted to further reduce the exhaust emissions in the case of hydrocarbons from 275 parts per million to 180 parts per million, and carbon monoxide from 1.5 percent to 1 percent. These statistics document the tremendous challenge the State of California will face in the next few years and the next decade as we attempt to clean up the air of the State of California. The extraordinary and compelling circumstances that have existed in California have prompted the State to move into uncharted areas. By so doing, the State and many of its citizens have provided the Nation with many of the tools, many of the ideas and with many of the competent personnel necessary to zero in on the Nation's pollution problem. That California has developed the needed expertise is readily apparent by counting the number of Californians that have been called upon by the Federal Government to serve in positions of leadership and responsibility in the Federal air pollution program.

It is because of the extraordinary and com-

polling problem that has existed and that exists in the State of California that the State has had to make a great effort in the past and will undoubtedly be called upon to make even greater efforts in the future, in order to assure that the citizens of the great State of California will have acceptable and clean air. Because of the efforts the State has made, and because of the very serious problem that exists, I naturally, was very concerned and very disturbed when the committee was considering the question of Federal preemption on the right to such standards of automobile exhaust emissions. I also, of course, recognize that industry's argument that they could not live with 50 different standards of 50 different States was not without merit.

I am particularly grateful for the recognition that the committee has given to the State of California by accepting an amendment offered by me which recognizes the State's unique problems and pioneering efforts by granting a waiver from the Federal preemption to the State of California, and thus insuring that the State will be able to continue "its already excellent program to the benefit of the people of that State." Because of the importance of this issue, Mr. President, I would ask unanimous consent that this portion of the committee's report dealing with the question of Federal preemption be printed in full at this point in my remarks.

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

"To date only California has actively engaged in this form of pollution control and, in fact, the initial Federal standard is based on California's experience. The Federal standard will be applicable to all 1968 model automobiles sold in the United States. Other States have enacted legislation and regulations governing crankcase emissions but this control method has been in general use throughout the United States since 1963.

"On the question of preemption, representatives of the State of California were clearly opposed to displacing that State's right to set more stringent standards to meet peculiar local conditions. The auto industry conversely was adamant that the nature of their manufacturing mechanism required a single national standard in order to eliminate undue economic strain on the industry.

"The committee has taken cognizance of both of these points of view. Senator Murphy convinced the committee that California's unique problems and pioneering efforts justified a waiver of the preemption section to the State of California. As a result, the committee incorporated in section 202(b) a waiver amendment offered by Senator Murphy. It is true that, in the 15 years that auto emission standards have been debated and discussed, only the State of California has demonstrated compelling and extraordinary circumstances sufficiently different from the Nation as a whole to justify standards on automobile emissions which may, from time to time, need be more stringent than national standards.

"This situation may change. Other regions of the Nation may develop air pollution situations related to automobile emissions which will require standards different from those applicable nationally. The committee expects the Secretary to inform the Congress of any such situation in order that expansion or change in the existing waiver provision may be considered.

"Until such time as additional problems of this type arise it seemed appropriate that the waiver provision of subsection (b) should be limited solely to California. This approach can have several positive values:

"1. Most importantly California will be able to continue its already excellent program to the benefit of the people of that State.

"2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.

"3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.

"4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation."

Mr. MURPHY. Mr. President, at one time, air pollution in this country was thought to be a peculiar phenomenon which everyone associated with Los Angeles. Now, we are told that every city in the Nation with a population over 50,000 or more has an air pollution problem.

I have had the privilege and pleasure, Mr. President, of traveling across this great country and countless times over the past years my eyes have witnessed what the experts tell us—the pollution problem is a growing one and can be seen in every State.

On top of this, the leading authorities tell us that we will see a doubling of the population in the urban areas of our Nation in the next 40 years. The number of automobiles is expected to grow at an even faster rate. The challenge to the Nation is great. But we have no choice, Mr. President, if we are to assure to the American people the quality of air and the quality of life that they expect and deserve.

Early in this century, a great American, Teddy Roosevelt, very disturbed over the manner in which the Nation was allowing its land and its other natural resources to waste, led us on a great conservation movement. An equally great challenge faces us today.

Mr. President, air and water are also precious natural resources, which we have been neglecting for too long. All of us are guilty, and as the Los Angeles Times in a March 19th article, entitled, "Let's Clean Up Spaceship Earth," observed:

"Spaceship Earth is a 'closed space capsule.' Only sunlight gets in; nothing leaves. Getting 'rid' of waste often is merely the redistribution of it within our 'capsules.' But it stays with us in our journey through space."

I am encouraged, Mr. President, for I can sense a crusading spirit and a determination by all segments of our society that the Nation can and will be victorious in its battle against pollution. A Harris poll of April 3 indicated that there was more public support for accelerated Federal pollution control than any other single domestic program. Over one-half of the persons queried indicated that they wanted more action by the Government. One-third supported action at the current level.

One seldom picks up a newspaper, a magazine, or a trade journal, Mr. President, without seeing an article on the pollution problem. Businessmen throughout the country recognize that we must win the battle against pollution and that we cannot afford to do otherwise.

Having the greatest of faith in our system of government and in the judgment of the American people, Mr. President, I firmly believe that what the American people want and demand will be accomplished.

Also, having the greatest of confidence in the genius and capacity of American industry, I am convinced that technology and

know-how, where not presently existing—and much of it is already in existence—can be developed. Industry should aim high; it should aim at completely or nearly eliminating pollution. The automobile industry, for example, should not rest until it produces a pollution-free engine. This does not suggest that we panic, for we cannot demand that which is not technologically or economically feasible.

Mr. President, we should not leave the impression that the bill we are enacting today will clean up the air overnight. It will provide a framework for effective action by State and local governments. I urge States to make maximum utilization of this bill's provisions and incentives, and I have a feeling that those elected representatives who do not heed the cry of the American people for clean air may not be elected officials too long. The bill rightly gives the State and local governments the opportunity to exercise leadership and to face up to the challenge and responsibility of cleaning up the Nation's air. By combining our resources of government, industry and individuals, I for one am confident that we can clean up the air.

Mr. President, I ask unanimous consent that a staff analysis of S. 780 be printed in full at this point.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

#### "PROVISIONS OF S. 780

"S. 780, as ordered reported includes the following provisions:

"1. Authority for the Secretary to go immediately to court in the event that he finds a particular pollution source or combination of sources, wherever such source or sources may be located, is presenting an 'imminent and substantial endangerment to the health of persons' to seek an injunction against the emission of such contaminants as may be necessary to protect public health.

"2. Provision for establishment of the Federal interstate air quality planning agencies if the States do not request designation of a planning agency for an interstate air quality control region.

"3. Provision for the Secretary of Health, Education, and Welfare to set ambient air standards in any designated air quality control region. If the States fail within 15 months after receiving a criteria and recommended control techniques, to adopt such standards and an acceptable plan for implementation.

"4. Provision for the Secretary to go to court, after 180 days notice, to enforce any violation of standards in any designated air quality control region.

"5. Specific directive to the Secretary to continue to use existing enforcement procedures as may be necessary to protect public health and welfare during standards development period; and provision for participation by interested parties in an abatement conference.

"6. A three-step approach to development of air quality standards including (1) designation, by the Secretary of Health, Education, and Welfare, of air quality control regions based on the need for pollution control and protection of health and welfare; (2) expansion of the existing provision for development and issuance of criteria as to the health and welfare effects on pollutants or combinations of pollutants; and (3) publication of information on the control technology required to achieve various levels of air quality.

"(7) An expanded research and demonstration program to advance the technology for controlling pollution from fuels and vehicles including specific authorization of \$375 million for three years (through 1970).

"8. Federal pre-emption of the right to set standards on automobile exhaust emissions with waiver of application of pre-emption to any State which had adopted standards

precedent to promulgation of Federal standards (California).

"9. Expanded State and local program grants provision to encourage comprehensive planning for intrastate air quality standards.

"10. Establishment of a statutory President's Air Quality Advisory Board and such other advisory committees as may be necessary to assist the Secretary in performing the functions authorized.

"11. A study of the concept of national emission standards and a study of the economic impact of pollution control.

"12. Federal assistance to the States to develop motor vehicle emission and device inspection and testing systems.

"13. Federal registration of fuel additives.

"14. Comprehensive reports to the Congress.

"15. Three year authorization of \$325 million for programs other than research on control of pollution from fuels and vehicles. (Total authorization including research \$700 million.)"

#### EXHIBIT 3

Mr. Presiding Officer, Ladies and Gentlemen, I am grateful for the opportunity to appear at this hearing and to ask that the State of California be exempted from Section 208(a) of the Air Quality Act of 1967 which grants to the federal government the exclusive right to control emissions from new motor vehicles.

At the outset, let me publicly express my very great esteem for Mr. S. Smith Griswold, the presiding officer at these hearings. I know that his expertise in the field of air pollution control is universally recognized. As the former Air Pollution Control Officer in Los Angeles, Mr. Griswold played a major role in fighting air pollution there at a time when smog-control efforts were in their formative stages in California. Thanks to Mr. Griswold's efforts, effective measures were instituted to reduce air pollution resulting from stationary burning.

While great strides have been taken in California to protect the purity of the air we breathe, the job is far from complete. It is now known that 85 percent of the problem results from automobile engine emissions, so there can be no doubt where our attention must focus as we seek to improve a serious situation.

Every authority reminds us that air pollution in San Francisco, the East Bay area, Los Angeles, San Diego and other large urban areas of our state has reached the threshold of intolerance.

Physicians strongly suspect that polluted air is slowly killing Californians—especially the very young, the aged, and those with respiratory ailments.

I was deeply impressed when Dr. Joseph Boyle, President of the Los Angeles Medical Society, representing 10,000 physicians, warned last fall that air pollution in the Los Angeles Basin "could lead to great loss of life in this community."

Of even more significance, Dr. Boyle declared that the danger extended not only to the traditional high-risk group—the aged, infants and the ill—but also to Californians who are presently in good health.

The warning of a physician trained to examine facts dispassionately—one cautious to the pitfalls of overstating a case—demands attention. I have treated Dr. Boyle's warning with appropriate care, and I hope others will do so too.

We in California have known for a long time that air pollution was damaging our crops, harming our health, spoiling the aesthetics of our beautiful state and threatening the future of California.

We have taken significant steps to lessen the amounts of harmful pollutants in our air.

It has been a race to stay ahead of a condition in which we literally choke on foul air.

Only last week, the Riverside County Air Pollution Control Office issued a report stating that smog in Riverside County increased 88 percent during 1967 over 1966. Similar startling statistics, I am sure, can be reported by other local jurisdictions.

California knows the score on smog. For almost ten years, we have been concerned about this menace. Last Fall, Governor Reagan signed the important Mulford-Carrell Act which provides for a strong and effective program of statewide control and administration over all sources of air pollution, giving due weight to the rights of local authorities. The 1967 Legislature, under Governor Reagan's leadership, created a new State Air Resources Board to coordinate air pollution control efforts throughout the state. The Governor has recently named an outstanding group of California citizens to serve on this Board, headed by Mr. Lou Fuller, a man with a proved record of competence in the field.

California's problem has not been in alerting its citizens and government officials to the dangers of smog. It has been to enact air pollution control standards stringent enough to keep pace with a fast growing problem.

This brings me to the subject of this hearing.

As a member of the Senate Subcommittee on Air and Water Pollution, I was the author of the amendment to the Air Quality Act of 1967 which granted California an exemption from federal control of motor vehicle emissions.

If I may be permitted, I would like to delve briefly into the legislative history of this amendment so important to California.

I first raised the question of federal pre-emption in June of 1966 when the Subcommittee held hearings on the major piece of legislation in the field enacted that year, the Clean Air Act.

I could see that the time was approaching when Congress would put the federal government in charge of delineating and enforcing standards to control air pollutants.

I was very much interested, of course, in the effect on my state of nationwide air pollution control under federal administration. The danger, I informed the Subcommittee in 1966, was that the effectiveness of California's pioneering efforts in the field would be lessened by weaker federal standards.

That is exactly what happened in 1967. Under the guidance of Senator Edmund Muskie, D-Maine, the Senate Subcommittee prepared a comprehensive measure to put teeth into the federal effort to clean up the skies of the United States.

As I expected, and as is fully understandable, the old standards previously promulgated by California formed the basis of the Air Quality Act's provisions on controlling emissions from motor vehicles.

California, however, based upon new experience and technological advances has adopted new, improved, and more stringent limits on automobile emissions to be effective in 1970.

If the Subcommittee, and later the full Congress, had not approved the Murphy amendment exempting California from federal control over motor vehicle pollutants, these new standards would not be permitted and our state would be precluded from moving ahead in smog control.

This would have been intolerable.

Fortunately, I was able to convince Senator Muskie and the other members of the Subcommittee that California was entitled to a waiver for the reasons I have just outlined.

I emphasized, and Congress agreed with me, that the other 49 states actually will benefit by the California exemption.

Other states, with a lesser problem, will not be burdened with stricter standards necessary for California's special problems. And the people of California will not be penalized because a state like Montana is so fortunate as to have clean air and so does not require

the strict controls which we need in California.

As California's more stringent controls become effective, the entire nation will have the benefit of our state's experience. In fact, California will continue to be the testing area for such lower standards. It was the view of the Subcommittee that should our efforts to achieve lower emission levels be successful the Secretary of Health, Education, and Welfare would give serious consideration to strengthening the federal standards.

As finally incorporated in the law, the waiver section requires the Secretary of Health, Education, and Welfare to waive application of federal control of motor vehicle emissions to California unless he finds that: (1) compelling and extraordinary conditions do not exist, (2) that California's standards are not consistent with the test of economic practicability and technological feasibility required in Section 208(a) of the Act, and (3) that the accompanying enforcement procedures are in conflict with the intent of Section 208(a).

In the Congress, both the Senate (by a unanimous vote) and the House agreed with the contention of Californians that "compelling and extraordinary conditions" did exist in our state. The purpose of this hearing is to ratify that finding. I am certain that local officials, representatives of the Legislature, and of Governor Reagan who will testify here will present additional facts to support my contention.

I am convinced that California needs this exemption. I know that California will continue to set the pace for the rest of the nation in air pollution control.

I foresee the day in the near future when the Legislature will adopt a law limiting the amount of smog-producing hydrocarbons in motor vehicles to a figure below 100 parts per million.

I congratulate the automobile industry for the hopeful progress in emission control which has been made in recent months, and I am certain the industry will continue its research effort geared to a goal of eventually producing an automobile that burns all its fuel and allows a bare minimum of harmful pollutants to escape.

I am equally certain that California, as it has done in the past, will continue to spur the industry in that drive.

This state cannot afford an ever-rising curve of pollutants in the air. California has passed that point in its history when it can allow unrestrained fouling of its air. We cannot go backward.

I am pleased that in smog control, California, the Number One State, has once again taken the lead in research and development of techniques which will be of immeasurable benefit not only to the people of our state but to citizens of congested areas throughout the nation and indeed the world.

I urge an affirmative finding on the question of granting California a waiver from Section 208(a) of the Air Quality Act.

Thank you.

#### EXHIBIT 4

#### AIR QUALITY STANDARDS FOR CALIFORNIA

Mr. MURPHY. Mr. President, on March 5, I submitted a statement to be included in hearings by the Department of Health, Education, and Welfare being held in Los Angeles, Calif., on California's request for a waiver to implement its Pure Air Act of 1968, as authorized by the Murphy amendment to the Federal Air Quality Act of 1967.

In this statement, I urged Secretary Finch and his Department to grant the full waiver as requested by the State of California, so that we might continue to establish standards that will bring to California the air quality that the people demand and deserve.

Mr. President, I ask unanimous consent

that my statement fully supporting California's request be printed in the Record.

In addition, I ask unanimous consent that California Assembly Joint Resolution 8, also supporting California's waiver request, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

"STATEMENT OF SENATOR GEORGE MURPHY, OF CALIFORNIA, HEW HEARING ON CALIFORNIA'S WAIVER REQUEST, LOS ANGELES, CALIF., MARCH 5, 1969

"Mr. Chairman, I strongly urge the complete waiver as requested by the State of California be granted. The granting of the waiver will enable the State to implement the Pure Air Act of 1968, which was passed by the State Legislature and signed into law last year by Governor Reagan. The waiver is a *must*, if California is to achieve the clean air that our people both demand and deserve.

"As the author of the 'Murphy amendment' which was incorporated into Section 208(b) of the Federal Air Quality Act of 1967, I am obviously very familiar with the congressional intent and the history of the amendment. Under the Air Quality Act of 1967, the federal government pre-empted the field insofar as the establishing and enforcing of automobile emission standards are concerned. This means that the states are not allowed to establish and enforce automobile emission standards. California under my amendment was the only state in the nation granted a waiver from this Federal pre-emption.

"Mr. Chairman, the securing of the waiver for California was not an easy matter. Although California's congressional delegation is large, the task of convincing our colleagues from other states that one state should be granted a waiver was a difficult one.

"On the Senate side, I was able to persuade my colleagues on the Senate Public Works Subcommittee on Air and Water Pollution that both the need and California's pioneering air pollution efforts justified this special treatment for California. Thus, my amendment preserving California's right to continue its battle against air pollution was adopted in Committee and was included in the bill as it passed the Senate. The Senate Committee report points out the "positive benefits" that would flow from the approach of the Senate—that is, federal pre-emption but with the waiver to California.

"1. More importantly California will be able to continue its already excellent program to the benefit of the people of that State.

"2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.

"3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.

"4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation."

"Thereafter, an all-out campaign was mounted to delete the 'Murphy amendment' with the result that the House Interstate and Foreign Commerce Committee deleted the amendment. When this occurred, an aroused and united California congressional delegation girded by a tremendous groundswell of public opinion succeeded in rein-

stating the 'Murphy amendment' on the House Floor. Following this action, I remarked that this was a great victory for the public interest and it demonstrated how the voices of the people can and will make a difference in the action of their Congress.

"California through the 'Murphy amendment' had won the right to continue to enact legislation to further the State's determination to have clean air. In 1968 the California Legislature responded to the vote of confidence that Congress gave with the enactment of the Federal Air Quality Act of 1967 and demonstrating its desire to continue to be the nation's bellwether in the pollution fight enacted the Pure Air Act of 1968.

"In summary, Mr. Chairman, California fought for the waiver and won. They responded to the opportunity afforded them by the amendment by enacting the Pure Air Act of 1968, and they are going to fight for this waiver which will enable them to implement the badly needed tougher standards of the Pure Air Act of 1968.

"I am pleased that the hearing is being held in Los Angeles. Here is where the air pollution problem is the most serious. That extraordinary and compelling circumstances exist is so obvious that I feel it is unnecessary to labor this point. That 10,000 citizens have been advised to leave the Los Angeles areas because of the air pollution problem shows that the problem is, as one radio station in Los Angeles called it, a matter of 'Life or breath.'

"Further, Mr. Chairman, the standards of the Pure Air Act of 1968 have been found to be both economically and technologically feasible by a nine-member blue ribbon technical advisory panel, composed of California's foremost engineers, scientists and air pollution experts. Unless the hearings prove that the California standards are not technologically and economically feasible, the 'Murphy amendment' requires the waiver to be granted to California.

"While I certainly do not agree, I can understand industry's opposition to the California standards. I do not understand, and I emphatically disagree with, the feeling that I get that certain people in the Department of Health, Education and Welfare in the past have attempted to construct any roadblock or strawman they can to prevent California from moving ahead in the air pollution field. I feel confident that under the new Secretary this will not be done in the future. I would think that the Department of Health, Education and Welfare would be delighted to see California increase its efforts to protect the health and welfare of its citizens—efforts that would not only immediately benefit California but ultimately benefit the entire nation.

"I was further alarmed to read in Monday's, March 3, Wall Street Journal an article where one nameless 'federal expert' indicates that if California is granted the waiver the federal government would be under strong political pressure to tighten federal requirements. The 'federal expert' is quoted as saying 'the question is if this is feasible for California, why not for the rest of the country?' I would suggest to this 'federal expert' that he ought to spend some time studying legislative history and the intent of the Congress. Congress intended that a waiver be granted to California so that California could continue to be the nation's pacesetter in pollution control. I might add further, as serious as the pollution problem is, a little pressure to improve air pollution control across the country would not hurt anything.

"The unfortunate truth is that it may have taken California's pressure to get the industry to realize the seriousness of the air pollution problem. I have been encouraged by some recent outstanding and constructive research and action projects now underway

by industry. For example, Mr. Miller, retiring chairman of Ford, recently announced a major engineering breakthrough. The Inter-Industry Emission Control Program, jointly sponsored by various automobile companies and the oil industry has invested \$4 million into clean air research. Had we pushed earlier, we may not have found ourselves in the serious difficulties that we are in today.

"And I would suggest that a good place to start would be for the federal government to put its own house in order by cleaning up pollution from federal facilities. For example, a 1968 report by former Secretary of Health, Education and Welfare, Wilbur Cohen, states, and I quote: 'Federal installations account for about 30 per cent of the air pollution of the District of Columbia.' We in Los Angeles have certainly done a better job in cleaning up pollution from stationary sources than the federal government has done in cleaning such pollution from the Nation's Capital.

"We frequently hear a great deal of criticism that the states are not living up to their responsibilities. While some of this criticism is undoubtedly true, there are states that not only face up to their responsibilities, but also point the way for other states and the federal government. Air pollution is an excellent example, and we should remember insofar as air pollution is concerned, that the federal government is a 'Johnny-come-lately.' If the statistics are accurate regarding pollution from the federal facilities in the District of Columbia and other states, they would indicate that the federal government's record has not been the most enviable one.

"As part of a new Administration that has pledged itself to a new era of federal-state relations, I strongly urge that the waiver as requested by the State of California be granted.

"Mr. Chairman, I think that a statement by Dr. Joseph Boyle, President of the Los Angeles Medical Association, on the critical nature of the air pollution problem needs to be carefully studied:

"This committee concludes that air pollution is becoming increasingly worse, and could lead to a great loss of life in this community. The evidence is conclusive that the increase in the significant components of this air pollution is due primarily to emissions from motor vehicles. These emissions constitute a serious threat to the health of residents of the Los Angeles Basin. Although this is especially true for those that are ill, the very young or the very aged, it also applies to those who are presently in good health. The Los Angeles County Medical Association wishes to emphasize to the Legislature of the State of California, and the Congress of the United States, that a critical and worsening health crisis exists in Los Angeles County, despite all efforts for its control. The pending crisis is imminent, and demands that every appropriate action, however drastic, be taken immediately. No further delay can be tolerated, with safety.'

"So, Mr. Chairman, Dr. Boyle's statement leaves no doubt that we need to accelerate our battle against air pollution. To those government officials and members of industry who say that we should go slow and that we cannot afford to move as rapidly as California wants to and has found it economically and technologically feasible to do so, I would quote from a statement by Mr. M. A. Wright, who, as President of the U.S. Chamber of Commerce, said: 'To those who say they cannot afford to take effective anti-pollution measures, I can only respond that they can't afford not to.'

"In my judgment, Mr. Chairman, the federal government should be encouraging and urging California to move ahead. It can do so by approving the waiver as I strongly urge."

#### ASSEMBLY JOINT RESOLUTION 8

Joint resolution relative to the Pure Air Act of 1968

Whereas, Seventy percent of the poisonous smog which each year costs California approximately half a billion dollars is caused by motor vehicles; and

Whereas, The California State Legislature last year developed vehicle emission standards which all new vehicles must meet beginning in 1970 and which become increasingly more stringent through 1974; and

Whereas, California may not implement these standards unless the Secretary of Health, Education, and Welfare finds, under the Federal Air Quality Act of 1967, that the standards are technically feasible and capable of implementation with reasonable economic cost; and

Whereas, The standards in the Pure Air Act of 1968 have been found to be technically feasible and capable of implementation with reasonable economic cost by a technical advisory panel of nine California engineers, scientists, and air pollution experts; and

Whereas, The automobile manufacturers have repeatedly asked that emission standards be established well in advance so that they may have "lead time" to develop the hardware to implement the standards; and

Whereas, All the standards in the Pure Air Act of 1968 are now California state law; the standards for cars as well as larger vehicles, the standards for exhaust emissions as well as evaporative loss, and the standards for 1971, 1972, 1973, and 1974 as well as 1970; and

Whereas, This is the law passed by both houses of the Legislature, and this is the law signed by the Governor; and

Whereas, On November 20, 1968, the California Air Resources Board unanimously adopted test procedures for all the standards in the Pure Air Act; for both exhaust and evaporative loss; for hydrocarbons, carbon monoxide and oxides of nitrogen; and for 1970, 1971, 1972, 1973, and 1974; and

Whereas, Without the strong responsible standards in the Pure Air Act of 1968 there is persuasive medical evidence that California faces a public health crisis of major dimension; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California requests the Secretary of Health, Education, and Welfare to grant California a waiver on all of the standards and procedures in the Pure Air Act of 1968 as promptly as possible; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the Secretary of Health, Education, and Welfare and to each Senator and Representative from California in the Congress of the United States.

#### DRAFT REFORM NOW

Mr. GOODELL. Mr. President, in time of peace, an outdated and unfair draft law is bad enough. In time of war—when it determines who may live and who may die—it is intolerable.

We have a draft law that hardly anybody thinks is any good. The President does not like it; the Pentagon does not like it; millions of young men and their families do not like it. Yet, still the obsolete draft system drags on from decade to decade, without real reform.

What is wrong with our draft? We all know the answers almost by heart. It keeps millions of young men in a needless state of uncertainty from the time they are 18 to the time they are 26. It is

riddled with loopholes and inconsistencies. It is not a just method of answering the question: "Who serves when not all serve?"

Every day, we hear politicians, professors, principals, and parents calling upon the young to abide by the law. Yet how can we seriously expect young men to listen to this advice without cynicism, when the law that most vitally affects their lives and futures—the draft—is so patently unfair and out of date?

Any draft system—even the most carefully and fairly drawn—can be no better than a necessary evil. For any draft system entails involuntary servitude, in a sense. It requires young men to serve and to risk their lives, whether they will or no. Any system of conscription raises the question put so well by Representative James F. Byrnes, of South Carolina, over 50 years ago:

Must we Prussianize ourselves to win democracy for the people of the world?

In the long run, the only good way to recruit men for our Armed Forces is on the basis of their free will. I wholeheartedly support the President's directive to the Department of Defense to proceed with the formulation of plans for an all-volunteer army which would end reliance on the draft. Any volunteer army should, of course, be subject to strict civilian control.

A voluntary army, however, cannot be established immediately. There will be a period of years—which will be longer or shorter depending on the duration of the war in Vietnam—when we will have to use conscription to fulfill our military manpower needs. We will have to accept the draft as a necessary evil for a time.

Since the draft cannot be abolished immediately, it must be reformed immediately. We simply cannot afford to continue the obvious inequities of the present draft system while awaiting a voluntary army.

Moreover, even when we reach the point of creating an all-volunteer army, we will need to have a draft law in reserve to meet situations of national emergency.

Draftees are being killed in Vietnam now. The time for draft reform is now.

An overhaul of the Selective Service System must accomplish the following objectives:

It must assure equitable and consistent treatment of all registrants.

It must limit the period of individuals' vulnerability to the draft, so that they can plan their futures.

It must operate simply and openly enough to be understood by the millions of young men whose future it so deeply affects.

#### A CIVILIAN NATIONAL COMMISSION TO ADMINISTER THE DRAFT

For 29 years, the Selective Service System has been the domain of a single individual—the Director of the System. This no longer makes sense.

We simply cannot afford to have a "czar" of the draft. Even the wisest and best intentioned man can misuse the tremendous power that now resides in the Director of the Selective Service System. No one man can adequately represent the enormously diverse interests that are affected by the draft.

Moreover, we cannot afford to have military men run our draft system at the top level.

Even the Pentagon has civilian leadership. Only the Selective Service System does not. The Director of the System is a career officer, as are almost all the division chiefs and top-level assistants. As long as the System has this purely military orientation, it cannot hope to be attuned to the profound social effect of the draft upon millions of civilians.

There is only one way to reform the draft leadership: to create a national civilian board to run the System.

I propose the creation of a National Selective Service Commission to direct the operation of the Selective Service System. The Commission would consist of five members, all of whom would have to be civilians. Members would be appointed by the President with the advice and consent of the Senate, for staggered, 5-year terms. No member could be appointed for more than two successive terms; and not more than three members could be of the same political party. The Commission would appoint a staff responsible to it. Regulations issued by the Commission would require Presidential approval.

The establishment of such a National Commission would have a number of important advantages.

A five-man civilian body would be more representative of the diverse interests affected by the draft. It would avoid the dangers of arbitrary action inherent in a single "czar" of the draft. It would adopt the principle of civilian rule that is now basic to all our institutions, including the Department of Defense.

Limiting the maximum tenure of members to 10 years will help avoid an entrenched leadership, insensitive to change.

Finally, requiring Presidential approval of the Commission's regulations will create a valuable check upon arbitrary actions, and help assure Presidential leadership in draft policy.

#### REDUCTION OF PERIOD OF VULNERABILITY TO THE DRAFT

The one point agreed upon by all studies made of the Selective Service System has been that young men of 19 should be the first to be called, not the last.

Under the existing system, most young men live in uncertainty for a period of several years during which they may be called to military service. In the extreme case, this period can run from a man's 18th birthday to his 35th.

The difficulties of planning one's future, of securing satisfactory employment, of entering upon long-term obligations, in the face of this uncertainty are obvious. It is a gross inequity to disrupt young men's lives unnecessarily for so many years.

The designation of 19-year-olds as the prime selection group for the draft should be accomplished by provisions limiting the period of uncertainty for an individual to 1 year. This would assure that a young man's prime exposure to the draft occurs before he is ready to enter on a career.

We must make this change, but we must do so in a way that does not unfairly

give blanket immunity to young men now in the age group 20 to 26. Accordingly, the transition should be accomplished over a 2-year period.

During the year beginning July 1, 1969, the prime selection group should be designated as those who will reach the age of 19, plus those who reach the age of 23, 24, or 25 in 1969. During the second year, beginning July 1, 1970, the prime selection group should be designated as the new group of 19-year-olds plus those who reached their 20th, 21st, or 22d birthdays in 1969. In the third year, the prime selection group will consist only of 19-year-olds.

#### A NATIONAL LOTTERY

The basic fact of the draft is that many more young men become eligible than will be called upon to serve. If we consider only 19-year-olds, approximately 1.9 million attain this age each year, of whom perhaps 1.5 million meet the physical and mental requirements for induction. The need for military manpower in the future however, is likely to require annual draft calls of only between 100,000 and 400,000.

Under the present system, the selection of those eligible men who will have to serve is largely at the discretion of individual draft boards. Glaring inequities have resulted. A young man's chances of being called are high or low depending on the attitudes of his local board.

A lottery is the only fair and practical way of deciding who will and who will not be called. Only a lottery system gives all registrants a roughly equal chance of being called or passed up. Only a lottery system will eliminate the favoritism and confusion which presently exist.

The lottery would draw from the prime selection group each year, the number of inductees needed to fulfill military manpower requirements. Those whose names are not drawn in the course of the year would know they are free from the draft, unless a national emergency requires a sudden major increase in military manpower.

#### GRADUAL ELIMINATION OF STUDENT DEFERMENTS

Under the present system, a student successfully pursuing an undergraduate degree is entitled to a student deferment until graduation. This automatic deferment should be abolished once the transition to the 19-year-old selection group is accomplished.

The deferment should be continued for students now in college. This is necessary to prevent those who are in the midst of their college careers from having their studies disrupted. Specifically, all students who entered college by September 1968 should be entitled to the II-S student deferment as long as they are successfully pursuing their undergraduate studies.

There is no justification, however, for extending this deferment beyond the transition period to the 19-year-old selection group.

When a young man serves should not depend upon whether his parents' wealth or his intellectual abilities enable him to go to college. The draft system should not be used as an incentive for higher education. Any automatic student defer-

ment tends to discriminate against the less educated and less affluent.

The inherent unfairness of student deferments becomes particularly striking in times like today, when a war is going on. The young man who does not qualify for a student deferment is faced with being drafted to fight in Vietnam and possibly, being killed. The young man who qualifies for the deferment may postpone his service for 4 years, at which time the Vietnam war may be over.

Under my proposed system, every draft-eligible young man would be placed in the lottery at the age of 19, whether or not he plans to go to college. If he is chosen, he will have to serve immediately, even though he wants to go to college. If, at 19, he is already in college when he is chosen, he will receive only a short deferment to enable him to complete his current college term.

#### CONSCIENTIOUS OBJECTORS

Since the early days of World War I, Congress has recognized the principle of conscientious objection. Initially, most CO's were members of Quakers, Brethren, and other pacifist sects.

Under the 1940 Selective Service and Training Act, the exemption for conscientious objectors was limited to those whose objection to war was based on religious training and belief. This reflected the historical fact of the religious origin of conscientious objection.

It soon became apparent, however, that those who objected to war on grounds of conscience included those with humanist attitudes not rooted in formal religion.

From 1943 to 1965, the Federal courts broadened the construction of the CO's exemption. This trend culminated in the Supreme Court's 1965 decision in the Seeger case; there, the Court held that the exemption was applicable to any person whose antiwar convictions occupied a place in his life parallel to that filled by the "Supreme Being" of the religious conscientious objector.

Unfortunately, Congress in effect overruled the Seeger decision 2 years later. The 1967 Selective Service Act specifically excluded those whose objection to war was based on "essentially political, sociological, or philosophical views or a merely personal moral code." As a result, persons whose objection to war was not based on formal religion generally were barred from classification as CO's.

On April 1, 1969, Chief U.S. District Judge Charles W. Wyzanski, Jr., ruled the 1967 act "unconstitutionally discriminates because it fails to recognize persons claiming conscientious objector status on other than religious grounds." He pointed out that such discrimination violates the provision of the first amendment that—

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

He said:

Congress unconstitutionally discriminated against . . . men like (the defendant) who, whether they be religious or not, are motivated in their objections to the draft by pro-

found moral beliefs which constitute the general convictions of their beings.

The National Council of Churches, commenting on this subject in February 1967, aptly made the same point:

"Conscience" is not a monopoly of Christians or of the religious traditions. Neither is there one kind of conscience that is "religious" and another that is "non-religious"; but only the human conscience.

Under the 1967 law, young men, American citizens, are denied freedom of conscience. The Wyzanski decision points to the constitutional contradiction of the 1967 act. I recommend that Congress amend the 1967 act to exempt from the draft young men who conscientiously oppose war whether on religious grounds or not.

A young man who wishes to qualify for conscientious objector status now must do more than establish his moral opposition to war in the present historical context. He must answer all sorts of hypothetical questions about what his attitudes would have been to wars in other historical situations. He is asked whether he would have fought in the Revolutionary War or whether he would have fought Hitler.

But how can he honestly answer questions like these? A 20-year-old's attitudes toward war can only really be formed on the basis of wars in his own lifetime—like the Vietnam war. How can he really know how he would have acted in World War II, which happened before he was born? We who are over 40 can remember World War II and can talk meaningfully about whether we would have served in it. But can any of us really say how we would have acted in the Civil War; in the Mexican-American War; in the Revolutionary War? These are hypothetical questions without any real meaning to a decision as profoundly personal as a matter of conscience.

We must bear in mind that conscientious objectors have to serve their country in other ways. A CO must serve in a noncombatant capacity in the military—for example, as a medic in the battlefield—or else he is assigned by his draft board to work for 2 years in "alternative civilian service in the national interest" at military pay—for example, as an attendant in a mental institution.

In administering the exemption for CO's, the emphasis should be not so much on the applicants' attitude toward hypothetical or long-past wars, but to war as it is now fought. The basic question should be whether his objection to war in its present historical context is truly based upon conscience—upon a profound moral repugnance against killing.

In short, it is spurious to attempt to distinguish "selective" conscientious objection from "total" conscientious objection. No man can honestly say what his conscience dictates, except in the situation with which he is actually confronted.

Accordingly, the statute should be revised to refer to persons conscientiously opposed "to war in the present historical context" rather than "to war in any form."

#### UNIFORM NATIONAL STANDARDS OF CLASSIFICATION

One of the worst inequities of the present system is a lack of uniformity on the part of 4,000 local draft boards in the standards used for classifications of registrants.

Prior to last year, the National Security Council maintained a list of occupations in which critical manpower shortages were deemed to exist. In February 1968, however, the National Security Council determined that neither the needs of the Armed Forces nor of the civilian economy required occupational deferments on a national basis.

This decision was publicized as a termination of occupational deferments. General Hershey, however, notified State Selective Service directors that each local board retained "discretion to grant, in individual cases, occupational deferments on a showing of essential community need." In fact, since the decision to terminate occupational deferments on a national basis, such deferments have increased by 25 percent.

At present, no clear standards exist by which local boards can make decisions on occupational deferments, and each board follows its own lights with results that vary greatly from place to place. One bit of evidence that makes this point is the fact that more registrants in New York City hold agricultural deferments than do in the whole State of Nebraska. Colorado, for example, has virtually abolished occupational deferments, except in the health field.

There is the same glaring lack of uniformity in the administration of the hardship deferment. The deferment of actor George Hamilton a few years ago because his mother allegedly was dependent on him for support is a well-publicized instance of loose construction of the hardship principle. On the other hand, I see examples of extremely strict construction in my own State every day. Young men, whose parents will actually have to go on welfare if they are inducted, are refused the hardship classification.

To secure the maximum degree of uniformity attainable by legislation, I recommend that the National Selective Service Commission which I propose be charged with the responsibility for formulating uniform deferment standards and seeing that they are applied uniformly. The Commission should be required to establish by regulation lists of critical occupational shortages in various regions of the country for which occupational deferments may be granted. It should also be required to establish regulations setting forth the guidelines for hardship and other deferments. The regulations should be subject to approval of the President, and should be reviewed every 6 months.

Local draft boards should continue to be responsible for the application of these national deferment standards in individual areas. However, the National Selective Service Commission should conduct periodic surveys and spot checks to determine whether individual boards are, in fact, carrying out these standards.

One advantage of shifting the prime selection group to 19-year-olds is that it will reduce the scale of deferment problems under the present system. Very few young men of 19 are engaged in essential occupations, however defined. Few can plead hardship for dependents as a reason for remaining in civilian life.

#### ELIMINATION OF OTHER INEQUITIES

There are a number of other provisions in the Selective Service law and regulations that are patently unfair and should be eliminated.

First, the authority assumed by the Director of the Selective Service System to alter any individual classification should be curbed. The Director has issued Selective Regulation 1622.60 which provides that—

The Director of Selective Service, notwithstanding any other provisions of the regulations in this chapter, may direct that any registrant shall be classified or reclassified without regard to his eligibility for a particular classification.

This provision's potential for favoritism and abuse is obvious.

This provision was originally added to permit the Director of Selective Service to change classifications in cases where the strict application of the law would produce individual hardship. It should not, however, be necessary once the inequities of the law are corrected.

This provision has been used to reclassify as I-A persons who have been entitled to deferments but have engaged in antiwar protest activities. This is a misuse of the draft as a means of punishing dissent.

Second, a registrant should have the right to appear and be represented by counsel in all stages of draft proceedings. He now has no right to counsel, and may not even appear personally before a State appeals board.

Moreover, the role of the Government appeals agents should be expanded so that registrants have a "friend in court" and are more fully advised of their rights.

Third, various obviously capricious exemptions from the draft should be eliminated. One such exemption is that enjoyed by wealthy young men who can afford to remain outside the United States from their 18th to their 26th years.

Fourth, the courts should be expressly empowered to hear appeals from the action of Selective Service officials. The Director of the System now contends that his decisions on classification are final and not judicially reviewable.

Fifth, the draft treatment of aliens who have had previous military service in their country of origin must be reformed to bring it into line with treaty requirements, according to State Department recommendations.

There is no excuse for keeping the draft system as it now is. There is no excuse for continuing a manifestly unreasonable method of conscripting young men to risk their lives on the battlefield. There is no excuse for further delays, or for only tinkering with a system that needs a complete overhaul. The time for far-reaching reform of the draft is now.

#### THE 10TH ANNIVERSARY OF THE ST. LAWRENCE SEAWAY

Mr. BAYH. Mr. President, recently I had the privilege of participating in the Great Lakes Conference at Chicago sponsored by the Maritime Trades Department, AFL-CIO, honoring the 10th anniversary of the St. Lawrence Seaway. A number of significant proposals relating to the future development of national commerce and transportation were advocated at this meeting. Among the ideas which received special attention were those supporting a substantial expansion of American-owned fleets operating in the seaway as well as in the Great Lakes and opposing any increase in the present toll-rate structure on the latter.

In addition to my remarks, major addresses were delivered by two Illinois Congressmen, the Honorable FRANK ANNUNZIO and DAN ROSTENKOWSKI, and by three labor leaders—O. William Moody, Peter M. McGavin, and John Yarmola. In view of the importance of waterway transportation on the Great Lakes and the St. Lawrence Seaway to the economic well-being of the Midwest, I ask unanimous consent that a press release summarizing these comments as well as the texts of the speeches by the five named above be printed in the RECORD.

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

#### SPEECH BY SENATOR BIRCH BAYH

Three members of Congress and national leaders of maritime unions today marked the 10th anniversary of the opening of the St. Lawrence Seaway by calling for: 1—A substantial expansion of the American-owned merchant fleet carrying trade between Great Lakes cities and foreign ports; 2—A large increase in the U.S. Great Lakes fleet engaged in trans-lakes commerce; and 3—A strong, concerted fight against recent moves to raise St. Lawrence Seaway tolls.

These and other proposals designed to strengthen the St. Lawrence Seaway maritime industry and the economy of the Great Lakes states were advanced at an all-day AFL-CIO Maritime Trades Department Great Lakes Conference held at the LaSalle Hotel, Chicago. The speakers were:

U.S. Senator Birch Bayh (D., Ind.); Congressman Frank Annunzio (D., Chicago); Congressman Dan Rostenkowski (D., Chicago); O. William Moody, Jr., Administrator of the AFL-CIO Maritime Trades Department, Washington, D.C.; and Peter McGavin, Executive Secretary-Treasurer, AFL-CIO Maritime Trades Department, Washington, D.C. Chairman of the Conference was John Yarmola, Vice-President of the Seafarers International Union of North America AFL-CIO.

Senator Bayh, a member of the influential Great Lakes Conference of Senators, told the delegates, representing 32 maritime unions with 275,000 members in the Chicago area, that the American merchant fleet on the Great Lakes faces two major threats. Noting that today (Apr. 25) is the 10th anniversary of the opening of the St. Lawrence Seaway, the Indianan said:

"The deep-sea American merchant fleet faces massive competition from foreign carriers. These companies build their vessels with low-cost labor in foreign shipyards, and they crew their vessels with low-wage seamen drawn from a variety of nations. The result is that they can carry goods at rates that are not profitable for American vessels."

A second threat, Senator Bayh pointed out, lies in the fact that the U.S. has a program to provide assistance in the construction of vessels for the American-flag fleet to enable U.S. shipowners to buy American-built ships at the world market rate, but extends this assistance to only 14 of hundreds of American shipping lines.

"This year, for example," Senator Bayh continued, "the budget presented to Congress calls for constructing only 10 new ships to be divided among these 14 companies, at a time when we should be building many times that number in the face of the serious obsolescence of our fleet."

"The U.S. also has a program," the Senator pointed out, "to help defray the operating costs of American vessels so they can carry imports and exports at precisely the same rate as foreign-flag vessels. Yet again, this assistance is limited to only 14 companies which, together, operate only one-third of the ships in our fleet."

"These defects in our maritime program," the Senator emphasized, "affect all of our merchant marine, but they have a particularly devastating effect on the development of our maritime strength on the Great Lakes."

Senator Bayh recalled that the bipartisan Great Lakes Conference of Senators expressed the unanimous views of its Republican and Democratic members in proposing that a stated portion of the government's appropriations for operating subsidies be earmarked for American-flag vessels operating between Great Lakes ports and the rest of the world.

"We have not asked for an inordinate sum," the Senator said. "Out of the \$200 million allocated for operating subsidies each year, we have requested that only \$8 million be set aside to meet the threat of foreign competition here on the Great Lakes."

Senator Bayh praised both the American and Canadian labor movements on the Great Lakes for "providing leadership for developing the maximum potential of America's fourth—and newest—seacoast."

Congressman Annunzio strongly deplored both the decline of U.S. shipping in Great Lakes trade and the fact that what remains of the U.S. merchant fleet on the Great Lakes "is dangerously obsolete—even more so than our ocean-going fleet."

While the Canadians have been steadily forging ahead with their trans-lakes commerce, the U.S. has been steadily slipping behind, Annunzio told the delegates. "In the period between 1955 and 1966," he said, "the U.S.-owned Great Lakes fleet declined by more than 500,000 gross tons, while the Canadian-owned fleet on the Lakes increased by exactly that amount."

This has meant the loss of more than 4500 jobs aboard ship, the Congressman stated, plus the loss of other employment affected by the 4500 job dropoff.

"American operators would like to bring about a revival of their fleet with private capital rather than with tax dollars," Annunzio continued. "But if the job cannot be done totally with private capital, I would support legislation that would extend some measure of construction subsidy assistance to the American Great Lakes fleet." He concluded:

"If it makes sense to subsidize construction of some ocean-going vessels so that they can compete with foreign carriers for our deep-sea imports and exports, then it makes equal sense to devise some construction subsidy program for our Great Lakes fleet, as well—because competition is equally prevalent in this area."

Congressman Rostenkowski told the Conference that as the Seaway begins its 11th year of operation "all of us are looking forward optimistically to at last going over the

50 million-ton mark in terms of overall cargo." He continued:

"And yet, there is a cloud on our horizon . . . I am referring to the increasing pressures to raise the tolls on the Seaway—a move which, in my judgment, could price this waterway out of the market. Water carriers are already facing stiff competition from other modes of transportation—including the unitized train—and any tampering with the Seaway rates could lead to a disastrous downturn in traffic and could place the whole future of the Seaway in jeopardy.

"I think that we ought to give attention to removing the tolls in their entirety, to expansion of the waterway system so that it will accommodate more ocean-going vessels, and to the expansion of the seven-month shipping season. To the extent that we develop the maximum potential of the Seaway—even if it means underwriting the cost of the Seaway out of our respective U.S. and Canadian public treasuries—to that extent we will contribute to the benefits to the people whom the Seaway serves."

MTD Administrator O. William Moody, Jr. stressed that for a third of a century, since 1936, the U.S. merchant marine program has concerned itself with only one segment of the merchant marine.

"The goal was fine," Moody declared, "but the benefits of the program were limited exclusively to the liner segment of the industry. The bulk cargo segment of the fleet—the so-called 'tramp fleet,' the Great Lakes fleet, the fishing fleet—all of these were excluded from the provisions of the 1936 Act.

"Yet these are the ships which should be given assistance because of their potential for carrying a major share of our cargo, because we are engaged, as you well know here on the Lakes, in bulk cargo traffic—not in liner traffic."

Moody offered the following specific proposals: "1—We must make sure that there is no further discrimination against any segment of our fleet with respect to shipbuilding. The government should make ship construction subsidies available to all American ships—subsidized and unsubsidized, Great Lakes and deep sea, cargo vessels and fishing vessels—so that all segments of this industry can build ships in American shipyards; 2—We must make sure there is no further discrimination in the expenditure of operating subsidies; 3—We must end the discrimination with respect to the setting aside of money for shipbuilding; 4—We must end the discriminatory practice of double subsidies. If shipowners want construction and operating subsidies then they should be willing to go out and compete for commercial cargo. There's plenty of it out there and right now 95% of it is moving on foreign-flag ships; 5—We must end the practice of government agencies favoring foreign-flag ships for the carriage of government cargo in preference to American ships."

MTD Executive Secretary-Treasurer Peter M. McGavin, discussing the 2500-mile inland waterway system, contended that this system "is every bit as important to the MTD as is the deep-sea portion of our maritime efforts."

McGavin warned that the waterway is now under attack on two fronts. The first, he said, is a proposal in Congress "to impose a user-tax on the fuel used by towboats on our inland waterways." A tax on fuel would raise the cost of water transportation, the MTD leader said, could cripple the inland barge industry, could raise the rates that shippers must pay, and force up costs to consumers.

The second threat to our waterways, McGavin stated, comes from the Interstate Commerce Commission which "wants to enforce a law passed 30 years ago that would limit the number of different commodities that could be carried in the same unit of barges."

McGavin reported that Congress is now considering a bill that would eliminate this

discrimination against the inland waterways by making it clear that each barge is a vessel and that 40 different barges in a tow could, if desired, carry 40 different commodities.

"The MTD is going to fight for this legislation," McGavin pledged, "just as we're going to fight against the user-tax on the inland waterways. This is just as much a part of our Great Lakes fleet and a revitalized American program as our support for a revitalized fishing fleet and a revitalized deep-sea fleet. "They all go together," McGavin concluded, "because all of them together provide economic opportunities for business, jobs for American workers, and improved transportation capabilities for our nation."

#### SPEECH BY CONGRESSMAN FRANK ANNUNZIO

It is a distinct pleasure for me to be here today—and to join with you in discussions of some of the prospects that lie ahead in terms of developing shipping on the Great Lakes—as well as some of the problems that must be resolved if we are to achieve that goal.

I would like to commend the Maritime Port Councils for the outstanding service they are rendering through the medium of this seminar—in terms of focusing public attention, both here and elsewhere throughout the country, on the important role that water transportation plays here in the Lakes area.

The opening of the St. Lawrence Seaway a decade ago generated a new wave of interest in water transport in this part of the country—and people now tend to think of the Lakes almost exclusively in terms of its role—realized or potential—with relation to international commerce.

Much of the port development that has taken place or that is being planned in this area has stemmed from the opening of this area to deep-sea vessels—the discussions here in Chicago, for example, about the possibility of unifying port facilities and building a combination container-general cargo terminal is a direct result of the sharp increase in traffic generated by the Seaway link to the rest of the world.

So I recognize the advantages that the Seaway has brought to this area—but I would hope, in developing this potential for international trade, that we would not lose sight of another aspect of waterborne commerce that is involved here—something that existed prior to the opening of this overseas trade artery and that continues to be an important factor in our total transportation picture.

I refer, of course, to the commercial artery that can best be described as the "interlake" trade—and it is here that our efforts have faltered.

I realize that this seminar today involves Port Councils from Canada as well as the United States—and I hope that our Canadian participants will forgive me if I sound a little parochial in discussing the interlake problem.

The fact of the matter is that in this particular area of maritime affairs, we and the Canadians have regularly been engaged in competition.

I believe in competition—it is not only the "spice of life," as the cliché goes—it is also the ingredient that brings out the best in all of us because it puts us to the test of pitting ourselves against the other fellow.

But real competition presupposes that both sides are equally engaged in the contest—and here on the Lakes, this simply is not so—for the Canadians have been steadily forging ahead with their trans-lakes commerce, and we have been steadily slipping behind.

In the period between 1955 and 1965, for example, the U.S.-owned Great Lakes fleet declined by more than 500 thousand gross tons—while the Canadian-owned fleet on the Lakes increased by almost exactly the same amount.

In terms of employment opportunities for

seamen on U.S. Great Lakes vessels, this radical reduction in the size of our fleet has been particularly significant—it has meant the loss of more than 4,500 jobs aboard ship, to say nothing of all of the other areas of employment which would be affected by this decrease.

This downward trend has shown no signs of abating.

In 1956, for example, there were 20 independent U.S. bulk steamship companies on the Great Lakes—today, only eight of these remain.

What's more, the Great Lakes fleet is dangerously obsolete—even more so than our ocean-going fleet.

One hundred and nine vessels—approximately 45 percent of the Lakes fleet flying the U.S. flag—were constructed before 1915.

Only 28 American-flag vessels now operating in inter-lake trade were built after 1950.

Canada does not face this kind of a problem—and the reason is that 20 years ago, the Canadian government foresaw the need for action and took a series of steps which have kept that country's Lakes fleet strong and viable.

In 1949, for example, the Canadians enacted the Vessel Assistance Act which enabled an operator to depreciate his vessel in as few as three years.

The result was that between 1950 and 1961, 51 new vessels—totaling 666 thousand deadweight tons—were added to the Canadian Great Lakes fleet—while we were adding only 24 vessels.

Additional legislation in 1961 provided a direct construction subsidy starting at 40 percent and ranging downward to 35 percent after two years—and which resulted in the construction of another 18 Canadian vessels of 331 thousand deadweight tons.

In 1965—when it appeared that the United States might extend an operating-differential subsidy to its Great Lakes fleet operators—the Canadians suspended this ship construction assistance—but now it was later resumed at a lower percentage after the U.S. government failed to act.

The subsidy plan, along with lower construction costs in Canada, has meant that the Canadian operator was able to build his vessels at only 55 percent of the investment required by an American operator—and the American operator cannot depreciate his vessel in less than 18 years—six times as long as the Canadian depreciation schedule.

This plan has made the Canadian Lakes fleet one of the most advanced and highly automated in the world.

Thus far deprived of government assistance, American operators have attempted—as best they can—to improve the competitive position of their Great Lakes fleet.

But they have not been able to prevent the downward trend of this fleet—and they are in urgent need of assistance.

I am impressed by the fact that, to the greatest extent possible, American operators would like to bring about a revival of their fleet with private capital—rather than with tax dollars.

This speaks well for this industry—and it is particularly welcome in view of the fact that the government is dealing with extraordinarily heavy expenses as a result of the Vietnam war—and that there are repeated demands for economies in federal expenditures in view of the inflationary spiral which continues to plague our country.

What the Lakes' operators have asked is that they be allowed to deposit earnings in a tax-deferred reserve fund—a fund that would be used for new vessel construction as well as major repairs.

For years, our government has allowed 14 subsidized American-flag deep-sea companies to use this tax-deferred arrangement to build up private capital to prolong the useful life of their vessels and to make possible their orderly replacement.

I approve of this procedure as a principle that should be extended throughout our merchant marine—to unsubsidized operators as well as subsidized ones—and to ships which operate on our Great Lakes as well as the ones that operate on the high seas.

There is now legislation pending in Congress to extend this program throughout the industry—and I pledge here today that I will work to see that our Great Lakes fleet is included in the provisions of that law.

This will be a long forward step toward revitalizing our Lakes fleet—and I know I can count on the active participation of the Port Councils in seeing that this legislation is extended to the Great Lakes fleet—and in working for its passage.

It has also been proposed—in view of the success of Canada's rapid depreciation plan—that the United States adopt a similar policy.

In the interest of establishing replacement capital, depreciation rates for Great Lakes vessels should be revised to permit more rapid amortization of capital costs.

Again, I share the view of the operators on this issue—I think that we must make it possible for them to develop a new fleet financed—to the greatest extent possible—with private capital, and I will work for legislation to achieve that goal.

But if the job cannot be done totally with private capital, I would support legislation that would extend some measure of construction subsidy assistance to the American Great Lakes fleet.

If it makes sense to subsidize construction of some ocean-going vessels so that they can compete with foreign carriers for our deep-sea imports and exports—then it makes equal sense to devise some construction subsidy program for our Great Lakes fleet, as well—because competition is equally prevalent in this area.

The same reasons which justify the existence of the American merchant marine on the other seacoasts of the nation are present here in the Lakes—and if anything, with greater impact.

I am sure that, working together, we can develop the kind of Lakes fleet that will give new viability to our maritime efforts here in mid-America—and that will, in the process, strengthen the economy of this entire area of our nation.

#### SPEECH BY CONGRESSMAN DAN ROSTENKOWSKI

It's a distinct pleasure for me to be here today—and as one of the Members of Congress from the Greater Chicago Area I am delighted to be able to welcome to our city the labor representatives from so many Port Councils here on the Great Lakes.

The past ten years since the opening of the St. Lawrence Seaway have seen some major economic gains for most—if not all—of the Great Lakes ports.

The Seaway has made it possible for this area to export its goods directly to the markets of the world—instead of having to transship them overland to the coast—and it has made possible the importation of raw materials and finished products the same way.

In 1969, as the Seaway begins its 11th year of operation, all of us are looking forward optimistically to at last going over the 50-million-ton mark in terms of overall cargo moving through this artery of commerce.

That would be a major accomplishment—one which we've come close to a couple of times, but have not yet achieved—and it would be added incentive to develop still further this waterway that reaches 23 hundred miles into the heart of our continent—stretching from the Atlantic Ocean to the far reaches of Lake Superior.

It has been the opening of the Seaway which has contributed so much to the slow but steady expansion of the Great Lakes ports until today they have become significant factors on the world trade scene.

Here in Chicago, for example, significant benefits accrue each year to the regional economy as a result of the presence of our great port.

It is estimated that the economic contribution of the Port of Chicago is in the range of \$160 million annually.

True, not all of the ports on the Lakes have shared equally in the great economic surge caused by the opening of the Seaway—but this entire area has benefited and it is obvious to all objective observers that the time, effort and money that have thus far been funneled into port improvement and promotion are paying off.

From all that I can gather, most Great Lakes port officials are optimistic about both the short-range and the long-range prospects for international commerce.

And yet, there is a cloud on our horizon—there are developments that, if allowed to take place, could discourage the use of this essential waterway—and that could negate the efforts each of our port cities is making to attract more traffic to this area.

I am referring, of course, to the increasing pressures to raise the tolls on the Seaway—a move which, in my judgment, could price this waterway out of the market.

Water carriers are already facing stiff competition from other modes of transportation—including the untolled train—and any tampering with the Seaway rates could lead to a disastrous downturn in traffic and could place the whole future of the Seaway in jeopardy.

This is not the first time that we have wrestled with this issue of Seaway tolls—the Canadian government proposed increases in user-charges on the 100-mile transit from Montreal to Lake Ontario back in 1966.

The proposal was vigorously opposed by our government at that time—and it was agreed that there would be no increase in tolls at least until 1971.

The American government had to make a concession to Canada at that time—agreeing to reduce its share of the toll revenues from 29 percent to 27 percent—increasing the Canadian share proportionately.

Now the talk of higher Seaway tolls is already being heard—and whereas back in 1966 the proposal was for a 10 percent increase, today the proposals range anywhere from 20 to 40 percent.

The proponents of the toll increase point out that the legislation enacted by the Canadian Parliament and the United States Congress called for paying off debts incurred by our respective countries by the year 2008.

They argue further that a 20 percent increase in tolls would pay the operating cost and the interest on the debt, but would not repay the principal owed to the national treasuries—and that the 40 percent boost is essential if the debts are to be retired as originally planned.

I am sure that the mathematics are correct—but I am also sure that this falls under the heading of theoretical mathematics—and that the practical dollars and cents of this are something else again.

In my view, it doesn't make sense to raise tolls in the hope of retiring our mutual indebtedness if the result would be to reduce the amount of traffic moving through the Seaway.

This would be a self-defeating move, and I find little justification in it.

Just look at the present toll structure on the Seaway—it costs 40 cents a ton to move bulk cargo through the Seaway—it costs 90 cents a ton to move general cargo—and in addition there is a charge of four cents a ton on a ship's gross registered tonnage.

The result is that the average transit of the St. Lawrence Seaway costs a ship anywhere between \$10,000 and \$12,000.

A 20 percent increase could be damaging to our joint efforts to bring about greater use of this artery of commerce—a 40 percent boost would, on its face, be prohibitive.

And these charges are exclusive of the lockage charges for using the Welland Canal for moving cargo out of Lake Ontario and into the four other lakes.

In 1967, as you well know, lockage charges were instituted on the Welland by the Canadian government—charges which started at \$20 per lock and which will advance, in stages, to \$100 per lock in 1971.

This additional charge—which now stands at \$60 per lock for this season, which means a \$480-per-ship charge for each transit of the canal—already has within it a potential for choking off traffic beyond Toronto.

I don't think we should add to the burden of the ship operator—and, in turn, to the burden of the shipper and the consumer—by escalating the Seaway fees any further.

As a matter of fact, it makes more economic sense to me to begin thinking of cutting Seaway tolls—and eventually eliminating them—instead of talking about raising the tolls and thus lowering the volume of traffic.

If the original legislation is the stumbling block, then I, for one, would be willing to work to amend the Act passed by the United States Congress—and I would hope that our Canadian friends would be willing to do the same thing in their own Parliament.

If it was valid to have the Seaway to begin with—valid enough to invest the hundreds of millions of dollars that our two countries put into this project—then it is even more valid that we continue with the Seaway and develop its full potential—rather than to stunt its growth through the imposition of artificial restraints.

I think that we ought to give attention to removing the tolls in their entirety—to expansion of the waterway system so that it will accommodate more ocean-going vessels—and to the extension of the seven-month shipping season.

To the extent that we develop the maximum potential of the Seaway—even if it means underwriting the cost of the Seaway out of our respective public treasuries—to that extent we will contribute to the development of the maximum economic benefits to the people which the Seaway serves.

This is an important international trade route—one that has marked effect on the commerce of many areas—but it is particularly vital to the daily lives of the 61 million people who inhabit the more than 1¼ million square miles that border on this waterway.

It is up to all of us to see that the Seaway prospers—for, as it does, so will all of the people in this region prosper.

#### REMARKS OF O. WILLIAM MOODY, JR., ADMINISTRATOR, AFL-CIO MARITIME TRADES DEPARTMENT

I appreciate this opportunity to be with you here today and to take part in this conference on Great Lakes maritime problems.

At the outset, I'd like to pay my respects to all of the officers and affiliated unions of the Great Lakes Maritime Port Councils for the work that is being done in this area to strengthen our merchant shipping.

Your first concern—and rightly so—is with the problems that confront you here at home—the problems of developing maximum use out of the Seaway—and of seeing that American-flag vessels play a greater part in the carriage of the imports and exports being transported over this vital artery of waterborne commerce.

But your concern does not stop there.

In the past several years, during which the Maritime Trades Department has been waging the battle for an independent Maritime Administration in Washington, we have received your wholehearted support—support where it counts—at the grass-roots level.

The active participation of all of the Great Lakes Port Councils was significant—it helped produce a record-breaking vote in the 90th Congress to reconstitute Maritime as a completely independent Federal agency.

The fact that this legislation subsequently was vetoed in no way diminishes the excellent work that you did in winning passage of the independent agency bill—nor does it in any way change our view that, as things stand now, an independent Maritime Administration is the key to getting a merchant marine program that—for the first time—will truly serve this country's waterborne transportation needs.

The Maritime Trades Department's commitment on the need for a strong and expanding merchant shipping and shipbuilding program was implicit in our support for an independent agency bill—and is equally implicit in your all-out support for this legislation.

And, without respect to where the Maritime Administration is ultimately lodged, it is going to be necessary for all of us—both in Washington and out here in the heartland of America—to put our maximum strength behind the development of that new maritime program that we so urgently need.

Today's conference is devoted, in the main, to the discussions of the Great Lakes—but I'm sure all of you will agree that your urgent needs in this part of the country are not going to be solved in a vacuum—that they can be solved, in the last analysis, only if we address ourselves to a complete maritime program.

After all, your problems here on the Lakes have developed precisely because—for 33 years—we have had a maritime program that served only part of this industry—not the total industry.

So let me talk with you for a few minutes about the total maritime picture—about what is wrong with the present system—and about what must be done to improve the system—and you'll see that it applies equally to solving your problems on the Lakes.

For a third of a century—since 1936—we have had a merchant marine program that has concerned itself with only one segment of the merchant marine.

The Merchant Marine Act of 1936 created a series of benefits to help make it possible for our U.S.-flag fleet to carry a substantial share of this country's waterborne exports and imports—and to serve as an auxiliary to our armed forces in time of crisis.

The goal was fine—but the benefits of the program were limited exclusively to the liner segment of the industry.

Only 14 American shipping companies—which operate only one-third of the ships under the U.S. flag—benefit from the special privileges established 33 years ago.

The bulk cargo segment of the fleet—the so-called "tramp" fleet—the Great Lakes fleet—the fishing fleet—all of these were excluded from the provisions of the 1936 Act.

Yet these are the ships which should be given assistance because of their potential for carrying a major share of our cargo—because we are engaged, as you well know here on the Lakes, in bulk cargo traffic—not in liner traffic.

Look at the privileges extended by the 1936 Act:

The Act provided for help in paying the cost of building ships in American shipyards. Today, the government pays 55 percent of the cost of building a subsidized ship—but it pays this money only for ships being built for the 14 favored liner companies.

The Act provided for help in paying for the cost of operating ships under the American flag. Today, the government pays roughly \$2,200 per ship per day for the subsidized vessels—but it pays this money only for ships operated by the 14 favored liner companies.

The Act provided for tax-deferred construction reserve funds so that shipowners could set aside earnings for the orderly replacement of their fleet—but this privilege is enjoyed only by the 14 favored liner companies.

The purpose of these special arrangements was to help keep the American-flag fleet competitive with foreign-flag operators—the ones who build their ships with low-wage help abroad, and who crew their ships with low-wage foreign nationals.

What I'd like to know is why the 14 liner companies are any different than the tramp fleet—the Great Lakes fleet—or any other segment of our merchant marine?

I don't have to tell you, here on the Great Lakes, about the competition from foreign-flag vessels—you see them every day in your ports, loading and unloading cargo.

Foreign-flag tramp ships are just as much competition as foreign-flag liners—probably even more so, in view of the fact that the major share of our cargo is made up of these kinds of shipments.

Yet everybody has been excluded from the benefits of the Merchant Marine Act except the 14 favored liner companies.

It just doesn't make any sense.

What's more, the discrimination against the unsubsidized lines doesn't stop there.

We have cargo preference laws on our books that are designed to protect American-flag ships against predatory competition in the carriage of cargoes generated by the American government—particularly foreign-aid cargoes and agriculture surplus cargoes.

These laws make it very clear that a minimum of 50 percent of these cargoes must move aboard American vessels.

But that's not the way it's been happening.

For one thing, the government agencies have taken the 50 percent minimum and made a maximum out of it—they've taken the language of the law which talks about not less than 50 percent of these cargoes moving on American ships—and they've translated it into not more than 50 percent.

In other words, we're giving away this government cargo to foreign-flag ships—and in the process we're giving away one of the tools that Congress devised some years back to help keep our merchant fleet strong and healthy.

For another thing, when the government agencies do put cargo on American ships, they tend to put it on the subsidized ships instead of the unsubsidized ones—so the government gives an added preference to the only segment of this industry that's been given preferential treatment—the 14 subsidized liner companies!

The whole purpose of construction and operating subsidies is to help American ships compete for commercial cargo—yet these subsidized ships, in the period just before the Vietnam Sealift, were devoting more than half their space to government cargoes.

What this amounts to is a double subsidy—it destroys the intent of the construction and operating subsidy program—and it also destroys the intent of the cargo preference program.

Obviously, if the United States is going to survive as a maritime power—and today we're only a fifth-rate shipping power and a ninth-rate shipbuilding power—we have to take a new heading as far as our maritime program is concerned.

Here are some of the things we're going to have to do:

We must make sure that there is no further discrimination against any segment of our fleet with respect to shipbuilding. The government should make ship construction subsidies available to all American ships—subsidized and unsubsidized—Great Lakes and deep sea—cargo vessels and fishing vessels—so that all segments of this industry can build ships in American shipyards.

We must make sure that there is no further discrimination in the expenditure of

operating subsidies. There is just as much need for help in meeting cut-rate and cut-throat foreign competition here on the Lakes as there is on the high seas—and just as much need for tramp vessels to be able to compete as for liners.

We must end the discrimination with respect to the setting aside of money for shipbuilding. At this point in our national life, when the demand for public funds far outstrips our abilities as a nation to underwrite all of the needy projects we should be financing, you'd think the government would be looking for ways to stimulate private investment and take some of the pressure off the public treasury. By letting all shipowners avail themselves of the opportunity to set up tax-deferred construction reserve funds, we'd be opening the way to the influx of more private capital into shipbuilding.

We must end the discriminatory practice of double subsidies. If shipowners want construction and operating subsidies then they should be willing to go out and compete for the commercial cargo—there's plenty of it out there, and right now 95 percent of it is moving on foreign-flag ships. If they want to carry government cargo, instead—well, that's alright too—but they shouldn't get the construction and operating subsidies, too. There's no point in the United States government paying twice for the same thing.

We must end the practice of government agencies favoring foreign-flag ships for the carriage of government cargo in preference to American ships. There may be a temporary savings in terms of freight rates when low-cost foreign ships are used instead of American vessels—but the long-range cost is enormous in terms of losing our shipping capabilities, and in terms of jobs aboard ship and in supporting trades and services ashore.

All of these improvements are basic to the development of a new and meaningful maritime program—they are at the core of the efforts that the Maritime Trades Department will be making in Washington this year—and they are in harmony with the things which you want done, here on the Lakes, to strengthen your maritime economy.

I know that the Port Councils here and elsewhere throughout the United States will be joining their efforts to ours to help make this program a reality.

REMARKS OF PETER M. MCGAVIN, EXECUTIVE SECRETARY-TREASURER, AFL-CIO MARITIME TRADES DEPARTMENT

It's nice to be back in Chicago, among so many of my friends from the labor movement throughout the Great Lakes area.

Whenever I get out of Washington—and get out here where the trade union movement is such a powerful force for social and economic gain—it helps me get a better perspective on the job that we're trying to do back in our nation's capitol.

After all, the job that we're trying to do through the MTD involves the jobs and the future of our members out here at the "grass roots"—and we couldn't do the job without the continuing fine support that you've given, every time you've been called on to lend a hand.

So you can say that the MTD's job starts out at the community level—and its benefits end up back here.

Here in Chicago and around the Lakes, you understand something that other people might miss—you understand the full range of the Department's interests and activities.

Many people in Washington, for example, think that the MTD is concerned only with our deep-sea fleet—but you know differently.

You know that we're just as interested in the full development of our inland water transportation—whether it's here on the Lakes or elsewhere on the inland waterways—just as interested as we are in the development of deep-sea transportation.

For the past 10 years—ever since the opening of the St. Lawrence Seaway—people have been thinking of the Great Lakes in terms of their role as part of our international water commerce routes.

But even without this access to worldwide commerce, the Great Lakes remain important because they are the greatest single inland water transportation system in the world.

Navigation improvements over the last century have led to the rise of the vast industrial complex along and near the shores of the Lakes—and today this system supports a constantly accelerating rate of growth throughout the area it serves.

What's more, the Lakes are interconnected with the rest of our inland waterways system—the rivers and barge canals which form a gigantic, 2,500-mile inland network which ties together the American nation.

This network extends from Pittsburgh to Sioux City—and from Minneapolis and the Great Lakes to the Gulf where it meets the Gulf Intracoastal Waterway connecting the Mississippi system with all the ports and waterways between Florida and the Mexican border.

And this inland waterway system—its potential for development—its ability to serve our domestic transportation needs—is every bit as important to the MTD as is the deep-sea portion of our maritime efforts.

The inland waterway system is a precious natural heritage—without it, we could not have developed the United States from a scattering of Atlantic coastal communities into a transcontinental giant.

There has been an unbelievable growth of commerce on these waterways—today, a modern, integrated tow may consist of as many as 40 barges and a towboat—tied together into a unit nearly 2,000 feet long and 120 feet wide—carrying the equivalent of a dozen freight trains averaging 70 cars each!

There have to be reasons behind this growth—and there are several of them:

We have continued to develop and expand our waterway network, and we have continued to improve and update older channels.

There have been constant improvements in towboats, barges and other equipment and there have been improvements in terminal facilities and in the methods of operation employed by the shipping industry.

There has been an increasing migration of industry to the river banks—primarily attracted by the availability of cheap and dependable barge transportation.

The key to all of this is the fact that barge transportation—like transportation here on the Lakes—offers the lowest rate to the shipper—and that's a big consideration these days, in view of the billions of ton-miles that goods must travel on their way to market.

But now this waterway system is under attack on two fronts.

Recently, Congress received proposals to impose a user-tax on the fuel used by towboats on our inland waterways—for the first time in American history concerted efforts are being made to end the tax-free status of these water highways.

A tax on fuel is going to raise the cost of water transportation—it could cripple the inland barge industry—and it could raise the rates that shippers must pay, which means that the cost to the consumer is going up.

At a time when the government is trying to prevent any more inflation, I am amazed that it would want to enact a tax that would have no other effect except to raise costs all the way along the line—from the producer to the consumer.

The other threat to our waterways comes from the Interstate Commerce Commission—which is trying to wipe out all of the technological achievements made by the inland boat industry over the years.

It wants to enforce a law passed thirty years ago that would limit the number of different commodities that could be carried in the same unit of barges.

The original law was intended to reduce the mixing of commodities aboard a single vessel—but 30 years ago, Congress lumped all of the barges in one tow under the heading of a "single vessel."

It wasn't a very restrictive rule back in 1939, because at that time the average tow consisted of only about six or eight barges.

But with the development of high-powered tugs—which can pull a string of 40 barges at one time—the law becomes prohibitive.

It could force this industry to go back to the 1939 level of having only six or eight barges in a tow—which could virtually wipe out all of the shipping and all of the jobs on our inland waterways.

Congress is now considering a bill that would eliminate this discrimination against the inland waterways—a bill that would make it clear that each barge is a vessel, and that 40 different barges in a tow could, if they wanted to, carry 40 different commodities.

The MTD is going to fight for this legislation—just as we're going to fight against the user-tax on the inland waterways.

This is just as much a part of our program as our support for a revitalized Great Lakes fleet—and our support for a revitalized American fishing fleet—and our support for a revitalized deep-sea fleet.

They all go together—because all of them together provide economic opportunities for business—jobs for American workers—and improved transportation capabilities for our nation.

REMARKS OF MR. JOHN YARMOLA, VICE PRESIDENT, SEAFARERS INTERNATIONAL UNION OF NORTH AMERICA

On behalf of the MTD Great Lakes Port Maritime Councils, it's a pleasure for me to welcome all of you here today.

This conference is a joint undertaking.

One of its sponsors is the AFL-CIO Maritime Trades Department—the constitutional department established by the national labor movement to deal with maritime problems.

Its other sponsors are all of the affiliated Port Councils here on the Lakes—in Canadian ports as well as American ports.

Today's conference is another example of the way in which trade unionists engaged in shipboard, shoreside and related occupations join forces to focus public attention on the plight of all segments of our maritime interests—and seek to find solutions that will work to the betterment of our nation, our industry and the workers we represent.

Here on the Great Lakes, our maritime problems are numerous:

We have the St. Lawrence Seaway, which most of us felt would result in a revival of U.S.-flag shipping, but which, instead, has turned out to benefit foreign-flag shipping, in particular.

We have an American-flag Lakes fleet that is obsolete, that is growing smaller with each passing year and that needs a massive stimulant to keep it alive.

We have witnessed an economic boom throughout this area—with the exception of our merchant marine—as the result of the Seaway, but we are now threatened with a curtailment of that boom in the form of proposals to raise tolls on the Seaway.

We are in urgent need of encouraging an increase in the use of the inland waterway system which feeds into the Great Lakes, so that commodities can move as inexpensively as possible—yet we are confronted with proposals for the first user-taxes on these waterways in two centuries, and we find those who would like to impose rigid limitations on the amount and variety of cargo which these inland barges can handle.

To us, here on the Great Lakes, these are problems of staggering proportions.

Most people who live outside this area have

little understanding of the tremendous impact that water transportation plays on our economy—or the contribution that this water transportation makes in terms of the total national economy.

Yet there is more traffic through the locks at Sault Ste. Marie each year than there is through the Panama Canal—even though the "Soo" is open only seven months a year, and the Panama Canal operates around the calendar.

There is more shipping through the Welland Canal than there was through the Panama and Suez Canals, combined when Suez was still in operation.

The volume of cargo handled each year here in the Port of Chicago is so large that this is the No. 2 port in the United States—second only to the Port of New York.

So the significance of a healthy maritime industry in this area cannot be minimized—because it is vital to the total economic health of this entire mid-continent.

As we meet here today, the St. Lawrence Seaway begins its second decade of operation.

Along this Seaway, and its interconnecting system of canals, locks and Lakes, we have come a long way, indeed, from the time that Cartier first explored the St. Lawrence on his second voyage to the new world in 1535—and we are far advanced from those first settlements that grew up around the fur trade.

Today we are suppliers to the world—we are shippers to a large segment of the world—and we are consumers of enormous quantities of the world's raw materials.

But we cannot rest where we are—because times change—the world's population enlarges—and we must keep pace with growing demands for the food this area produces and the manufactured articles that pour out of our production facilities.

The key to keeping pace is transportation—and, in this part of the country, the major transportation key must be our waterborne capabilities.

That is why we are here today—to discuss the problems that confront us here on America's newest seacoast—and to devise ways and means of surmounting those problems.

#### REFORMING THE FEDERAL NARCOTICS PROGRAM

Mr. GOODELL. Mr. President, on March 16 I proposed a five-point program for immediate action to try to halt the narcotics epidemic plaguing New York City. The main thrust of my remarks is that the Federal Government in the past has been dilatory in attacking this menace. There has been too much talk and too little action.

One of my recommendations on March 16 was for the creation of a "strike force" in the southern district of New York to combat organized crime. I am gratified to note that in his April 23 message to the Congress on organized crime, the President recommended the establishment of a new Federal-State racket squad for New York's southern district.

Mr. President, I ask unanimous consent that the text of my remarks on the narcotics problem facing New York and the Nation, be printed in the RECORD.

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

#### HOW WE CAN STOP THE NARCOTICS TRAGEDY IN NEW YORK CITY

Narcotics addiction has reached the proportions of an epidemic in New York City. Yet the Federal government stands idly by,

doing almost nothing to halt the drug menace.

If our City were struck by an epidemic of any other deadly disease, a state of emergency would be declared and the Federal Government would provide massive assistance. But the United States Government has responded to the drug epidemic with massive inaction.

Drugs are a millstone around the City's neck, fostering crime, violence, joblessness and despair.

Because the Federal government has done so little, the State and City have tried to step into the breach. New York State now spends four times as much on its addict rehabilitation centers than the Federal government does nationally, although its budget is less than one-twentieth of the U.S. budget.

But the State and City cannot solve the narcotics problem alone. Only the Federal government has the enforcement powers and financial resources to attack the root of the problem: to cut down on the supply of illegal narcotics and reduce the demand for drugs.

#### THE NUMBER OF ADDICTS

The Justice Department estimates that over half of the narcotics addicts in America live in New York City.

A conservative estimate of the number of addicts in the City is 50,000. This figure is based on a recent survey by the New York State Narcotics Addiction Control Commission.

But many experts give much higher estimates. Dr. Efrén Ramirez, the former head of the City's Addiction Services Agency, has stated that there may be as many as 200,000 people in the City who use "hard" drugs.

#### WHAT ADDICTION DOES TO PEOPLE

When I talk about drugs and addicts, I am talking about the "hard" stuff. I am talking about heroin, cocaine, morphine and other opiates which give rise to a physical dependence.

The hard stuff is vicious. It is physically addictive. If deprived of his dose, an addict is driven to any lengths to get another shot. It is unbelievably expensive. A heroin addict may have to pay as much as \$60 for a shot. Most addicts are poor, and can't get this kind of money except by breaking the law.

Why does anybody take the hard stuff? To get away from a depressing and painful reality.

A young teenager in the slums drops out of school. He lives in a vile, rat-infested tenement. He has no money and no prospects for a job. The real world seems without any hope.

A number of his friends have become addicts and, to support their habit, are pushers too. They tell him how great everything seems when one is turned on. So he tries some just for kicks.

He finds that a shot of the stuff gives a wonderful "high." When he is turned on, he no longer feels insignificant. He feels calm, all-powerful; he has all sorts of exhilarating fantasies. As one addict has said:

"Once you squeeze it in, then you got that boss feeling, man, like you're your own boss, there ain't nobody can tell you what to do in this world."

So he starts taking it regularly, and that's when the trouble comes. He soon is physically dependent on the drug. Getting his daily dose is no longer just a psychological prop—it is a physical necessity. When deprived of the shot he needs, he suffers excruciating pain—his nerves go on fire:

"Your body will cramp up on you, your skin'll start shrinking up, you'll start getting sick and need a fix, you'll start sweating the same time you'll feel cold . . . You'd do anything just to get a fix."

So the vicious circle begins.

When the addict gets his fix, he just has to sit or lie somewhere and feel turned on. He isn't dangerous but he is totally useless. He can't work or do any physical activity. He looks—and acts—like a zombie.

But when he doesn't get his dose, he becomes a risk to society. He has to get another shot any way he can. If he doesn't have the \$20-\$60 needed for a fix, he will have to get it illegally.

His life becomes a deepening cycle of dependence and crime.

#### ADDICTION AND CRIME

The Justice Department estimates that one-half of all street crimes and burglaries in New York City are committed by addicts to support their habit. This means that addicts perpetrated over a quarter of a million reported robberies, muggings, burglaries, car thefts and similar crimes. The unreported crimes are much higher.

The Director of the Federal Bureau of Narcotics and Dangerous Drugs estimates that there has been an 800% increase in drug-related crimes since 1964.

The connection between addiction and crime is a matter of simple arithmetic.

It costs an addict an average of \$30 a day to support his habit. This amounts to \$210 per week—over three times the minimum wage on a 40-hour a week basis.

But most addicts are poor, uneducated and unskilled. They could hardly find a job that would earn the \$210 a week for their habit, even if they could work. But the addiction severely hampers their ability to work. An addict who is dull and listless when he has his fix and violently ill when he doesn't, is hardly the man to hold down a regular job. So where does the money come from? The main source has to be crime.

Some addicts become pushers to sustain their own addiction. To make enough sales, they have to find new customers. That usually means persuading young teenagers to become addicts. Thus the cancer of addiction spreads.

The women addicts can—and do—become prostitutes to raise the money.

But at least half of all the addicts have to steal to support their habit.

Suppose the number of addicts in the City is 50,000. Suppose half of them have to steal, and each has to steal enough to raise \$210 a week in cash to support his habit. How much does it cost us, the victims of these thefts?

Property that is stolen cannot be sold at market value. It has to be sold to fences who pay only a fraction of the real value. An addict has to steal \$4 of goods to get \$1 in cash.

So these addicts must steal over one billion dollars of property a year to support their habit!

The worst is that addicts are beginning to find it harder to sell stolen goods at any price. So they resort to armed robbery to find their cash. That's how hundreds of New Yorkers get hurt or killed every year.

Because of the crimes committed by addicts, New York no longer seems a secure place to live. Thousands who can afford to do so leave the City for the suburbs. Those who stay are haunted by the fear that stalks the City. It is the people of Harlem, Bedford-Stuyvesant and the City's other ghettos that live in the greatest fear and are the chief victims.

#### THE TRAFFIC CAN ONLY BE STOPPED AT THE TOP

It's easy enough to go up to Harlem and arrest some junkies. It's almost as easy to go and arrest a few small pushers who sell the stuff on the street.

But this isn't going to stop the traffic. Chasing the small fry isn't going to do the job. We have to go after the big fish who traffic in dope by the kilo, not by the grain.

Heroin, cocaine, and morphine aren't made in bathtubs in Harlem or Bedford-Stuyvesant. The stuff is all imported.

Who imports it? Organized crime does. Through this vicious traffic, it makes a quarter of a billion dollars a year.

The crime syndicate directs the drug traffic,

from purchasing the raw opium in Turkey or the Far East to smuggling and distributing the refined heroin in this country.

The "bosses" of the syndicate—men like the Cosa Nostra chiefs who live in fancy houses in the suburbs and pretend respectability—are the real beneficiaries. They give the orders and make the big money. But they do not personally handle, and may not even see, a shipment of heroin. It is all done through intermediaries.

Organized crime imported about 20 tons of illegal narcotics into the United States last year. These 20 tons must travel through a number of hands before reaching the addict.

At the highest level are the importers of multi-kilogram shipments. Below them are the "kilo-men" who distribute the stuff wholesale. The "kilo-man" purchases the heroin in quantities of a kilo or more, and dilutes it by adding three kilos of milk sugar for each kilo of heroin. He will, in turn, sell the supply to "quarter kilo men," and then to "ounce men" and then to "deck men," with further adulteration of the narcotic at each stage in the process. Eventually, street pushers dispense it in 5-grain packets called "bags" or "packs." The cost to the consumer is in excess of 300 times the cost of the original kilo.

In this process, the syndicate handles only the importing and wholesaling. For that is where the money is.

The traffic can only be stopped at the top—at the importing and wholesaling stages.

But of the 20 tons illegally imported last year, less than 10% was seized by all law enforcement agencies combined.

Most of the bosses of the syndicate who profit from the traffic still have not been convicted although their names and activities are well known.

#### THE BLACK COMMUNITY DEMANDS ACTION

Today, black citizens of the City—outraged by what drugs are doing to their neighborhoods—are leading the way in demanding that the narcotics racket be stopped.

Since my appointment as Senator, I have made repeated visits to Harlem and Bedford-Stuyvesant. People talked to me about school decentralization and jobs; but mainly, they talked about the menace of drugs.

They talked to me about the fact that drugs are everywhere. They told me one could see pushers making sales on a corner of 122nd Street in broad daylight. They told me that everyone knows who the addicts are, who the pushers are, where the stuff is sold—but still nothing seems to happen to stop the traffic. One man summed it up this way—"Why we've got so many addicts up here in Harlem, even the buildings are nodding."

They talked to me about the fact that they do not feel safe in the streets and in their homes. They told me they live in daily fear of being robbed, mugged, burglarized, or even murdered by addicts desperate for money to feed their habit.

What they said to me about addiction and crime was grimly confirmed by the appearance of the neighborhood after dark. The main street in Harlem—125th Street—after 5:30 p.m. resembles a prison, with stores bolted and barred and residents unable to buy vital necessities when they return from work.

There are, for example, virtually no drug stores open after dark in or near Harlem. All the druggists in the area have been forced to close down or face nightly robberies by addicts and danger to their lives. So a Harlem father whose child gets sick at night may have to go as far as Times Square to get medicine.

Still more terrifying to them is the threat to their children. The drug racketeers have recruited kids in junior high school to peddle dope in and around the schools. Every parent has friends whose young teenage child has been hooked by drugs; he lives

in deadly fear that the same might happen to his own children.

The high schools and junior high schools of many sections of our city are becoming drug markets. The pushers sell the stuff cheap or give it away free to get the kids hooked. In some schools, as many as one-third of the students are probably well on their way to becoming addicts.

Drugs are a major source of black resentment against whites. The black community knows that it is white racketeers who import and wholesale the stuff, making hundreds of millions of dollars a year. Black citizens see every day the failures of government to stop the traffic. They feel they are the victims of this enforcement failure.

Social programs to alleviate poverty in the ghettos have little chance to succeed in a drug-infested environment.

True, stopping the drug racket is by no means enough to solve the problems of New York's slums. Obviously, we must expand our efforts to create new jobs, improve the schools, rehabilitate the dilapidated housing and reform the outdated welfare system.

But how can even the best educational program work when heroin is being peddled openly in the schools? How can even the best job programs for the hard-core unemployed succeed, when many of the jobless are addicts unable to work? Trying to improve the social environment of the slums without stopping the drug traffic is, as one resident of Harlem told me, "like feeding a man with a tapeworm."

#### PAST FEDERAL INACTION

Until now, the Federal government's efforts to cope with the menace of narcotics have been absurdly inadequate.

Last year, the Federal government spent \$26 million to investigate and control illegal drug traffic. This is by far the smallest budget of any Federal crime control effort. It is less than what the Federal government spends on enforcing alcohol and tobacco regulations.

The amount sometimes seized in a single arrest—about 250 pounds of heroin—is worth as much as the \$26 million the Federal government spends on narcotics enforcement each year. Several hundred times this amount of heroin is brought into the country illegally each year.

The amount the Federal government spends on narcotics enforcement is less than one-tenth of the amount that organized crime makes on this traffic. It is a tiny fraction of what society pays for crimes addicts commit.

The Federal government has done still less to support the state and local prevention and treatment programs. Only \$4 million of new money is available for these purposes this year, and it still sits in the Treasury entangled in a mass of red tape. The unrehabilitated appropriate more than this sum from society at the point of a gun every day.

#### WE MUST ACT NOW

The Federal government must wage a full-scale attack on the deadly menace of narcotics. It must do so now. I propose a program for beginning the attack.

The measures I am urging are aimed at two fronts: *enforcement* to reduce the supply of narcotics, and *prevention and rehabilitation* to reduce the demand.

#### INCREASE THE NUMBER OF ENFORCEMENT AGENTS

Only the Federal government can stop the illegal importation and wholesaling of narcotics. Organized crime operates a nationwide network which transcends state and local enforcement jurisdictions.

A basic reason for the Federal enforcement failure has been the lack of a sufficient number of trained investigative agents specializing in tracking down the supply of illegal drugs.

Federal investigative agents responsible for combating illicit narcotics traffic operate out of two agencies.

The Bureau of Narcotics and Dangerous Drugs in the Justice Department now has about 640 investigative agents. About 20% work in the New York area.

The Customs Bureau has about 320 customs agents who serve as top-echelon criminal investigators. About 20% are in the New York area. The Bureau also has about 490 Customs Port Investigators and Enforcement Officers performing investigative functions (other than routine customs inspections) at airports, harbors and border crossings. About 40% of these are in New York.

A major increase in the number of these investigative agents is essential.

*I propose that we double the number of investigative agents of the Bureau of Narcotics and Dangerous Drugs by July, 1971. This would raise the number of these agents to over 1200. The cost of this increase will be about \$4 million a year.*

*I also propose that we triple the number of customs agents of the Customs Bureau by July, 1971. This would raise the number of customs agents to over 900. The cost of this increase would be about \$5 million a year.*

I also recommend that we provide an increase in the number of Customs Port Investigators and Enforcement Officers needed to complement the proposed increase in customs agents. I estimate that this would require doubling the number of these officers.

#### A "STRIKE FORCE" FOR THE MANHATTAN-BRONX-WESTCHESTER AREA

In 1967, the Justice Department conceived the "strike force" concept to combat organized crime. Each strike force is a team of Federal anticrime operatives that moves into an area to investigate, arrest and prosecute racketeers. Each force includes Justice Department attorneys, and agents of the Bureau of Narcotics and Dangerous Drugs, Internal Revenue Service, Customs Bureau, Secret Service and other agencies. Each agency involved allocates money from its budget for personnel and equipment.

Seven "strike forces" now exist in Brooklyn, Buffalo, Detroit, Philadelphia, Chicago, Miami and Newark. They have been highly successful in cracking down on organized crime.

*I recommend the creation of a new "strike force" for the Southern District of New York, which includes Manhattan, Bronx, Westchester and adjoining upstate counties. The strike force should be created immediately. It should give special attention to traffic in narcotics affecting Harlem.*

#### FEDERAL PREVENTION AND REHABILITATION GRANTS

Under existing law, only \$4 million of new Federal money has been appropriated by Congress to aid states and localities in conducting treatment and prevention programs. No guidelines have yet been issued for distributing this money. New York State—which has by far the biggest rehabilitation program in the nation—receives nothing from the Federal government for its program.

This is simply not good enough. It is inexcusable that so little money has been appropriated. It is inexcusable that this money is still held up in the bureaucracy. We must do better.

*I proposed that Congress enact an Addiction Treatment Assistance Act to give meaningful support to states, localities and voluntary agencies for operating treatment and prevention programs. The grants should be in amounts up to 75%, and should be distributed with a minimum of red tape. At least \$40 million a year should be appropriated for this purpose.*

As at least 50% of the nation's addicts are in New York, about half of these funds—or \$20 million—should be allocated to New York.

This program of Federal support would permit the State, City and voluntary agencies to expand their ongoing treatment pro-

grams. It would also give greater scope to innovative and experimental treatment programs.

One experimental program with exciting potentials is the use of a ship from the Navy's "mothball fleet" to serve as a rehabilitation and training center for addicts. New York already has a ship berthed on the Hudson River which is used as a vocational high school. Leaders in Harlem tell me there is growing local interest in training young men in marine and oceanographic skills. A ship of this sort could be anchored at a pier in or near Harlem and used to treat addicts and teach them these skills.

My proposed program of Federal support should also be used to finance better ways to prevent addiction.

The biggest need for prevention is in the schools. That's where the pushers recruit their victims. Conventional prevention methods aren't enough. School children will not be impressed with lectures about drugs by parents, teachers and the police. To do the job properly, ex-addicts have to be used. An ex-addict can tell kids—graphically and by first hand experience—about the dangers of heroin. Kids will listen to the man who has been down the road of addiction himself.

#### RESEARCH AND DEVELOPMENT—METHADONE

Formerly, treatment programs relied mainly on psychological counselling. The addict was required to suffer the physical effects of withdrawal from the drug. Little was known about reducing addicts' physical dependence on the drug.

But now there is growing interest in low-cost synthetic drugs—such as methadone—to eliminate an addict's physical craving for heroin.

It must be emphasized that the use of such synthetic drugs has to be combined with an extensive treatment program which takes into account the psychological and social causes of addiction. This sort of treatment, involving the use of methadone, has been conducted on an experimental basis by New York State and City.

Methadone isn't perfect. But it is a step forward. It helps eliminate the need for treatment of the addict's physical symptoms and therefore opens the door for his psychological and social rehabilitation. It is hard to conceive of an effective program of counselling, training and psychological treatment when an addict is still looking at the world through a cloud of heroin.

We have to continue working on developing better drug substitutes and treatment techniques. New substances which eliminate the physical symptoms of addiction—without methadone's disadvantages—may be just around the corner of discovery.

The Federal government is not carrying its full share of the work of research, development and field experimentation in innovative methods of treatment. It should start doing so now.

*I recommend that the Federal government establish a comprehensive program of research and development in new methods of treatment of addiction, including those involving use of methadone or other synthetic drugs designed to eliminate physical dependence on narcotics. It should also conduct demonstration projects to test these new treatment methods in the field. This program should be operated by the National Institute of Mental Health. At least \$10 million a year should be allocated to this effort.*

I am convinced that the steps I have outlined would create a meaningful Federal effort to halt the tragic cycle of addiction and crime.

We must start to act now. Every day we delay, we reap the bitter harvest of crime, fear, wasted lives and human suffering.

Either we will conquer the narcotics problem or it will conquer us.

### THE THREAT OF BIOLOGICAL WARFARE TESTING

Mr. NELSON. Mr. President, we are poisoning our environment at an alarming rate. Each day tons of pollutants are poured into the air and millions of gallons of industrial and municipal wastes are dumped into the water we must drink. Many natural creatures have met untimely deaths as a result of our wanton and irresponsible use of pesticides.

And now it seems that we have added yet another chapter to our poor record of conserving our environment. In a recent article, Mr. Seymour Hersh describes the events surrounding the accidental sheep slaughter of 1967 in which well over 6,000 sheep were killed by the U.S. Army's nerve gas VX. This, in itself, is a disturbing episode, especially when one considers the chance that, with a slight change in wind and weather conditions, this colorless and odorless agent could have fallen upon the residents of Salt Lake City, Utah.

In reading this particular account of the sheep accident, one wonders: if this sort of thing could occur with lethal nerve gas, could it also happen as a result of an errant field test of a biological agent. The Hersh article suggests that this very thing could happen. It also indicates evidence that there has already been leakage of some sort from the testing of biological agents.

The basis for this conclusion is found in an article published in the March 1967, issue of *Bacteriological Reviews*, entitled "Epidemiological Aspects of Venezuelan Equine Encephalitis Virus Infections." The authors of this paper are Robert W. Sidewall, Louis P. Gebhardt, and Bert D. Thorpe, of the University of Utah's Ecology and Epizootology Research Center.

Venezuelan equine encephalitis is frequently mentioned as a possible agent should biological warfare ever break out. The scientists at the Army Biological Laboratories at Fort Detrick, Md., have been working with this disease. Mr. Hersh's article now raises serious questions as to whether Fort Detrick's counterparts of Dugway Proving Grounds, Utah, have not also been working extensively with VEE, in fact, even field testing this virus.

The article in *Bacteriological Reviews* reveals that VEE antibodies have been found in a number of range cattle, the deer mouse, the western harvest mouse, the chisel toothed kangaroo mouse, the white tailed antelope squirrel, the black-tailed rabbit, the desert cottontail, and the kit fox. These are all animals native to the desert wastes around Dugway Proving Grounds. Dr. Joseph Jackson has suggested that the most probable way to account for a disease of this sort being found in the dry deserts of Utah is that it has been artificially introduced. In a letter to Mr. Hersh, he wrote:

Considering the fact that VEE has a very wide host range and is so communicable that it does not require arthropods for spread to a new host, it seems reasonable to conclude that it (VEE) was introduced into the Dugway-Salt Lake City area by a biological warfare research team.

It seems strange that we now find evidence that the animals of the dry, desert wastes of western Utah have been exposed to a disease heretofore thriving in the moist swamps of Central and South America. The only other area in the United States, besides the deserts around Dugway, in which VEE antibodies have been found are the swamps of southern Florida and the bayou country of southern Louisiana.

If, in fact, a CBW research team has conducted or is now conducting field tests in the desert at Dugway Proving Grounds with agents such as VEE as the evidence seems to suggest, is there not a danger of another accident occurring with human beings falling victim this time. Such an accident could result in an epidemic like the one which broke out in Colombia, Venezuela, and Panama in the years 1961 and 1962 where 190 persons died of VEE.

We are in real danger of rendering portions of this planet unfit for human habitation by the manner in which we have poured our wastes into the environment. Certainly we are now beset by enough problems, without adding to them the specter of nerve gas drifting over our cities and viruses leaking into the animal population, waiting to be passed on to human beings.

The whole subject of CBW is being widely discussed for the first time. Inexplicably the Congress and the public have not been adequately informed about our Government research. It is time for full public disclosure so that the Congress can openly and thoroughly debate CBW. There must be an opportunity to review the military objectives and to discuss in detail the merits of the CBW program.

As a first step then toward remedying the lack of information on CBW, I strongly recommend that all testing be halted until a select committee of competent scientists—biologists, ecologists, epidemiologists, and other specialists in the life sciences—can determine what have been the long and short range effects of the testing of CBW agents at Dugway. These scientists should not be affiliated with any agency of the Federal Government or with the State government of Utah. Furthermore, these men should not be connected with the University of Utah or any other institution having close ties to Dugway Proving Grounds, Fort Detrick, or the Edgewood Arsenal.

This is certainly only the first step, but it is a step which circumstances suggest we must take now if we are ever to begin to find out what is happening as a result of our CBW program.

I ask unanimous consent that Mr. Hersh's article be inserted in the RECORD at this time along with an excellent article by Mr. Milton Leitenberg entitled "Biological Weapons," which appeared in the August-September 1967, issue of *Scientist and Citizen*, and the article entitled "Epidemiological Aspects of Venezuelan Equine Encephalitis Virus Infection."

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

### [From Ramparts] ON UNCOVERING THE GREAT NERVE GAS COVERUP

(By Seymour Hersh)

(AUTHOR'S NOTE.—Opposition to spending for chemical and biological warfare research has finally begun to attract some attention in Congress. Representative Richard D. McCarthy (Democrat, New York) recently convened a meeting of 22 congressmen and senators to hear a briefing on the nation's CBW program by General J. A. Hebbeler.

(The legislators were told, albeit with some reluctance, that the United States is spending \$350 million in 1969 on CBW. The statistic, published on the front page of the New York Times, shocked the nation and evoked immediate protest.

(It was a lie. The military will spend more than \$600 million this year on CBW, according to classified budget figures. The Defense Marketing Service (DMS), a private newsletter published for the aerospace industry, staffed largely by former officials and officers of the Defense Intelligence Agency, states that the military's main chemical base, the Edgewood Arsenal in Maryland, alone has a fiscal 1969 budget of \$421.5 million, of which \$57.3 million is earmarked for research, \$266.4 million for procurement, \$9.6 million for operating costs, and \$1.9 million for stock funds. According to DMS, another \$29.8 million will be spent at Fort Detrick, Maryland, the main biological test center, and more than \$75 million in operating and production costs will be divided among the Army's other four chemical and biological warfare bases, including Dugway.

(The Air Force has publicly announced that it will spend \$71 million on just the herbicides and defoliants used in South Vietnam in 1969. No statistics are available on other CBW operating costs for the Air Force or for the Navy, although both are running vigorous testing programs.

(A Senate source with access to classified CBW spending totals told me: "\$650 million a year on CBW is a conservative figure.")

The sign outside the only entrance to the Dugway Proving Grounds offers a macabre welcome: "Warning—dangerous instrumentalities of war are being tested on this post. Caution: Do not handle any unidentified objects. Report their location to security."

Dugway, the Army's chemical and biological testing station, is spread out along one million acres ranging from Skull Valley, Utah—about 80 miles southwest of Salt Lake City—to the Great Salt Lake Desert—halfway to Nevada in the west. It is perhaps the key installation among the five bases that make up the military's billion dollar chemical and biological warfare (CBW) arsenal.

The first two weeks of March 1968 were hectic ones for the soldiers and scientists at the proving grounds. The base was in the midst of a series of airborne tests involving nerve gas; nearby sheep ranchers heard the echo of sonic booms daily as the jet airplanes sprayed their deadly cargo onto test areas. Things went as usual until the cold and windy late afternoon of March 13. The Army scheduled the day's test flight for six p.m. The test site was marked off in grids like an oversized football field; thousands of air samplers had been installed throughout the proving grounds and beyond to electronically monitor and track the spread of gas. Later, Dugway researchers dressed in protective suits, high rubber boots and rubber gloves would survey the test site to inspect vegetation and the remains of animal life.

After two trial runs, a jet aircraft carrying a pair of high-pressure spray tanks filled with nerve gas swung over the base at high speed before barreling back toward the test site at an altitude of 150 feet. The time was 5:49 p.m. The gas was to be discharged under

a pressure of 6.5 pounds per square inch; it had been dyed red to make visibility easier at dusk. At least three, possibly four, high-speed cameras equipped with color film carefully recorded the plane's approach and its discharge of the poison gas. The winds were blowing from the southwest to the northeast—toward Salt Lake City—at ground speeds of 5 to 25 miles per hour with gusts up to 35 miles per hour. Similar conditions prevailed up to 2300 feet.

The intention was not to test the gas itself, nor the high-pressure dispensers. The Army staged the test to determine how the gas distributes itself downwind in winds 5 to 25 miles per hour blowing to the northeast. That was the only information desired. The color films, which are highly classified, tell the story: the jet roared in at or above the speed of sound, opened its tanks and began spraying the test area. After a few seconds, the tanks were to close and the plane pull up. But something went wrong, and the tanks stayed open. The plane pulled up with the lethal nerve agent still spraying out. The Army has admitted to various state and federal officials, who were cleared for security, that gas escaped at least 1500 feet into the windy upper reaches above Dugway. Many observers believe the gas was carried far higher. (One knowledgeable source said a computation gave the cloud of lethal gas a range of 394 miles.) The men at Dugway watched helplessly as the gas drifted toward U.S. Highway 40, a heavily traveled route which serves as a main link between the Midwest and Northern California. But at seven p.m., an hour after the gas escaped, they got a break.

The winds shifted slightly from the southwest to the west; the gas was blown away from Highway 40 toward Skull Valley. About that time, a heavy rain began to fall, washing the toxic material from the air. Hours later, it began to snow.

Sometime early the next morning, Sheriff Fay Gillette of nearby Tooele County was told there was trouble in Skull Valley, a sheep-grazing area across a small mountain range from the military test center. Gillette quickly drove out to investigate. "I've never seen such a sight in my life," the sheriff recalled later. "It was like a movie version of 'death and destruction'—you know, like after The Bomb goes off. Sheep laying all over. All of them down—patches of white as far as you could see. All the Basque shepherders could say was 'muerto, muerto.'" Sheep were killed as far as 47 miles west of the test site. U.S. 40 is 33 miles to the north.

What Gillette and the terrified sheepmen had seen on March 14 in Skull Valley was the beginning of what was ultimately to be the death of 6400 sheep. "I had an idea right off whose fault it was," Gillette said. But, like other officials of the state, he kept his thoughts to himself.

The military men at Dugway watched in silence for a week as teams of state and federal veterinarians and pathologists investigated the strange deaths. Many of the scientists believed at first that the sheep had died from eating poisonous weeds; others talked of pesticides. As the incident attracted nationwide interest Skull Valley was quickly filled with newspapermen and television crews. Reporters wrote of sheep with drooping heads, twisted necks and spines. A UPI dispatch on March 24 told of dying sheep that "could be seen making kicking movements with their feet in vain attempts to rise, great heaving movements in their chests as if they were short of breath, and their eyes appeared to be staring without really seeing." The report noted that the symptoms were very similar to those produced by nerve gas poisoning.

The Army doesn't talk openly about nerve gas anymore, but in years past the public was exposed regularly to horror-ridden—and Pentagon-inspired—articles telling, as one

popular magazine did 15 years ago, of the "New Weapon of Chilling Terror." In 1954, Lieutenant Colonel S. J. Efnor, then commander of the Rocky Mountain Arsenal, a chemical production base near Denver, told a local newspaper that, "The gas from a single bomb the size of a quart fruit jar could kill every living thing within a cubic mile, depending on the wind and weather conditions. . . . A tiny drop of the gas in its liquid form on the back of a man's hand will paralyze his nerves instantly and deaden his brain in a few seconds. Death will follow in 30 seconds."

Nerve gas acts by lowering the level of cholinesterase, a key chemical in red blood cells that controls muscular coordination. A science writer once explicitly described what follows: "The voluntary muscles go into a state of vibration and then become paralyzed. With the involuntary muscles, which power the blood vessels and other internal organs, the delicate balance of actuating the de-actuating nervous stimulations is upset. The pupils, bladder and alimentary canal constrict, the penis erects, the tear and saliva glands secrete and the heart slows. The cause of death is generally asphyxia following paralysis of the respiratory muscles." In short, victims of nerve gas poisoning strangle in their own vital organs.

The March 13 test involved a nerve agent known as VX, which was developed by researchers in the late 1950's at the Edgewood Arsenal, the Army's main chemical warfare research center near Baltimore, Maryland. VX is unlike other nerve agents in that it is a persistent chemical with a heavy consistency and it evaporates slowly. Once used, the gas turns a target area into a virtual no-man's-land.

According to Dugway officials, slightly more than seven milligrams of VX, or about 7/1000's of a gram, would have a 100 per cent certainty of killing a 100-pound sheep if applied to its face and hoofs. "It would have killed people just as quickly as anything else," said one civilian who took part in the subsequent investigation of the sheep slaughter, "but everybody was under cover. The combination of rain and dark kept everybody inside that night. It was cold and people driving in cars through the valley had their windows rolled up." The source added that the amount of nerve gas needed to kill a sheep is roughly equivalent to the average lethal dosage for a man.

The military, quick to deny that it had been testing anything even remotely toxic on the base, assured newsmen that tests with nerve agents or similar weapons had not been conducted since the preceding July. "When we first found out about it, we checked and found we hadn't been running any tests that would cause this," Dugway public information officer Tom Donnelly announced on March 20.

But the next day the Pentagon sent a fact sheet to the office of Utah Senator Frank E. Moss, telling a different tale: tests involving 320 gallons of a "persistent agent were conducted from two spray tanks from a high-speed type aircraft approximately 27 miles from the nearest sheep herd." A Pentagon official quickly called Moss' office to explain that the fact sheet was for "Official Use Only," but it was too late; a press aide had already telephoned newsmen with the information. Just why the information was made available isn't clear; perhaps the Pentagon had miscalculated its hold over Moss, a senator who usually remembers the extent to which Utah's economy is directly linked to defense spending. The military is the state's largest employer; last year the Pentagon paid more than \$260 million in salaries and nearly \$180 million in contracts to defense-oriented industries there. One of every 11 non-agricultural civilian jobs in Utah is at a defense installation.

Faced with Moss' indiscretion, the Army acknowledged nerve gas was "highly suspect"

but raised a number of questions. Brigadier General William W. Stone of the Army Materiel Command in Washington, who was flown out to Utah to take charge of the investigation, told newsmen the sheep symptoms did not match those normally associated with nerve gas poisoning and that study crews had found "no traces whatsoever" of the nerve gas in the area except on the actual test site itself. "We do not have any evidence to tell us the actual chemical compound or to help us pinpoint the source and how it got to the sheep and not to humans or to other animals," he concluded. Dr. Mortimer A. Rothenberg, scientific director at Dugway, also publicly aired his doubts, noting that only sheep seemed to have been affected by the gas. Said the scientist, "All the other animals in the area remain healthy," as did the 50 or so residents of Skull Valley. "If it did occur it was phenomenal." It was left to an anonymous Army spokesman, however, to issue the flat denial. On March 24, a representative emphatically declared that the sheep deaths had nothing to do with the tests at Dugway.

It was not until mid-April, after much of the publicity over the sheep deaths had died down, that the Army finally reported that laboratory experiments indicated nerve gas had killed the sheep, although a statement issued in Washington emphasized that there was no conclusive evidence that gas had escaped the confines of Dugway. The statement was based on a study by the National Communicable Disease Center in Atlanta, Georgia, a branch of the Public Health Service, which reported: "by means of gas chromatography, infrared spectroscopy and mass spectrometry, isolated compound [from snow and dead sheep] has been shown identical to test agent supplied . . . by Dugway." The Army's reaction was to propose the establishment of an "unbiased group" to review safety procedures at the base.

In May, the Army announced that tests were continuing and evidence "is still inconclusive." By this time, interest in the Dugway incident had waned; the out-of-town press had long ago gone home; the Army was paying claims for the sheep, and everyone's sense of fair play seemed satisfied.

After receiving a classified briefing by Dugway officials in late May, Senator Moss told the Salt Lake Tribune: "They assured me that my suggestion of a thorough review of all their safety procedures, which have been successful for 26 years except for the incident of the sheep in March, is under consideration and will no doubt be approved and carried out."

The Dugway incident was the U.S. Army's first major public mistake with a chemical weapon. All the elements for a nationwide scandal were present: target practice with a lethal nerve agent, an incredibly obvious series of military lies, a heavy concentration of newspaper and radio-television reporters, and a national presidential campaign. Yet the sheep deaths led neither to congressional outcries about the military's CBW program nor to a public debate about such weapons; nor did it even provoke any serious citizen reaction in Utah. Concern, from the highest level of state officialdom on down, was that too much investigating or talking about the incident might make the Army move its CBW base from Dugway. The nerve gas incident is perhaps more terrifying but really no different from other mistakes or accidents, or decisions at military bases all over the nation. Lying becomes the order of the day and the attitude is "don't rock the boat." Pentagon funds buy not only goods and services, but also the cooperation and zeal of countless men on Capitol Hill, in federal agencies in Washington and in state capitals from Maine to Hawaii.

Dugway's reluctance to accept responsibility promptly for the sheep deaths, a reluctance that did nothing but further the controversy, was standard operating procedure.

dures for the military's chemical and biological warfare program. Because of the public's abhorrence of the notion of such weapons, public relations considerations are often allowed to take precedence over common sense. "While the sheep were dying," said one civilian involved in the investigation, "the Army sat over there just hoping these boys [the civilian scientists] would continue to go the poisonous plant route."

One man who refused to play along was Dr. D. Avaron Osguthorpe, a Salt Lake City veterinarian acknowledged as a foremost expert in sheep ailments. Osguthorpe was appointed by Utah Governor Calvin Rampton to represent the state in the investigation. The wealthy forty-seven-year-old sheep rancher was one of the first to examine the sheep, and he eventually became the Army's greatest critic in the incident. The veterinarian had flown out to Skull Valley a week after the test. "I knew right away it was an organophosphorous [nerve gas] poisoning," Osguthorpe told me. "I injected the standard atropine dosage into some of the sheep with no results—got up to 15 times the recommended dosage before some of them responded. I autopsied several sheep. Not a mark on them at all. I was the only one who said this is organophosphorous poisoning. In my mind, there was just no doubt. The Army moved me in then—brought me right inside."

Although the veterinarian was given a quick security clearance, he soon became the one man the Army could not control. During the investigation, Osguthorpe said, the Army continued to deny responsibility. Under the wrap of secrecy, the military allowed Osguthorpe to see the color films of the test and made it clear they were at fault. But they demanded that the veterinarian go along with them publicly.

Osguthorpe is a devout Mormon, a rancher's son who was raised in Blackfoot, Idaho, and taught to speak his mind. He didn't like the lying. "That Saturday we could have shut the thing off right there," he said. "I'd have been glad to go back home. Instead they chose to deny it all the way."

He began playing devil's advocate. "The first time they showed us the color film," he said, "they showed only the actual spraying in the target areas, but nothing before and after. I asked for another showing and said I wanted to see all the film. I saw the gates fall to close. It was a mechanical failure. Since then they've let a \$400,000 contract to develop a fail-safe gate."

Like most state officials I talked to in connection with the incident, Osguthorpe firmly believes that the nation must pursue its research and testing of chemicals and biologicals and that such work must be conducted at Dugway. "We've got a defense business bringing in \$35 million a year into the state; sheep bring in about 1/35th that amount. Which is more important for Utah?" he asked.

Perhaps that explains why even Osguthorpe, despite his battle with the Army, at no time considered informing the public of the real dangers inherent in the chemical and biological research at Dugway. But he knew. As chief veterinarian for the four ranches in Skull Valley, he'd seen some strange things happen. "In the last three to five years I've bumped into some new livestock diseases that I couldn't treat with antibiotics," he told me. Among the biological agents being tested at Dugway, along with such diseases as tularemia and anthrax, are very lethal bacterial endotoxins, the products of dead infectious bacteria. These are not living organisms, however, and livestock—or people—accidentally infected with the toxin will not respond to antibiotics.

Sheriff Fay Gillette also knows about some of the dangers at Dugway: "What bugs me is that they [officials at Dugway] think we're dumb. People know they're working with this stuff that's like dynamite. They're doing a hell of a lot more than we know

about." On at least 12 occasions during a four-year span, Gillette's men have been called by security men at Dugway and asked to monitor Highway 40, a precaution necessitated by wind shifts. "We used to have to go out and check, move everybody that was stopped or stalled. Dugway would pay for a wrecker if it was needed," the sheriff said. He did not report the action to his superiors.

"We in the county live here," the sheriff said. "We know that they've killed birds and rabbits. We're entitled to the consideration of knowing when they're going to test. Ah, Christ," he added disgustedly, "they figure you're dummies."

And in early April, Dr. Kelly H. Gubler, chief of staff at Tooele Valley Hospital some 35 miles from Dugway, told the Medical World News: "... I've treated Dugway workers in the past for an overdose of anticholinesterase [nerve gas] agents, even though the Army denied they were contaminated at the proving ground." Gubler added that "the important question is not what killed the sheep, but what are the real human hazards involved in chemical and bacteriological testing. I don't consider even Tooele immune from Dugway chemicals. We should bear in mind that with a slight amount of misdirected contamination, there could be a massive human disaster."

His remarks were picked up by the wire services and published in newspapers around the world. Gubler promptly denied making the statement, and Tooele, a prosperous town of 16,000 which is financially dependent on Dugway and other nearby military bases, accepted his denial. Two weeks later the Tooele County Chamber of Commerce voted to express publicly the city residents' confidence in the installation. The Chamber's reaction was typical; when I visited the town in late July, concern was directed not at what the base was doing, but at the possibility that renewed criticism might force the Army to move the base. "Everyone here has two cars, a camper, and a pickup truck," said Sheriff Gillette. "They don't want to lose that." "Some people here believe that pacifists would have a lot to gain—especially with articles like yours," Jan Swanson, the twenty-five-year-old associate editor of the weekly Tooele Transcript, told me. She explained that one theory being discussed in the city is that a pacifist or group of pacifists working at Dugway could have found out what gas was to be tested and then killed the sheep with it.

If anything, the March Incident at Dugway was the exception. A mechanical malfunction is much less likely to occur than a freakish wind shift or a poorly supervised test. One former Dugway researcher wrote me that when he worked at the base in the late 1950's, "There were certainly a number of cooked-up results submitted by our group. The tests were supposed to be done when weather conditions were proper, usually meaning that the wind was not to be too strong. Unfortunately, the wind and the ambition of test officers and section heads were not always the same."

"When these so-called tests came into our lab to be computed it was obvious the wind was too strong. . . . When this happened there was usually hell to pay. If we were honest about the results we would then have to interpret them over again. This meant processing these thousands of catch apparatus again. And if the results were the same we would usually be chewed out for our poor technique. Very often we 'dry-labbed' it [gave them the results they wanted] or else the section heads would."

"It took no idiot to figure out that the more tests there were the more people would be needed and this was exactly the way most of our superiors could improve their position. It was Parkinson's Law gone wild. For a while we worked two shifts to do more tests. V-

agent [VX] was just beginning to be tested on a big scale so the people at Dugway were trying to test as much of this as possible in addition to matching the G-agent [GB] tests from previous years, even though there wasn't much more to be learned about G."

On the investigating team appointed by Governor Rampton shortly after the incident, key roles were played by two civilians, besides Osguthorpe—Dr. G. D. Carlyle Thompson, director of the State Board of Health, and Dr. Jordan Rasmussen, chief veterinarian for the State Agriculture Department. The committee, which met regularly over the next few months, filed no public reports on its work nor did it make any private formal recommendations to the governor. Theoretically, members of the investigating committee were to represent the citizens of Utah in the inquiry. In fact, they represented Dugway.

During an interview, Dr. Thompson told me repeatedly about his long and happy association with the CBW base. "As soon as I heard about it [the sheep slaughter], I called Dugway to find out. We've always had good cooperation. By now, I've got security clearance almost every place you turn around," he added. Thompson said that his is a limited role: "It's not up to me to determine whether these tests should be held. It's up to me to determine if the health of our citizens is protected."

Thompson, who has spent 30 years in the health administration field, acknowledged that he had seen the classified films of the malfunction. "They've got the most fantastic camera equipment there you've ever seen," he noted. The doctor emphasized that once he learned what really happened at Dugway, his role did not change. "We did checks. I soon had a clue that there was no evidence of human danger." Yet Osguthorpe told me that he ran tests on some of the Skull Valley residents a week after the sheep began dying and found that their cholinesterase levels had dropped sharply, although no residents suffered any nerve gas poisoning symptoms.

Was there danger to Salt Lake City residents? "It would be possible for me to say that this could have hit Salt Lake City," Thompson replied, "but why should I say something that will scare the pants off a half-million people without doing any good? Every experience teaches us something so we try to improve. The sheep incident even caused a complete review of safety procedures at Dugway. I've heard it said that \$300,000-\$400,000 (the estimated reimbursement price of the sheep) was a relatively cheap price to pay for what we've learned."

"You have a terrific responsibility," the state health director told me, "not to write anything that isn't going to do any good, something that will just upset people by telling them things they shouldn't know."

The doctor practices what he preaches. When Dugway is anxious to survey the few score residents of Skull Valley after a series of biological tests, the state health director is called upon. "We in the Health Department are always doing surveys and checkups," said Thompson. "Whenever we do one near Dugway, we take advantage of it to check for the (biological) agents being tested at Dugway. The people in the Valley don't really know what we're doing. We draw blood for one thing, then check it for another."

The other key member of the investigating team, Dr. Jordan Rasmussen, also emphasized his close association with Dugway. "I've been as close to them as anybody else," he told me. "We cooperate very extensively. I feel they were a victim of circumstances. The incident's being exaggerated in many ways."

The Public Health Service also found itself in the role of protecting the military in the aftermath of the sheep slaughter. That agency had often worked with Dugway, monitoring the area outside the base for evidence of biologicals or other clues that the testing

had spilled over. Suddenly asked to help investigate the death of the sheep, the agency found itself analyzing data to demonstrate what it already knew—nerve gas was responsible. Nevertheless, on March 22, B. J. Osheroff, deputy director of the Public Health Service Office of Program Planning, said in Washington that unconfirmed findings of red urine and red tears in the sheep would point to an outlawed pesticide. The use of red dye to aid in monitoring tests is standard at Dugway; presumably such use would be known to the officials, in light of the agency's earlier role in monitoring tests.

The federal zeal to help Dugway cover its tracks in the sheep incident was matched in full by that of state officials. Joseph Francis, Utah commissioner of Agriculture, told me he thought Dugway had done "an exceptionally good job," generally, in its testing programs. "These things are hard to administer without having some mistakes," Francis added. David R. Waldron, another Agriculture Commission member, refused to talk because of the heavy security he said surrounded the incident, although he did praise the military's "cooperation."

By December the situation had quieted to the point where Brigadier General John G. Appel, by then the new commander of the Deseret Test Center, was able to make an announcement which an Associated Press dispatch reported this way: "Saying military nerve gas was not the cause of a massive sheep kill last spring, an Army commander announced a plan Friday to keep it from happening again." Appel, after duly noting that "insecticides have permeated the world," announced "Project Safe," a program to produce tight control over the testing of chemical and biological agents at Dugway. What Appel did not say is that the Army had called for just such a program ten months before the sheep incident. The "Chemical and Biological Weapons Surety Program," initiated by order on May 3, 1967, according to Pentagon records, called for a general tightening of the safety conditions at CBW test facilities.

A few weeks after Appel's reassuring speech, the Pentagon announced the results of its safety review. The review added nothing to the question of what was responsible for the sheep kill, and in effect did nothing more than put on the record some of the existing practices at Dugway. It suggested that permanent monitoring sites be established in Skull and Rush Valleys and that the state give a complete checkup to area residents at least every six months. It also called for a major public relations program to reassure the residents about the function of the test center and suggested that "certain Utah state officials . . . require general knowledge of the activities of the Test Center." This was necessary, the study explained, because "experience has shown in other situations that assurances given by the testing group [i.e. Dugway] reinforced by assurances of knowledgeable state officials and community leaders are much more readily acceptable by the public at large."

In its recommendations, the report merely called for tighter weather restrictions by Dugway when testing large quantities of nerve agents, although smaller quantities, it said, could be tested under existing safety practices. The restrictions will not hamper testing at the base. For example, the report outlawed air drops from altitudes of more than 300 feet; most tests are conducted at altitudes far below that.

The Dugway incident had little outward impact on the 500,000 residents of greater Salt Lake City. Only a few letters about the sheep deaths were published in the two Salt Lake City newspapers, reflecting perhaps the relative lack of interest displayed by the newspapers themselves. The Dugway story consistently showed up in the second section of the city's major newspaper, the Salt Lake

Tribune, even at a time when it was front-page news elsewhere.

One resident who did something about the apathy was Earl Jones, an artist and professor at the University of Utah who helped design a billboard depicting a dead sheep. The billboard, displayed in the center of Salt Lake City, had this message: "An unfortunate error . . . they were saving it for people."

"It stayed up four weeks with no public attention or press attention," related Jones. "I wanted to see if other people in the area were as up-tight about it as I was—but we got no response."

The military secrecy, the heavy state dependence on military expenditures, and the seeming apathy of the Salt Lake City residents provide the kind of atmosphere in which operations such as chemical and biological warfare can prosper with no questions asked. But there is some evidence that the various agencies work hard to ensure that the atmosphere is not marred.

In late June, Osguthorpe told a scientific forum in Logan that traces of nerve gas still lingered in Skull Valley. The Associated Press quoted him as saying that the nerve agents "are stable and lingering in the vegetation and soil. Reports that the Skull Valley area is clear of dangerous compounds are false. Animals taken into the area suffer toxic effects." Although the veterinarian did not say so, four sheep were placed in the valley in late May by Dugway researchers. They were dead within five days.

Osguthorpe's revelations made less news in Salt Lake City than did an announcement from Washington that the Army Claims Service had approved a \$376,685 claim for the loss of sheep on the Hatch Ranch, largest ranch in Skull Valley and the one which suffered more than 90 per cent of the loss. "This initial claim is only to cover the loss for dead and disabled sheep," Republican Senator Bennett told newsmen. "There will be a second claim filed after the extent of secondary damages has been determined."

The secondary claims could total as much as \$1 million for damage to reputation and potential future business. The Army will probably pay willingly; its ambition is to force the sheepherders off the federally owned land in Skull Valley and expand the outer perimeters of Dugway. Discussions between the Pentagon, the ranchers, and federal officials representing the Bureau of Land Management, which owns the ranch lands, were initiated immediately after the incident. Dugway, which now controls more than 850,000 acres of land in the area, could add as much as 400,000 acres more, moving the base's eastern border 25 miles or so closer to Salt Lake City. In light of this, the Army would define prompt payment of claims as good public relations.

"The Army's always made it clear that they were going to pay—it was just a question of the amount, not the liability," explained Alonzo W. Watson Jr., attorney for the Hatch Ranch. "We've had excellent cooperation from the Army."

I asked Watson why, then, didn't he seek the truth about the Dugway incident? "What's the point?" the young lawyer replied. "It's up to Congress and the Army to tell what they want to do. Our thought is that as long as you pay us, that's all that matters. Maybe it's a little selfish," he added with a shrug, "but . . . ?"

The Dugway incident is a microcosm of what's wrong with America, of what's really meant by the phrase "military-industrial complex." In Utah, a tiny group of state officials exchanged participation in classified briefings for public responsibility. Few, if any, were operating solely for personal financial gain; the good of the state was justification enough. "Good," to these men, is measured simply in terms of military contract dollars, those contracts that congressmen fight among each other to announce.

The others involved in the Dugway issue limited their responsibilities to the narrow question of clients' rights, or the proper role of their federal agency, or whether the incident was worthy of front-page play and an editorial. None of the participants saw fit to warn the citizens of Salt Lake City publicly of the danger inherent in a major CBW test facility 80 miles upwind. The Dugway incident prompted, in effect, a breakdown of the basic institutions of democracy. What happened at Dugway is happening, in a sense, in South Viet-Nam, at antiballistic missile defense sites, and perhaps even in the White House.

#### AFTERWORD

A second disaster at Dugway is inevitable; in fact, it may already have happened. This time the agent in question is not nerve gas, but something even more alarming: Venezuelan Equine Encephalitis (VEE), a virus disease that can cause crippling damage to the human central nervous system.

VEE has long been known to be one of the military's top potential biological agents. Not necessarily fatal, it is highly infectious and relatively obscure. It is usually found in swampy areas of South and Central America, with some cases reported in Florida and Louisiana. Yet in March 1967, evidence of VEE in the State of Utah was reported by three University of Utah researchers, who published their findings in *Bacteriological Reviews*, a prominent science journal published by the American Society for Microbiology. While the specific VEE-causing organism was not isolated, tests indicated that local animals had built up specific immunity (or antibodies) to the disease.

At no point did the report discuss the critical question of whether Dugway tests had been responsible for the suspected outbreak of the disease in Utah, more than 1500 miles away from any other known case—an omission made less surprising by the fact that all of the authors were employed by the University's Ecology and Epizootology Research Center, which is financed by a \$500,000-a-year contract from Dugway.

Troubled by the report—which attracted no public attention—Dr. Joseph Jackson, a professor at the Public Health School of the University of Michigan, contacted me and told me that in 1963, he had been approached and offered a job by Dr. Victor J. Cabelli, then head of virus research at Dugway. Cabelli, said Jackson, "explained that they were carrying out an extensive research project to develop methods for starting epidemics with VEE virus." Jackson added that although, according to Cabelli's account, "they were only using animals at that time, he did say 'epidemic' and not 'epizootic' [the spreading of disease in animals]."

Jackson wrote to Dr. Robert W. Sidwell, one of the authors of the report: "I cannot help but think that the introduction of VEE into that area must have been the result of human intervention. My recollection of Utah is that of a comparatively dry area, quite different from the 'lowlands of tropical rain forests' to which you indicated the virus has previously been limited. . . . I am sure that you must have been aware of the work being done at Dugway, and I wonder why you did not regard this as a possible means by which VEE became enzootic in the Utah area."

Sidwell replied: "I am aware of the work done at Dugway; in fact, the Epizootology Research Laboratory on the University of Utah campus in which I worked was established to determine if the biological work done at Dugway had any effect on the wild or domestic animal population in the area. We were never informed, however, of the extent or time of testing carried out at Dugway, except that I was led to believe that the survey work we were carrying out for VEE was done as a preliminary to testing."

The University of Utah's connection with Dugway is a key one, especially in that it is

responsible for monitoring the outside perimeters of the test areas. University researchers argue that they are merely doing pure research. Like the state and federal officials connected with the sheep kill, the men from academia lean over backwards to protect the military.

In fact, the tie between Dugway and the university is even closer than most students and faculty realize. You can dial some faculty telephone numbers listed in the campus directory and the phone is picked up in a Dugway laboratory 80 miles away. There is also clear evidence that university scientists have aided the Army in field test programs for biologicals. On October 18, 1966, for example, Dr. Peter Olsen, head of the university's ecology section located at Dugway, put in overtime requests for four of his staff necessitated by "on-site investigations of disease outbreaks in distant areas, and by a special study of induced rodent movement."

The close ties between university scientists and Dugway make it impossible to determine how much—if any—VEE exists in the desert. Dr. S. L. Spruance, chief of communicable diseases for the Utah State Board of Health, said he didn't "know anything about it. I'd like to know more about VEE—if it is there. We're dependent upon the people who deal with the animals to keep us informed," he added.

Spruance said he was told nothing of the 1967 report, nor did he know that sometime in late 1964 or early 1965. Dugway scientists thought they found hints of VEE antibodies in cows. Samples of cows' blood with the antibodies had been sent to the Communicable Disease Center in Atlanta, Georgia, according to Dr. Gerry Nolan of the University of Utah. "The cattle were bled and checked for antibodies," Nolan said, adding that scientists there determined that while it was impossible to categorically state VEE virus was present, the burden was on the people at Dugway to prove that it was not present. "But they [the blood samples] were lost in the shuffle," Nolan said. The man who handled the samples for the Public Health Service, Dr. Talford Work, initially told me that only a few samples were lost; later he denied any knowledge of their existence.

Another author of the 1967 VEE paper, Dr. Louis P. Gebhardt, chairman of the microbiology department at the university and a member of the academic committee overseeing the university's involvement at Dugway (who noted, "The work there is very poor, very poorly supervised. . . . We used to send our PhD students out there. . . . but we had to stop because of poor supervision"), told me: "It scared us when we found VEE antibodies. We didn't know what to do." But, he reiterated, "research has not gone on far enough to prove it was an absolute form of VEE virus." I told Gebhardt about Dr. Jackson's contact with Cabelli and of his concern that an outbreak among the animal or human population of Utah might be imminent. Gebhardt, who has been associated with Dugway since the university began its involvement there in 1951, replied: "Cabelli may have played with it [VEE]. He was not a virologist and didn't know what he was doing half the time. He was a very poor scientist—a blowhard. He tried to get a job here but he was a lousy teacher and we wouldn't hire him."

Cabelli, not a good enough scientist to teach virology at the University of Utah, was apparently competent enough to conduct biological warfare tests 80 miles away.

[From Scientist and Citizen, August-September 1967]

BIOLOGICAL WEAPONS  
(By Milton Leitenberg)

We know of no greater destructive force on this earth directed against human life than

that of pathogenic microorganisms, and . . . there are no better opportunities for pathogenic microorganisms to thrive and to start widespread epidemics than those presented by wars. (R. L. Mayer in "Epidemics and Bacteriological Warfare")

Plague and war, two of the horsemen of the Apocalypse, often ride side by side. War was linked with the Justinian Plague of the sixth century and the Black Death of the fourteenth century. In the American Civil War, more deaths were caused by disease than by wounds; sixty per cent of deaths were from typhus fever, dysentery, malaria, and other diseases. The intercontinental influenza epidemic of 1918-1919 followed on World War I.

Wars often bring malnutrition, a lowering of hygienic standards, and other conditions which lower resistance to disease. The migration of soldiers may carry a particular virus or bacteria to a new area where the population has never been exposed to it. People tend to develop resistance early in their lives to the viruses and bacteria common to their part of the world. Invading soldiers may have resistance to a disease-producing microorganism, while the invaded population is unprotected. The reverse may also occur, or there may be an exchange of diseases.

Although disease has played a dominant role in many wars of the past, it was initiated unwittingly—not intentionally—by man. There were a few attempts by one side to spread disease to its enemies, for example, by throwing over the walls of a besieged city the bodies of persons who had died of the plague,<sup>1,2</sup> but it was not until Koch, Pasteur and others had created a revolution in bacteriological knowledge that the initiation of disease as a method of warfare really became possible. It first appeared as an organized military concept shortly after World War I.<sup>3</sup>

There has been extensive biological warfare (BW) research and development by various nations since, and three allegations of its actual employment. The nature of these incidents indicates that it has not yet been used in any significant sense. As a result, we have little direct information on the capacity of biological weapons. However, some insight into their effectiveness can be derived from the history of some naturally occurring epidemics.

Epidemics bring illness and death to large numbers of people; they may also have long-term social consequences. Although there is no certainty that manipulated epidemics would duplicate the circumstances of those occurring naturally, some of the plagues of the past suggest the potential destructiveness of biological warfare.

The Justinian Plague broke out in Egypt in the sixth century and spread to the ends of the world as it was then known. Lasting half a century, this intercontinental epidemic killed an estimated one hundred million people, about one fourth of the world's entire population at the time.<sup>1</sup>

The famous "Black Death" spread from Asia where it had been endemic (existent but controlled by naturally developed immunity) for centuries. This was bubonic plague, an acute infectious disease carried by fleas that transfer the plague bacteria from rats to man. It entered Europe through the Mediterranean ports. Estimates of mortality from this plague range from one-fourth to three-fourths of the people of Europe (again about a fourth of the world's population). Mortality rates recorded in individual cities at times reached eighty percent.<sup>4</sup> The Black Death actually lasted for more than three centuries; the London "great plague" of 1665 was its last great European outbreak. The disease died out in Europe at the end of the seventeenth century, but nobody knows exactly

why. There are many possible reasons. The rat may have been controlled by better sanitation, there were shifts in populations of different species of rats, or the germ may have mutated and developed less virulent strains. More recently, in the period from 1896 to 1936, twelve million persons have died in India from the same disease.

The epidemic struck a shattering blow at the entire social and economic framework of the Middle Ages. The English historian, Maycock, says that "the year 1348 marks the nearest approach to a definite break in the continuity of history which has ever occurred." For a century thereafter, Europe experienced economic stagnation and decline.<sup>5</sup>

Smallpox was introduced by the conquistadores in Mexico and Peru in 1520. Within several years three million Indians died of the disease and the Aztec civilization disappeared. In this case an epidemic was largely responsible for the most extreme social dislocation possible.

Another example of the effectiveness of a particular disease among people with no previous experience of it, and hence without resistance, is the introduction of measles to the Hawaiian Islands in 1774. The epidemic which followed resulted in a mortality of about one in four. Most recently, in 1918-1919, influenza circled the globe twice, killing twenty million of the 700 million people it infected, nearly equal to the combined World War I casualties of all nations.

This pattern of epidemics spreading wildly through a population without resistance might be artificially engendered by biological weapons. Social disruption produced by epidemics, which historically had more long term effects than the mortality itself, might also be engendered by biological warfare. Once underway, some of these epidemics crossed and recrossed national boundaries. The danger that biological warfare will backfire on the initiator in this way is always present.

Why do organisms that can create epidemics usually do so only at long intervals, even though smoldering (endemic) infection could always provide a seed? In all the historical examples cited, and in others such as the six cholera epidemics in the nineteenth century, an ensemble of specific physical, climatic and demographic conditions necessary for the onset and persistence of an epidemic were on hand. Biological warfare, in addition to the physical attempt to spread one or more particular microorganisms would be an attempt to capitalize on or create this specific ensemble of conditions.

In major epidemics the disease itself and the fear and demoralization that follow in its wake disrupt the social cohesiveness necessary for combatting it, thus perpetuating ideal conditions for its growth. The economic condition of a population often facilitates—or checks—the development of certain epidemics; plague, for instance, flourishes where crowded and unsanitary conditions provide a hospitable environment for rats.<sup>1</sup> Even relatively few cases of an unfamiliar disease occurring in peacetime provoke widespread uneasiness, as is evidenced by the public reaction to outbreaks of poliomyelitis or bubonic plague today. In war, demoralization caused by disease may be even more important than the actual number of diseased persons.

#### WHAT IS BIOLOGICAL WARFARE?

U.S. Army manuals list five groups of biological warfare agents;<sup>6</sup> this paper will be concerned only with the first three.

**Microorganisms:** bacteria, viruses, rickettsiae (microorganisms intermediate in size between bacteria and viruses), fungi, protozoa.

**Toxins:** (chemical poisons derived from living organisms): microbial, animal, plant.

Footnotes at end of article.

**Vectors (carriers)** of disease: insects, birds, other animals.

**Pests:** of domestic and commercial animals and plants.

**Chemical anticrop compounds:** plant growth inhibitors, herbicides, defoliants.

Out of the millions of biologic agents that would fall into one of these groups, relatively few are chosen for military development. What are the characteristics that recommend such choice?

The agent must produce a disease which will incapacitate or kill.

It should be capable of being produced economically in adequate quantities from available materials. Methods developed for commercial products such as yeast, beer, penicillin and other antibiotics are adaptable to the mass production of many biologic agents.

Means must be available for maintaining the agent's virulence or infectivity during production, storage and transportation. For this reason the organism which produces anthrax, for example, would be preferred over that which produces syphilis. The small reproductive organisms (spores) of anthrax can remain dormant for years, while the bac-

teria which causes syphilis dies quickly upon exposure to air. Microbiologists have developed techniques for protecting biologic agents by encapsulating them in proteins such as milk, blood and serum, and for preserving them by freeze drying. They can be maintained in this way for years in airtight vials.<sup>6</sup>

Dissemination must be easy and effective. The dissemination of tularemia by its natural route—the handling of infected animals—would be neither easy nor effective, but in an aerosol form its dispersion would be both.

There must be no widespread natural or acquired immunity to the disease in the population to be attacked. For example, in the U.S., where diphtheria immunization is nearly universal the anthrax bacterium would be a more effective agent than the diphtheria bacterium.<sup>6</sup>

Some form of protection must be available to the user. He must have developed immunization, have therapeutic agents available, or be prepared to wear masks or special clothing or to remain at a distance from the area of dispersal.

Footnotes at end of article.

Difficulty of detection adds to the military desirability of an agent, as does its ability to enter the body through more than one portal.

Some biologic agents have characteristics that would lead to their selection in some military situations but not in others.

There is always a lag or incubation period between exposure to an infectious organism and the first appearance of symptoms.

All biologic agents have some degree of persistence in the environment.

Many biologic agents are contagious, have the ability to spread from one infected person to another and thus to continue spreading. A single attack, even though sharply localized at the source, may be potentially capable of spreading very widely.

Depending upon the strategy of the attacker, an agent with a longer or shorter incubation period, with greater or lesser persistence in the environment and with more or less capacity to spread might be preferred.

The following table indicates the scope and variety of potential BW agents, some of which have already been selected and developed because they meet several of the criteria listed above:

HUMAN DISEASES WHICH MAY BE SPREAD IN BIOLOGICAL WARFARE  
BACTERIAL DISEASES

Name	Disease syndrome in man, when infection is by natural route <sup>1</sup>	Pathogen	Intentionally produced in man	Suitable for strategic use	Suitable for tactical use	Available against presently known strains		Mortality
						Specific vaccine	Specific therapy	
Anthrax (pulmonary)	High fever, difficult breathing; fluid in lungs; shock and coma, frequently death 18 to 48 hours after onset of severe symptoms. <sup>2</sup>	<i>Bacillus anthracis</i>	Yes	Yes	Yes	Yes	Yes, if prompt	Usually fatal if untreated.
Brucellosis	Intermittent fever, weakness, pains, irritability, mental depression, recovery usual in 3 to 6 months.	<i>Brucella abortus</i> , <i>Brucella suis</i> , <i>Brucella melitensis</i>	Yes	Yes	Yes	Yes	Yes	2 to 3 percent.
Cholera	Intestinal infection; diarrhea, vomiting, dehydration.	<i>Vibrio cholera</i>	Yes	No	Yes	Partial	Yes	If treatment prompt and adequate, 5 percent; if treatment poor, 60 percent (?).
Diphtheria	Acute infection of upper respiratory tract.	<i>Corynebacterium diphtheriae</i>	Yes	No	Yes	Yes	Yes	
Dysentery (bacillary)	Intestinal infection; lesions, diarrhea, cramps; usually lasts about 10 days.	<i>Shigella shiga</i>	Yes	No	Yes	No	Yes	Usually low, but some outbreaks up to 30 percent.
Glanders	Local swellings and internal ulcerations; fever, vomiting and muscular pains.	<i>Malleomyces mallei</i>		Yes	Yes	?	?	Few patients recover from acute glanders.
Plague (pneumonic)	Acute infection of the lungs; headache, fever, cough, difficult breathing, loss of oxygen in blood; heart failure.	<i>Pasteurella pestis</i>	Yes	Yes	Yes	?	Yes	Without antibiotics almost always fatal.
Tularemia (rabbit fever)	Begins with inhalation infection; cough, difficult breathing, fever, malaise, chest pains. <sup>1</sup>	<i>Pasteurella tularensis</i>	Yes	Yes	Yes	Yes	Yes	62.5 percent.
Typhoid fever	Acute illness lasting several weeks; sustained fever, cough, enlarged spleen, rash.	<i>Salmonella typhosa</i>	Yes	?	Yes	Yes	Yes	Untreated, 14 percent; treated, about 1 percent.

RICKETTSIAL DISEASES

Rocky Mountain spotted fever	Infection chiefly of blood vessels, chills, fever, aches and "spots."	<i>Rickettsia rickettsii</i>	Yes	Yes	Yes	Yes	Yes	20 percent without antibiotics.
Typhus (epidemic)	Acute infectious disease; severe headache, high fever, rash; duration about 2 weeks.	<i>Rickettsia prowazekii</i>	Yes	Yes	Yes	Yes	Yes	Less than 10 percent in children, higher in adults; 60 percent in those over 50.
Murine typhus	Similar to epidemic typhus	<i>Rickettsia mooseri</i>	Yes			Yes	Yes	Usually fatalities only in older persons.
Q Fever	Fever, headache, frequently inflammation of the lungs.	<i>Coxiella burnetii</i>	Yes	Yes	Yes	Partial	Yes	Low.

FUNGAL DISEASES

Coccidioidomycosis	Acute infection; course similar to histoplasmosis; may develop into progressive chronic type with involvement of bones and internal organs.	<i>Coccidioides immitis</i>	Yes	Yes	No	Yes	Yes	Low for primary type; high for progressive chronic type.
Histoplasmosis	Has a benign pulmonary form and a less common generalized form.	<i>Histoplasma capsulatum</i>	?	?	Yes	No	Yes	Low for primary type; very high for generalized type.
Nocardiosis	Chronic; abscess formation on lungs and feet, sometimes on neck and face, may spread to brain.	<i>Nocardia farcinica</i>	Yes	Yes	No	Yes	Yes	High unless diagnosis and treatment are prompt.

Footnotes at end of table.

## HUMAN DISEASES WHICH MAY BE SPREAD IN BIOLOGICAL WARFARE—Continued

## VIRAL DISEASES

Name	Disease syndrome in man, when infection is by natural route <sup>1</sup>	Pathogen	Intentionally produced in man	Suitable for strategic use	Suitable for tactical use	Available against presently known strains		Mortality
						Specific therapy	Specific vaccine	
Dengue	Local and general aches and pains, fever, rash; called "breakbone fever."	Arbor virus, group B (arthropod-borne).	Yes	Yes	Yes	Yes	No	Not fatal.
Equine encephalomyelitis: eastern, western, Venezuelan.	Affects central nervous system.	Arbor virus, group A (arthropod-borne).		Yes	Yes	Yes	No	5 to 65 percent.
Encephalitis: St. Louis B, Japanese B, Russian Far East.	do.	Arbor virus, group B (arthropod-borne).		Yes	Yes	Yes	No	5 to 30 percent.
Infectious hepatitis	Infection of the liver.	Hepatitis virus.	Yes	No	?	Temporary.	No	Less than 10 percent.
Psittacosis	Pneumonia, cough, malaise.	Bedsonia group.	Yes	Yes	Yes	No	Yes	Treated, 0.5 to 5 percent, untreated, 10 to 20 percent.
Smallpox	Headache, chills, fever, lesions of skin and mucous membrane.	Poxvirus group, vaccinia	Yes	No	Yes	Yes	No	Highest under 5 years and over 45 years.
Yellow fever	In severe cases, fever, black vomit (altered blood), and jaundice.	Arbor virus, group B (arthropod-borne)	Yes	Yes	Yes	Yes	No	Overall average less than 10 percent, but epidemics with 85 percent mortality have been observed.

## TOXINS

Botulism	Fatigue, difficult swallowing, visual disturbance, death results from respiratory failure.	Botulinus toxin.		Yes	Yes	Yes	No	65 percent.
Staphylococcus	Vomiting, diarrhea, prostration.	Staphylococcus enterotoxin.	Yes	No	Yes	No	No	Low.

\* Sources: Diseases listed are those which would be caused by microorganisms listed in "Questionnaire for Nonproduction Control of Biological Weapons," *Proceedings of the Sixteenth Pugwash Conference on Science and World Affairs*, pp. 105-106. Tularemia was added; it is mentioned in many other sources as a potential BW agent.

Information on disease syndromes, on availability of vaccines, on antibiotic therapy, and on mortality rates has been selected primarily from "The Merck Manual of Diagnosis and Therapy" (11th ed., Merck & Co., Inc., 1966) and "A Textbook of Medicine," edited by Russell L. Cecil and Robert F. Loeb (10th ed., W. B. Saunders Co., 1959).

The information on diseases which have been intentionally produced in man is from "Plagues on Our Children" by R. E. Nopar in *Clinical Pediatrics*, vol. 6, No. 2, February 1967, table 1. Suitability for "tactical" and "strategic" use columns were adapted from "Communicable Diseases and Epidemics" by Martin M. Kaplan in the *Bulletin of the Atomic Scientists*, vol. 16, No. 6, June 1960, table 1, p. 239.

Kaplan's criteria for suitability are as follows:

"... 'strategic' implies capability of producing a major effect of widespread proportions either through morbidity, mortality, or economic disruption; 'tactical' implies usage restricted to selected areas for a limited objective. A limited objective such as a command post could of course have strategic consequences. Also a BW agent (cholera) may have 'strategic' possibilities in an underdeveloped country with a low level of sanitary and public health facilities, and be only of 'tactical' importance in an economically advanced country."

<sup>1</sup> As explained in text, symptoms may differ, and disease may be more severe if infection is by aerosol.

<sup>2</sup> This describes the disease when infection is by inhalation. It may also be contracted by handling infected animals, or their skins, in which case the course of the disease is quite different.

A significant factor in BW is that the possible area of effective coverage, in the initial delivery, is generally greater than with chemical agents. Tests have shown that coverage of thousands of square miles is quite feasible with biological agents. This makes them particularly suitable for attacking large populations. The characteristics of biological weapons which are usually considered to make them militarily advantageous are:

They strike directly at a population, or its food, and do not destroy factories, homes, and other property.

They are self propagating.

Detecting and identifying them is difficult or slow—much more so than for chemical agents. Effective immunization against most diseases must be administered before symptoms appear, yet the disease cannot be diagnosed until after the symptoms appear.

Some BW agents do not necessarily destroy human life (unless used in conjunction with other military weapons).

Large scale use could be achieved with very small amounts of biologic agents giving BW an enormous "edge" over other weapons in preparation, storage and dissemination.

They can be produced rapidly—the "mobilization time" is short—and the cost of production relatively low.

Military disadvantages of BW are:

The great dependence on meteorological conditions for effectiveness. The physical state of the aerosol droplets and the viability and infectivity of the organisms they carry are greatly affected by temperature, sunlight, humidity, wind direction and speed. This can be overcome by delivering more of the agent than would be required under optimum conditions. As will be seen from a discussion of the minute numbers of organisms required for infection, this is quite easy to do.

The "backfire" problem—the danger of infection to the user of a biological weapon or to a neutral. Infective microorganisms are

living and self-propagating; thus BW has been called a "human conflagration."<sup>3</sup> Given modern methods of developing the most virulent strains of particular microorganisms, the problem of how to prevent the spread of disease, rather than how to spread it, is probably the major concern.

Not all organisms that produce disease in man are contagious. With those that are not, aside from possible initial exposure accidents due to windspread, backfire is not a problem.

The absence of contagion might be considered a particularly desirable military characteristic because it permits a measure of control. However, a disease that was not expected to be contagious might turn out to be contagious.

## AEROSOLS—A WAY OF DELIVERY

Early discussions of BW made much of its suitability for covert introduction by saboteur into the water and food supply of a city, into ventilating systems, or simply into the air. Recent emphasis has shifted to delivery by a more efficient means, dispersion by aerosols. As a Senate study of chemical, biological and radiological warfare pointed out, aerosols containing various BW agents would be suitable for dissemination over wide areas. This could be accomplished from the air by planes or drones (spray tanks or bombs) or by free balloons; from the ground by clouds or mist projected by generators located upwind from the target area, or by shells, rockets or missiles carrying BW warhead; and from the sea by clouds or mists launched from ships when inshore winds prevail. Rockets, missiles and shells could also be launched from shipboard. Floating mines, launched by ship or set adrift in ocean currents and set to detonate along coastal areas, might also be used.<sup>4</sup> The capability for anonymous delivery is retained by

several of these newer delivery means, even by the modern airplane outfitted for aerial dissemination.

Numerous studies are on record which show that many viral, rickettsial, bacterial and fungal diseases can be produced in man and experimental animals through the inhalation of artificially contaminated aerosols.<sup>5</sup>

The quantities of an aerosol needed to carry infective doses of BW agents to humans are fantastically small. A person breathing air with only one aerosol particle per liter (slightly more than a quart) will take into his lungs fifteen such aerosol particles per minute; fifteen particles, if carrying a virulent BW agent, mean a massive infective dose.<sup>6</sup> There may be thousands or millions of organisms in a single aerosol droplet.

The disease agent can be produced in a form so concentrated that theoretically a few ounces could provide an infective dose for the entire world population, if ideally and equally distributed. Q fever can be produced in half the people in an exposed group if each inhales less than ten organisms. It has been calculated that in one gram (one twenty-eighth of an ounce) of culture medium in which the organisms are grown there are one billion human infective doses of this disease. Similarly, the inhalation of fewer than ten organisms can infect a man with tularemia. Minimal inhalation infective doses for the dengue viruses and smallpox are probably only a little higher. Plague probably requires about 3000 organisms and anthrax about 20,000 to infect one person. Using one dozen chicken eggs as a culture medium, enough psittacosis virus can be produced to provide a theoretical infective dose for every person on earth. All of these theoretical calculations assume the minimal dose inhaled per person. These are dramatic and useful figures to indicate the potential of this means of warfare, but it should be

Footnotes at end of article.

kept in mind that any real means of distribution would waste the greater part of what it spread.

Aerosol particle size is critical. These tiny particles are measured in microns. A one-micron particle has a diameter of 0.001 millimeter. A millimeter is 0.039 of an inch. Droplets that are too large will fall to the earth before affecting the target area. Those larger than five microns will be removed from the air in the upper respiratory tract and may be less effective than particles one to five microns in size which can penetrate deep into the lungs. For example, to infect a guinea pig with *Brucella* requires six hundred times as many twelve-micron as one-micron particles. Particles smaller than one micron tend to be exhaled without injury to the host.<sup>8</sup> The piece of machinery, analogous to a home vaporizer, that produces an aerosol is relatively simple. Such machines, as well as bombs that produce aerosols, convert about ten per cent of their starting material into droplets of the desired size range.

About 0.3 of an ounce of suspension containing ten billion organisms would be required to infect everyone in an area of one square kilometer (a little more than half a square mile), with 100 organisms.<sup>12</sup>

Contamination control experts developing masks and air filters, achieved near perfection by filtering out airborne particles with 99.97 per cent efficiency but found that near perfection isn't enough. Even 0.03 per cent pass-through can mean lethal dosages of aerosols.<sup>14</sup>

The variables of time, temperature and dispersal might increase—or decrease—the required amount from ten to a thousandfold. Nevertheless, these infection figures are probably sufficiently accurate to indicate the potential of biological agents as military weapons. The effectiveness of a biological weapon in practice, however, depends as much on recent advances in microbiology, epidemiology and meteorology, and on the efficiency and thoroughness of dispersal methods as on the natural toxicity of the organism it contains.

Techniques for mass production of these bacteria and viruses are not new. Many commercial products are produced in a similar manner. Mass production methods for growing pure cultures are used in the manufacture of sour cream, yogurt, yeast, beer and antibiotics. Suspensions of *Brucella* which contain ten trillion organisms per liter have been made at a rate of half a liter every few hours in the laboratory.<sup>15</sup> Scaled up to mass production these outputs would be greatly increased. During World War II, a continuous culture machine capable of producing *Brucella* organisms by the ton was developed at the Army Chemical Corp's Camp Detrick.

The product was concentrated into a paste containing twenty-five trillion *Brucella* bacteria per ounce.<sup>12, 15</sup> One ounce of this *Brucella* concentrate contains enough bacteria to infect more than two billion people. One characteristic of this particular organism is that it does not tend to become epidemic. Another is that available protective vaccines do not confer a solid immunity.<sup>15</sup> All seventeen Camp Detrick personnel reported to have contracted brucellosis during World War II had been vaccinated. These characteristics would be considered military advantages from the point of view of the user of this organism.

It seems clear that sufficient material to cover large areas could be produced in a matter of days. This has greatly reduced the problem often mentioned in early considerations of BW—the need to store BW material for longer periods of time. Production abilities remove the need for long storage; shorter storage periods are dealt with by freeze-drying and addition of certain compounds that improve the stability of the organisms during storage.<sup>6, 12</sup>

Methods for isolating toxins in pure form were also developed at Camp Detrick during World War II, and they too were produced in astronomical quantities. On a weight for weight basis the bacterial doses previously mentioned are several thousand times more potent than toxins; yet the toxins too are fantastically potent.

In 1949, the wartime director of Canadian CBW research revealed that "one bacteriological weapon, developed late in the second World War, could wipe out all human life in a given area within six hours and yet leave the area habitable afterwards. . . . While it kills everybody in six hours, it is itself oxidized in twelve hours, leaving the ground perfectly safe to occupy, so that there is no danger that the troops of the power which used it, will be contaminated."<sup>14</sup> He added that "if you could secure perfect distribution to all the world's people (which, of course, is impossible) you could kill everyone in the world with a quantity amounting to about eight ounces." While the weapon was not identified, its rapid oxidation implicates a toxin. Botulinus toxin can be produced in a small laboratory about the size of a five room house; with a minimum of equipment, about a pound a week can be produced in large glass bottles like those used to deliver spring water to offices.

Diseases caused by toxins are not contagious, their effects are therefore more predictable and easier to control. These are critical advantages in their use as weapons.

Mass production techniques have also been applied to the insects which carry disease. It was reported that many years ago the Japanese installations in Manchuria had reached a production capacity of forty-five liters of plague-carrying fleas—135 million insects—every four months. By the end of World War II their plans called for producing four times this quantity.<sup>15</sup>

How aerosol particles, and the organisms they carry, would survive under natural conditions has been the subject of research at British and American BW centers. Much work has been done to find means to overcome just those factors of environmental exposure such as temperature and sunlight that are damaging to BW agents upon release in the field. No specific environment is best for all, so each organism is tested in an aerosol at different temperatures, humidities and amounts of sunlight.

Strains can be bred which would fulfill the requirements of a BW agent better than their naturally occurring counterparts, or one of the many presently known strains can be chosen. Most bacterial species have hundreds of known strains, each one differing only slightly from the others. A virulent strain of the virus which causes poliomyelitis can be produced by growing the virus in a tissue culture at 41° C. Tularemia organisms suspended in an aerosol show no loss in infectivity for twenty hours so long as a particular ion, chloride, is excluded from the bacteria's growth medium and the aerosol spray fluid. Eighty-five per cent of polio virus suspended in an aerosol will remain viable for twenty-three hours at eighty-five per cent humidity, whereas only one per cent will remain viable at twenty to thirty-five per cent humidity. Smallpox, in contrast, seems to survive better in a dry atmosphere.<sup>12</sup>

Some bacteria and viruses may disappear in a matter of hours after their dispersal. Others, anthrax for example, are extremely stable and no special measures need to be taken to ensure their survival. In general the decay of purified viruses or their infective genetic material is very slow, of bacterial spores more rapid, and of bacteria the most rapid. It has been found that various chemicals and smokes added to the BW aerosol often protect the organisms from the destructive effects they meet on exposure. More recently, methods have been developed for encapsulating aerosols themselves in inert chemicals. Both natural and artificially en-

hanced stability have the disadvantage of presenting a greater hazard to the user's advancing or invading troops.

Widespreading of aerosols can be very wide. Many kinds of particles are borne immense distances by high altitude winds. Dust particles are believed to be transported around the globe at high altitudes and smoke particles from forest fires in Canada have been detected over the United Kingdom. Spores of fungi causing wheat rust which originated in Mexico have been detected over Canada.<sup>13</sup> Thus the wind could distribute a biologic agent widely, but would dilute it, while at the same time running the risk of infecting the wrong population.

The effect of a BW agent on a human population can be gauged by three characteristics: its virulence—the number of organisms required to produce infection; its clinical effect on the individual; and its ability to produce an epidemic. United States military requirements have been described in the *British Science Journal* as very stringent. Apparently agents are not classified as lethal unless they can be expected to kill twenty-five to fifty per cent of the population in the area attacked, or incapacitating unless they affect twenty to thirty per cent.

The nature of infection differs drastically with the route by which an infecting organism enters the human body. The critical factor here is that diseases which in nature reach the human body via a vector (an insect bite, or some other intermediate host for the germ) are usually much more virulent when delivered by the "unnatural" means of an aerosol. The number of organisms required to infect is often lower, and therapy is less effective. What this means is that the method chosen for the delivery of BW organisms for the sake of efficiency has produced an added "bonus"—a greatly increased virulence of the organisms thus delivered. Many of the diseases that can be spread in aerosol form have little or no military value in natural form: tularemia is generally contracted by handling infected animals, the rickettsial disease are louse and tick borne, and brucellosis comes from infected meat and milk.

Detection of the infecting organism, which is crucial to defensive, therapeutic aspects of BW, is delayed by the medical consequences of unnatural infective routes. For most diseases, identification must be made early if therapeutic measures are to be effective.

The usual symptoms of these diseases are indicated in the table, but when introduced as aerosols the diseases are not usual. Both the virulence and course of the disease may be quite different.

"In anthrax, plague, and tularemia, for example, the patterns of illness after respiratory tract transmission are very different from the more familiar . . . forms of these diseases. And these happen to be infections in which early diagnosis is essential for success in treatment. Thus in pneumonic plague the mortality rate approaches 100 per cent for cases not treated until after 20 to 24 hours of illness, whereas therapy begun earlier can be most effective. Anthrax from inhalation is likewise almost regularly fatal except when treatment is begun during the initial invasive period, a phase characterized by mild nonspecific symptoms."<sup>19</sup>

Several BW agents which produce diseases with or without overlapping symptoms, would, if applied simultaneously, keep the attacked population's medical forces guessing until the diseases had gone too far to be checked. Such a common intestinal bacterium as *E. coli* (harmless in its natural location) at times travels to human lungs, where it causes pneumonia with fatal results, most often because it takes too long to identify the infective agent.<sup>16</sup> There are three ways of overriding immunity: an unusual mode of infection, a massive dose of infective material, or a mutant strain of the microorganism with an altered surface which no longer responds to the same immune bodies (antibodies).

Footnotes at end of article.

## VACCINES—PROTECTION AND EVASION

An ideal BW agent would produce a disease for which there was no known treatment, and for which only the user possessed a vaccine which was long lasting and would protect against massive dosages. However, many vaccines are not long lasting and nearly all can be overcome by massive dosages of the disease organism, which can be easily produced and delivered.

Against some organisms, such as *Brucella*, it has so far been impossible to produce any reliable vaccine. Vaccines that will protect against infection via the abdominal organs will not necessarily protect against infection of the respiratory tract to the same degree, even though the agent is the same. Protective vaccines have been produced against psittacosis virus, but these have been only partially effective. They do not protect against all known strains of the virus, nor prevent appreciable numbers of experimental animals from coming down with the disease although the severity of the illness is ameliorated in such cases.<sup>18</sup> Some Detrick personnel who had been vaccinated in advance against psittacosis nevertheless contracted the disease. The same occurred with brucellosis.

The value of antiserum in the treatment of disease produced by aerosol-disseminated toxins has not been critically examined.<sup>17</sup> In addition to the well-known toxins of the bacteria causing diphtheria, tetanus, and botulism, there have been significant toxins derived from other bacteria and from the viral and rickettsial groups.

Although mass immunization against biological agents has been widely and successfully used in military organizations, mass immunization of civilians is more difficult. Research efforts have been aimed at developing simultaneous immunization, with several vaccines for different diseases at once, and mass immunization by distribution of the vaccine in an aerosol.

The time and effort required to select successively or develop new strains to bypass existing vaccines is incomparably less than that required to develop a vaccine. It seems impossible to imagine that defense in the form of vaccines could ever keep pace with offense—new strains. On the other hand, air conditioning, filter or mask devices would be as effective against one organism as another and could not be circumvented by new strains of organisms. In practice "defensive" vaccines lag far behind development of "offensive" strains and techniques. The rule which is often voiced, that the only BW organisms usable are those for which the user has a vaccine, seems not to have impeded the development of BW strains for which there is no reliable vaccine.

The preceding discussion has focused on those changes in strains of microorganisms that overcome the utility of vaccines. In the same way, a new strain of a known bacterial organism may differ from varieties normally encountered by being resistant to the antibiotics used for therapeutic purposes. Vaccines are used against both bacteria and viruses; antibiotics against bacteria only.

## Drug resistance

Not many years after the discovery and application of the first antibiotics, the sulfonamide drugs and penicillin, it was found that bacteria could no longer be killed by these antibiotics. Although most strains of a species of bacteria were susceptible to the action of the drugs, there were mutant strains in existence that were resistant. The drugs killed off the susceptible bacteria while the mutant strain was unaffected and therefore became the dominant strain in the species. As one antibiotic after another has been discovered—penicillin, streptomycin, kanamycin, chloramphenicol, etc.—the vari-

ous species of bacteria have followed along, with this selection process conferring resistance to each of the new antibiotics.<sup>19-20</sup> There are numerous recorded instances of the development of resistance to a particular antibiotic in the course of infection of a single individual.

There are different ways in which mutations alter the cellular processes of different species of bacteria so that they become drug resistant, but one thing is uniform: bacteria attain resistance through this mechanism to only one drug at a time. That is, one mutation confers resistance to only one drug; at some later date the penicillin-resistant strain of *Staphylococcus aureus*, for example, may undergo a second mutation making it resistant to another antibiotic, erythromycin perhaps.

Fort Detrick has several times had occasion to use antibiotic drugs immediately after laboratory accidents with infectious cultures, but illness has not always been prevented.<sup>17</sup> A strain of anthrax is known to have been produced which cannot be treated with conventional antibiotics and resistance to antibiotics is being bred into BW organisms.

All of this is important to BW in two ways. Special strains of BW organisms resistant to a wide variety of antibiotics can be intentionally developed so that treatment of casualties infected by these organisms in a BW attack would be difficult, if not impossible. Secondly, if a nation depended upon antibiotics for the protection of its own population against a strain it was using against another nation, this protection would be breached if the strain developed a resistance (mutant) to the therapeutic antibiotic or antibiotics.

There is another way bacteria can acquire resistance to drugs, this time to several drugs at once. It has serious significance for therapeutic medicine and public health, as well as for BW. The process takes place during "conjugation," in which one bacterium contributes some of its genetic material to another bacterium.<sup>21</sup> In addition to the chromosomes, the usual carriers of genetic material, bacteria also have smaller, separate particles of genetic material called episomes. Episomes too may be transferred from one bacterium to another during conjugation. They will determine some of the characteristics of the cells that develop from future generations of the bacteria which received the episome. Conjugation occurs both within one species of bacteria and between different species. The latter is of special importance to BW.

Among the characteristics that can be transferred in this way is multiple drug resistance.<sup>22-23</sup> One single episome can carry and transmit resistance factors simultaneously to at least three, often four or five, and sometimes as many as seven different and unrelated antibiotics: Episomes with resistance factors were first discovered in Japan in 1957, and are now being found with increasing frequency in domesticated animals as well as in humans in all areas of the world in which they have been sought (U.S., Germany, Great Britain, Netherlands, etc.). Many bacteria which inhabit man can also inhabit other mammals. It is feared that extensive use of antibiotics as growth stimulators for cattle or hogs has speeded up the worldwide selection for episome-mediated resistant strains.<sup>23-25</sup>

Transfer can occur at each encounter between a cell having an episome with a resistance factor and one that does not, as against resistance acquired by mutation at an average rate of only once in 100,000,000 cells. In addition, episome transfer can occur between bacterial species that produce disease, and those that do not. For example, an intestine-inhabiting *E. coli* organism that is harmless to man but harbors resistance factors to four or five of the newest antibiotics, can, in one single step, transfer these to disease-producing organisms it en-

counters, such as *Vibrio cholera*, the organism that causes cholera in man. This transfer has been readily reproduced in the laboratory. The transfer of resistance factors to *Pasteurella pestis*—the producer of plague—has also been achieved in the laboratory.<sup>26, 27</sup> The genetic material of the resistance factor can be isolated in pure form for experimental, and presumably manipulative, purposes.<sup>28</sup> Resistance factors are available against ampicillin, chloramphenicol, neomycin, kanamycin, streptomycin, sulfonamides, and tetracycline.

Fort Detrick's scientists have transferred such episomic resistance factors into many strains of potential BW significance. If such strains are of contagious organisms, it would at first seem odd that this should be done at all. If the strains were used, and if "backfire" occurred, it would make therapy for the people of the nation using them just as difficult as for the people of the nation attacked. However, perhaps for each organism a resistance factor to one antibiotic is omitted. The assumption might then be that the "enemy" would not know which, while the user would and could be prepared with the proper antibiotic.

Microbial genetics, one of the most active and rapidly changing fields of contemporary biology, may develop other new ways of altering or manipulating characteristics of viruses and bacteria for BW use. The phenomena of "transformation," "transduction," and "recombination," all concern the heritable characteristics of viruses and bacteria.<sup>27</sup> These are processes which can occur naturally, or can be carried out in the laboratory and can all be used to juggle factors determining virulence and immunological specificity among related or unrelated species. Immunological specificity represents all those chemical and structural aspects of the bacterial cell surface that will determine identification and therapeutic protection by vaccines. For example, disease-producing organisms may be given the outer coat of a harmless species, rendering a vaccine against them totally useless.<sup>29, 30</sup>

## Organisms change in epidemics

What might happen to a BW agent which was used and produced a human epidemic? Can its course be anticipated or controlled? Natural epidemics tell us something about ways in which microorganisms can change in transit from one host to another as they propagate a disease.

Each new extensive epidemic appearance of A-type influenza represents a disease that is new to the current world population, the causative virus of each world epidemic differing immunologically from that of the preceding epidemic. Thus, since 1933, three major variants of the virus have prevailed successively. The first of these was the initial A-type which, with minor variations, was prevalent periodically in man from 1932 through 1944. Then came the so-called A-prime virus in 1947 which prevailed for about ten years, and finally, in 1957, the so-called Asian influenza virus type. The Asian strain may have been a recurrence of the virus type responsible for the great world epidemic in 1889-90.

How influenza viruses maintain themselves in nature, outside clinically ill human beings, for the seventy or so years that seem necessary for their complete cycle, remains unclear. One mechanism is by establishment in a reservoir host. There is evidence that viruses which presently produce influenza-like diseases in swine were a widespread cause of human disease in 1918 and shortly thereafter. Some eight to ten years from now, if a virus of the swine influenza type appears as the cause of disease in man, we shall know that we have run the complete cycle of A-type viruses.<sup>30</sup>

The significance of this for BW has been recognized by official U.S. CBW development personnel:

"All living things in a target area would be subjected to the aerosol and it is conceivable that new enzootic foci of disease could be established in our bird and animal population, with later spread to man by vectors already present. Some diseases in this category might be Rift Valley fever, Japanese B encephalitis, Russian spring and summer encephalitis and Venezuelan equine encephalomyelitis. The introduction of some old acquaintances, such as anthrax and brucellosis, into our herds would again force expenditure of huge sums of money, time and personnel to stamp them out or to control them."<sup>40</sup>

And again:

"Covering a large area with a biological aerosol may initiate a situation that is not only unique but quite different from that occurring during the usual or natural epidemiological evolution of airborne disease. . . . It might create a new and different basic epidemiological pattern with which there has been no prior experience. The fauna in the exposed area would have an opportunity to inhale the aerosol; this could involve a variety of animals, reptiles, amphibians and insects. Under these circumstances, many species might experience contact with a particular micro-organism for the first time in its evolutionary history. Very little is known about the possible effects of many potential BW agents on such wild fauna, particularly through aerosol exposure. Some microbes may have a far wider host range than existing knowledge indicates. It is quite possible that new animal reservoirs of disease might be established which could create a major public health problem for some time."<sup>41</sup>

The consideration raised here is that of a wide variety of animals becoming hosts to a bacteria or virus which is dangerous to humans. The host animal would not necessarily be harmed. However, the situation they describe contains another possibility, namely that when a species experiences contact with a particular micro-organism for the first time in its evolutionary history, the result might be disease or death for members of the species, with unknown ecological consequences.

An animal epidemic recently afforded perhaps the best documented case study of what kind of changes are possible in an organism in a very short period of time during a natural epidemic.<sup>42-44</sup> A viral disease, myxomatosis, was purposely introduced into Australia in 1950 in an attempt to eradicate rabbits from sheep land by releasing large numbers of laboratory-infected rabbits in several successive years. The strain of the organism came from Brazil, where it is endemic, and causes a small tumor on rabbit skin, but no death. In Australia, however, it was 99.8 per cent fatal to rabbits, and in several years covered a third of the Australian subcontinent.

Then a very interesting thing happened. Within one or two years new strains of myxomatosis appeared which caused ninety-nine to ninety per cent mortality. After several more years, strains appeared that were only thirty per cent fatal. The disease was spread by a mosquito. Rabbits infected by the most virulent strains died off so rapidly that there was less chance for mosquitoes to bite them and pass on that strain of the disease. On the other hand, rabbits infected with a mutant strain which was less deadly remained alive long enough to be bitten by mosquitoes that then passed on that strain of the virus to more rabbits. This produced selection for strains with weaker virulence. After several years the various strains reached an equilibrium—a balance—producing an average mortality in rabbits of about ninety per cent.

By coincidence, a strain of the same disease was released in Europe in 1952 from a single rabbit that a French doctor infected and dropped in his back yard in the hope of infecting a few other rabbits that were

nibbling his lettuce. The disease swept across the continent and England. It resulted in eighty per cent mortality to begin with and does not seem to be undergoing any decrease in virulence.

Lest the implications for human epidemics be misread, the Australian rabbit mortality of the first year, 99.8 per cent, should be recalled. That would be a catastrophic figure in a human population. Furthermore, in contrast to the evolution of the rabbit disease to a somewhat less virulent form, a recent epidemic of human cholera in Asia, beginning in Indonesia in 1961, has followed the opposite course.<sup>45, 46</sup> A group of strains slightly variant from the classic *Vibrio cholera*, and named "El Tor," have recently established themselves in twenty-three Asian countries, even in such strongholds of *V. cholera* as India, Cambodia and Thailand, where it has produced recent outbreaks. The El Tor strains were previously considered "static," i.e., non-epidemic, and localized to certain regions in the Celebes Islands.

While their virulence seems to be just about the same, the El Tor strains seem to be somewhat more hardy organisms in several ways than the classic cholera strains. The disease they produce is exactly the same, clinically and physiologically, as that produced by the classic organisms. For reasons that are unknown the "static" character of the El Tor strains disappeared suddenly, and the disease spread epidemically.

#### COMPARING BW WITH OTHER WEAPONS

(NOTE.—Adapted from "A Proposal to Inhibit the Development of Biological Weapons," by Mathew Meselson in "Proceedings of the Fourteenth Pugwash Conference.")

A comparison of aerial attacks with nerve gas, with a hydrogen bomb, with bacteria and with viruses, shows how much damage can be done by minute amounts of biological weapons. In order to kill the majority of unprotected persons in the attacked area, the amount of the agent used would have to be approximately as follows:

Grams per square kilometer: Nerve gas, 1,000,000 (one gram per square meter); hydrogen bomb, 100 to 1,000; bacteria, 0.1; and viruses, less than 0.001.

These values are based on the potential destructiveness of chemical and biological agents if technical problems are solved. It is assumed that for these agents a uniform cloud is formed extending to an altitude of 100 meters (328 feet) and that victims are exposed for ten minutes without protection. If the cloud were disseminated at a higher altitude, a larger amount of the agent would be required. The average lethal inhaled dose of the nerve gas Sarin is 0.001 grams. It is assumed that the average inhaled dose of viruses or bacteria required to initiate infection is 100 infective particles. The infection is not assumed to be contagious. Each individual infected would therefore have to be directly exposed to the aerosol. The weight in grams refers to the biological or chemical agent in the weapon, and not to the total weight of the weapon itself.

#### CONCLUSION

As physicists learned to create destruction with nuclear weapons, microbiologists are learning to create disease with biological weapons.

Biological weapons, unlike any others, are made of living material. Men may have learned to produce them, to manipulate them, to disseminate them—but they have not learned to control them. Once released from the laboratory, they may propagate, spread, evolve, develop relationships with other living things in ways which cannot be altogether foreseen.

If new reservoirs of disease were established in some animal species, a chain reaction of alterations in many related life forms might be precipitated. Development of

biological warfare agents has run ahead of the development of vaccines to protect people against them. The foregoing pages amply demonstrate the means by which protective vaccines can be circumvented. Protection can be negated by massive infective doses; it can be bypassed by the development of resistant strains.

Like the physicists, the microbiologists are acting in ignorance of the ultimate effects of the weapons they are producing.

The answers to the unanswered questions about biological weapons cannot all be found by testing them. A limited test under controlled conditions will not reveal what might happen in an epidemic—by definition, a disease which is out of control.

The destructive potential of biological weapons is in a range comparable to nuclear weapons, yet compared with nuclear weapons, the production technologies involved are extremely cheap and theoretically very simple. They would make the most difference to the arsenals of small, non-nuclear nations, yet it is the technologically and militarily most advanced nations who are pioneering in their research and development. The proliferation of nuclear weapons has been the subject of much international concern, but it is not clear that the proliferation of biological weapons is presently being given any attention.

Biological warfare presents a danger to the attacked, a lesser but still potent danger to the attacker, and in the end a danger to the human race. As Robin Clarke concluded in his recent article on biological warfare: "It seems that some nations are now prepared to accept the risk of a human catastrophe of this kind [which] . . . might also give rise to grave ecological disturbances—in return for the possession of a weapon of unknown if not dubious value."

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#### EPIDEMIOLOGICAL ASPECTS OF VENEZUELAN EQUINE ENCEPHALITIS VIRUS INFECTIONS

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#### INTRODUCTION

The modern history of man has been often marked with outbreaks of virus infections. Noted among these outbreaks are those caused by viruses known to be transmitted by arthropod vectors and hence classified as arthropod-borne (arbo) viruses. One of the least investigated of the arbo-viruses, although potentially a serious disease threat to man, is the virus causing Venezuelan equine encephalitis (VEE). VEE virus has been thought to be limited primarily to certain segments of South and Central America and Trinidad, but evidence of this disease agent has recently also been found in portions of North America. Although originally a disease of equines, recent VEE virus infections have occurred in epidemic proportions in human populations, suggesting a possible change in host range of the virus. These findings indicate this virus disease may become a problem as severe as the more well-known arbovirus infections of North America, such as those caused by eastern equine encephalitis (EEE), western equine encephalitis (WEE), and St. Louis encephalitis (SLE) viruses.

It is the purpose of this review to discuss the epidemiological and epizootiological aspects of this agent, particularly the distribution of the virus in man and lower animals and its possible arthropod vectors. The implications of each of these hosts and vectors in the spread of the disease are considered. Related aspects of the virus, including etiology, means of detection and diagnosis, and possible control measures, which seemed pertinent to the review, are also described.

#### ETIOLOGY

Venezuelan equine encephalitis virus is one of nearly 20 ribonucleic acid (RNA) agents classified as Group A arboviruses, a classification based primarily on serological properties (14). The viruses of this group, although probably having common group antigens, are essentially distinct from one another. Two other viruses have been classified with the causative agent of VEE into the "Venezuelan equine encephalomyelitis complex" because of unusually high cross-reactivity with specific antisera in serum-neutralization, complement-fixation, and hemagglutination-inhibition tests (92). The other agents of this "complex" are the Mucambo and the Pixuna viruses. Since these three viruses are difficult to differentiate, they will be discussed together in this review.

Like other arboviruses of Group A, VEE is relatively small, showing a diameter of 40 to 45  $\mu$  when ultrathin tissue sections were observed by electron microscopy (76, 77). The virus particles were described as being somewhat larger (65 to 80  $\mu$  in diameter) in protamine sulfate-precipitated suspensions examined with an electron microscope (76, 77). In the electron micrographs of virus prepared by the latter method, the agent appeared to have a distinct core and a membrane. Other investigators have described an external envelope with a diameter of 60 to 70  $\mu$  and a 30 to 40  $\mu$  internal spherical nucleoid (58). The virus can be filtered through Berkefeld V and N filters and Seitz filters (78). The agent is not readily inacti-

vated by Formalin and can be preserved by lyophilization or in 50% buffered glycerol at -70 C (102).

#### DETECTION AND DIAGNOSIS

##### Clinical features

Until recently, VEE generally has been considered a mild disease in the human being. A recent outbreak in Venezuela, however, reportedly has taken the lives of at least 190 persons of nearly 32,000 with the disease (91). The exact incubation period is not known but is considered to be short, ranging from 2 to 5 days; the onset is usually very sudden. Symptoms may include headache, fever lasting from 1 to 4 days, malaise, chills, nausea or vomiting, and myalgia. Severe encephalitis or generalized systemic illnesses may occur. In rare instances, tremors, diplopia, and lethargy are also noted. Symptoms persist in mild cases for 3 to 5 days and for as long as 8 days in more serious attacks. After the general symptoms of the disease disappear, a prompt and apparently complete recovery usually takes place (13, 59, 66, 85, 96, 102). In the recent Venezuelan outbreak, Castillo (14a) and Rovira (84a) reported that fatalities occurred only in children of both sexes under 15 years of age, and that the clinical picture was often confused with the disease caused by the influenza virus.

##### Virus isolation procedures

The VEE virus can be readily recovered from blood and nasopharyngeal washings if taken during the acute phases of the illness in man or lower animals. The agent has been rather unique among the more well-known arboviruses in that it can be recovered for comparatively long periods of time from other areas of the body (e.g., bone marrow, spleen, liver, lung, kidneys, thymus, adrenals, brain, heart, lymph nodes) in addition to blood (104).

Isolations may be made by using a variety of laboratory animals including mice, rats, guinea pigs, hamsters, and monkeys. The animal of choice has been the mouse, which appears to be the most susceptible, particularly if inoculated intracerebrally. In these animals, the time of death has been found to be dose-dependent, and infections are usually fatal (43). Intraperitoneal inoculations of mice also produce death, but Hearn (48) demonstrated an LD<sub>50</sub> of 10<sup>5.5</sup> less by the intraperitoneal than by the intracerebral route with the same virus. The average survival time in infant mice inoculated with the virus by either route has been shown to be markedly shorter than in similarly infected adult mice, although the mean survival time has been rather erratic in the latter animals when inoculated intraperitoneally (16). In recent years, suckling mice have been the animals most generally used for VEE virus isolation attempts (21, 31, 89, 91). Clinical signs of the disease in mice usually include hyperexcitability, hunching, and rough haircoat. The animals are usually severely depressed or paralyzed immediately prior to death.

Guinea pigs are quite susceptible to VEE virus infection when inoculated intraperitoneally, intracerebrally, or subcutaneously (3, 43, 62). When infected with the virus, the animals usually die within 2 to 4 days, with signs of paralysis evident just before death.

Recently weaned hamsters reportedly are nearly as susceptible as suckling mice to subcutaneous inoculation of VEE virus, and 5- to 10-week-old hamsters were used effectively in Mexico as "sentinels" for isolating the agent from mosquitoes (89).

Embryonated hens' eggs inoculated with the VEE agent via the yolk sac or chorioallantoic membrane routes readily become infected and die in approximately 15 to 48 hr, with large quantities of virus present (3, 60, 65).

Mussgay (75) described a technique for rapid isolation and identification of arbo-

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viruses by use of a plaque test in chick embryo cell cultures in which specific immune serum had been incorporated. With this technique, isolation and identification can be carried out in a single step. Sellers et al. (91) demonstrated the practicality of this test when a modification of it was used in studying an outbreak of VEE. A continuous line of baby hamster cells, BHK21 (68), which is susceptible to a number of arboviruses (72, 90), was used in these studies. Antiserum was either incorporated into the cell culture or mixed with the material suspected of containing the virus prior to addition to the cells. In the VEE outbreak studies, material tested included blood, serum, throat washings, brain suspensions, and crushed mosquitoes. Cytopathic effects (CPE) usually were apparent in 24 to 42 hr. Another possible modification of the above procedure is to test the cell culture fluid for hemagglutinins which appear 5 to 6 hr after infection (37). Immunofluorescence may also be used to detect VEE virus in cell cultures; in a study using this method, virus was demonstrated in guinea pig heart cells 10 hr after infection (71).

Since viremia in VEE virus-infected animals has been found to be of rather short duration (rarely longer than 5 days), Smith et al. (97) suggested the use of bone marrow cells removed from the animal suspected of being infected. These cells, when cultured in vitro either alone or in combination with L cells, served both as a source of virus and as susceptible tissue supporting virus multiplication. Marked CPE was produced in virus-infected L cells in 48 to 72 hr. In studies in which this system was used with experimentally infected monkeys, isolation of VEE virus was carried out relatively late in the course of the infection, after the viremia had subsided. A number of advantages were cited for the use of marrow culture for VEE virus isolation; the system allows for isolation of a virus later in the course of infection, it provides a relatively simple cell culture system, and it may have application under field conditions when it is not possible to freeze specimens immediately. An additional advantage to all cell culture systems may be the inherent safety to laboratory personnel as compared with the use of laboratory animals.

#### Serological techniques

Three serological tests are used routinely for arbovirus investigations. These tests, listed in order of specificity, include (i) the virus serum neutralization (SN) test, (ii) the complement-fixation (CF) test, and (iii) the hemagglutination inhibition (HI) test. General procedures for these tests are given by Hammon and Work (47) and Work (112). These procedures are applicable for essentially all arboviruses and have worked well with VEE.

Probably the earliest definitive study employing the SN test for VEE was that described by Kubers and Diamante (63), in which VEE, EEE, WEE, and "Argentine equine encephalitis" viruses were compared. No protection could be induced in mice against the VEE virus isolated by use of any of the other viruses, and the VEE agent would not protect against the other viruses. It was generally concluded from this early study that there was no relationship between these agents. Since this early work, the SN test has been used to some degree in the majority of the recent surveys for evidence of the VEE virus. Both mice and various susceptible cell cultures have been utilized as indicators of SN antibody titer in these studies. Arbovirus neutralizing antibodies often appear within a few hours after infection and may persist at significant titers throughout the life of the animal (101). One problem which has been encountered in the use of the SN test is the loss of labile accessory factor which occurs on storage of sera, although this apparently occurs predomi-

nantly for Group B antibodies and can be eliminated by the addition of fresh normal serum or by using the intraperitoneal rather than the intracerebral route of inoculation if animals are used in the test (101).

At higher antibody titers, the CF test apparently has been quite specific for diagnosis of VEE, Casals (9), using CF tests, showed that this virus was unrelated to WEE, EEE, and SLE. Since "false-positives" are one of the most serious problems to be encountered when using the CF test, Casals (9, 10) recommended that human sera should be tested against several antigens simultaneously, and, if apparently nonspecific reactions are demonstrated, heating the sera at 65 C for 20 min should be tried. Complement-fixing antibodies generally persist in high titer for relatively short times, thereby providing a clue to the time of infection, especially when used in conjunction with HI procedures (101). A typical example of results when the CF test is used for detection of VEE antibodies can be seen in our survey for endemic diseases of the wildlife of west central Utah (105). In these studies, over 9,000 serum samples were tested simultaneously with VEE, EEE, WEE, and SLE antigens; CF antibody titers of 1:16 or greater for VEE, with no cross-reactions evident, were found in 57 serum specimens. Several of these sera also contained HI and specific SN antibodies to VEE. In addition to these apparently specific antisera, however, 17 other samples contained CF antibody which cross-reacted with one or more of the other antigens, and an additional 140 specimens were cross-reactive with all arbovirus antigens used.

By use of the HI test, a relatively high degree of cross-reactivity between VEE and other viruses has been observed. Casals and Brown (12) prepared an HI antigen from acetone and ether-extracted brain tissue of infected mice, and demonstrated hemagglutinins for chick erythrocytes associated with 13 viruses, including VEE. On the basis of the temperature and pH required for reaction, these viruses were separated into two groups, A and B. The VEE virus was included in Group A with EEE, WEE, and Sindbis viruses. Cross-reaction titers occurring among antisera specific to these other Group A viruses and VEE antigen were always at lower levels (three- to fourfold dilutions) than VEE immune serum titers. Casals (11) later separated the arboviruses into three groups on the basis of HI cross-reactivity. Always, VEE immune sera reacted to higher titer with homologous antigens than antisera specific to the other agents in Group A. The Rockefeller Laboratory's techniques for the HI test were extensively described by Clarke and Casals (22). These investigators noted that lipid and lipoprotein are often nonspecific hemagglutination inhibitors in sera, and they described a method for the removal of this material by use of kaolin adsorption or acetone extraction. Holden et al. (50, 51) demonstrated the induction by acetone of an inhibitor which can be removed with protamine sulfate. Since acetone extraction is the method of choice for avian sera, protamine sulfate treatment of these acetone-extracted sera is therefore almost mandatory (50, 51). Phospholipids can also cause nonspecific inhibition in hemagglutination tests for VEE (80).

A number of surveys have been carried out in which the HI test has been used for VEE antibody determinations. The results reported by Sanmartin and Duenas (87) are typical: This survey, which was carried out in Colombia, employed both the SN and HI tests. A greater number of positive sera were detected with the HI test than with the SN test (43 compared with 30); the HI titers were relatively high (greater than 1:80) in a number of cases. It is quite possible that a number of the sera containing demonstrable HI antibodies resulted from a cross-reaction

induced by the presence of other viruses. In a discussion of serological surveys conducted in southern Florida, the confusingly broad serological HI overlap for Group A antigens was considered responsible for the reported high incidence of HI antibodies to VEE virus, previously unknown in this country (101). Later survey results, however, which included VEE virus isolations and detection of VEE HI and SN antibodies in the same area (21, 111), would seem to have reversed these earlier conclusions.

The HI test measures antibodies which appear somewhat later than the first detectable neutralizing antibodies, but which are usually produced prior to detectable CF antibodies (47). The detection of HI antibodies against other Group A arboviruses in sera obtained for serological surveys suggests that they may last a long time with little loss in titer, and are probably detectable throughout the life of the vertebrate host. Since HI antibodies are the most broadly reactive of the three antibody types being considered, however, a definitive interpretation of serological survey results by this test alone is difficult.

#### EPIDEMIOLOGY

Venezuelan equine encephalitis has been primarily a disease of equines and other lower animals, although occasionally the agent has infected man. The disease was apparently first noted in equines of Colombia in 1935 when reported from the Department of Valle, Tolima, Bolivar, and Hulla (1). Early in 1936, it was found in equines of some portions of the Department of Magdalena and later in the Colombia portions of the La Guajira Peninsula (73). The disease was first reported in Venezuela in the La Guajira Peninsula (61) in 1936, and it spread from this area to practically the entire country in the course of 1937 to 1939 (3, 65). In subsequent years, the disease assumed more of a sporadic character both in Colombia and Venezuela, appearing in epizootic form in horses and mules in 1942 and later in man, in 1952 and again in 1962, as an alarming outbreak of encephalitis (5a, 84a, 86a, 89, 91).

From the 1942 Venezuelan epizootic, the virus apparently spread to Trinidad, having been isolated from sick equines on this island in 1943 and 1944 (62) and possibly causing fatalities in two humans during the epizootic (41, 82, 106, 107).

Evidences of the infection have subsequently been found in Ecuador (2, 24, 67, 100), British Guiana (107), Panama (37a, 78a, 89, 107), Argentina (5, 110), French Guiana (36), Surinam (53, 55, 108), Mexico (89, 73a), Brazil (6, 15, 16, 17), Curacao, West Indies (32), and portions of the United States Louisiana (56), Florida (21, 111), and Utah (105). A survey of sera from residents of Antigua, Jamaica, Barbados, St. Lucia, and St. Vincent Islands of the West Indies revealed no VEE neutralizing antibody (28, 29, 30, 33, 34). Sera from south Florida patients with undiagnosed infectious disease were recently tested for a spectrum of arbovirus HI antibodies. No VEE antibody could be detected (79). Virus isolates from Brazil were later shown to be different from the original VEE virus isolations; these viruses were named Mucambo and Pixuna and are considered part of the "VEE complex" (92).

#### Natural distribution in man

Since VEE virus infections in humans are of the greatest concern from a public health standpoint, a breakdown of the incidence in human populations is of interest. Until 1942, VEE appeared to be detected only in equines, the disease produced in horses resembling that caused by EEE and WEE viruses. In 1943, however, two human fatalities in Trinidad were attributed to VEE (41, 82). Later analyses of these reports have indicated the earlier conclusions to be equivocal (107), although specific neutralizing antibodies were demonstrated in the blood of persons in the area (106). In 1944, the disease in man was of

such a nature that Gallia and Kubes (38a) stated that it "never occurred in such a form as to be able to draw the attention of public health authorities." A dengue-like fever of at least 70 persons in Colombia was shown in 1952 to be caused by the VEE virus, as determined by isolation and identification of the agent from blood samples (88). After an apparent subsidence, the disease again appeared in Colombia in 1955 and 1957 as an acute febrile illness. The agent was once again recovered from the blood of patients, and a number of human sera taken from the area contained significant HI antibody titers against the virus (45). Subsequently, in 1961 and 1962, a severe outbreak of the disease recurred in Colombia and also in northwest Venezuela and in Panama. In Panama, several hundred people became infected, whereas in Venezuela nearly 32,000 cases of VEE were reported, with at least 190 fatalities (91). The fatality rate of 6,000 human cases in Venezuela has been reported at 0.6% (103). Early reports of the outbreak indicated all of the fatal cases to be in children under 15 years of age (5a, 84a).

Inapparent VEE virus infections in man, as determined by specific neutralizing antibodies, have occurred in Argentina (5), Curacao, N.W.I. (32), Trinidad (106), Surinam (53, 55, 108), the coastal region of Ecuador (2, 24), northeastern Venezuela (54, 86a), Mexico (73a), and in Seminole Indians of Florida (111). Floch et al. (36) reported the occurrence of VEE antibodies in sera from humans of French Guiana, but the same sera were also reactive to SLE virus. Sera of residents of Rio de Janeiro, Brazil (6), and San Vicente de Chucuri, Colombia (45), reportedly contained HI antibodies. Specific neutralizing antibodies, as well as virus isolates, were obtained from residents of Belem, Brazil (16, 17), the viruses isolated later being shown to be other members of the "VEE complex."

#### Laboratory infections

This agent is notorious for its ability to infect laboratory personnel, the infections usually occurring through inhalation of airborne material. The first reported laboratory infections occurred in 1942 (13, 66). These cases were of mild to moderate nature, with clinical symptoms including malaise, fever, chills, backache, and headache. In a study employing the SN test, Kubes and Gallia (64) demonstrated that a close relationship existed between the antibody titers in laboratory workers' sera and the type of research they were engaged in. Those employed in laboratories using the live VEE virus had the highest titers, whereas occasional titers were demonstrated in persons working in nearby areas, and those engaged in duties elsewhere had no detectable antibodies to the virus.

At least 27 laboratory infections have been attributed to the Trinidad strain alone of VEE (107), and 24 additional cases have been reported from a single laboratory accident with the virus (94). It is obvious that laboratory personnel working with this agent should be equipped with the proper microbiological safety equipment (70) and the personnel should be given adequate instructions to prevent infections from occurring. Vaccination of laboratory personnel with an attenuated strain of the virus should be considered. A description of an experimental vaccine available on a limited basis is given under *Control Procedures* in this review.

#### Distribution in domestic animals

The VEE virus has been isolated from naturally infected horses (62, 65, 82, 95, 99), mules (62, 82), and donkeys (40, 91). Neutralizing and HI antibodies of significant titer have been found in sera from dogs, goats, pigs, sheep, and cattle (91). Apparent-

ly specific complement-fixing antibodies have been found in the sera of 7 of 4,719 range cattle of Utah (Thorpe, unpublished data). These bovine VEE antibody titers were 1:16 to 1:256; no evidence was seen of cross-sections with EEE, WEE, SLE, psittacosis, or rickettsial antigens.

The virulence of the agent is apparently variable in equines. Kissling et al. (57) reported infections ranging in severity from subclinical to fatal in experimentally infected horses. Virus titers in these infected horses ranged from  $10^4$  to  $10^{7.5}$  mouse intraperitoneal LD<sub>50</sub> (MIPLD<sub>50</sub>) at 18 to 108 hr after inoculation, and the virus persisted in the blood until death, or from 17 through 144 hr in surviving animals. The clinical symptoms in these animals included depression, high temperature, and occasionally central nervous system involvement (chewing motion, circling, restlessness). Pancreatic lesions and hematopoietic tissue involvement were often noted. Several routes of infection, including mosquito bite, subcutaneous inoculation, and intranasal installation of the virus, were used in these studies, but the type of disease which developed was apparently not influenced by method of virus inoculation. The virus was shown to be spread in horses by mosquito transmission and by direct contact. Virus was demonstrated in the nasal, eye, and mouth secretions, and from urine and milk of infected horses in the same study (57). One of three burros infected with a high dose of VEE virus died 5 days after inoculation (43, 44). The other two animals lived through 14 days, at which time they were sacrificed. Viremia in the animal that died from VEE began soon after inoculation, reaching a peak of  $10^7$  MIPLD<sub>50</sub> in 2 days, and persisted at a detectable level until death. The two surviving burros had much lower virus levels in their blood, and the viremia persisted only 3 days. Experiments designed to show relationships among VEE, EEE, and WEE virus in burros were reported by Byrne et al. (8). The viremia responses in these studies were similar to those cited earlier. Significant HI, CF, and SN antibodies had developed 6 days after virus inoculation.

Studies with dogs experimentally infected with virulent VEE virus indicated a varying susceptibility; 2 of 10 died of the infection, whereas 7 of 10 showed no frank clinical signs of illness. Fever, leucopenia, and a low-titer viremia of short duration were observed (103). In a later study, contact transmission of the virus from infected to noninfected dogs was demonstrated (26). In this latter study, 6 of 10 challenged animals died of the virus infection. Short-term viremia with titers as high as  $10^{8.5}$  MIPLD<sub>50</sub> was demonstrated from the challenged dogs, and *Aedes triseriatus* mosquitoes were found capable of receiving the virus after feeding on these animals.

#### Distribution in wild mammals

Evidence is mounting to indicate that wild mammalian hosts may be important in the maintenance of the VEE agent in nature. The virus has been isolated from a number of wild mammals to date, including tufted capuchin monkeys, *Cebus apella* (16), the spiny rat, *Proechimys* sp. (16), the forest spiny pocket mouse, *Heteromys anomalus* (31), the terrestrial rice rat, *Oryzomys laticeps velutinus* (31), and short-tailed cane mouse, *Zygodontomys brevicauda* (31). In addition, antibodies (SN or HI) have been found in the opossum, *Didelphis* sp. (91) the cotton mouse, *Peromyscus gossypinus* (21), and the cotton rat, *Sigmodon hispidus* (21). In a survey for CF antibody to the VEE virus and other agents in various wild mammals native to the western desert area of the United States, the sera of eight species (58 speci-

mens) were considered positive at low (1:16 to 1:64) titers (105). Cross-reactions with other Group A arboviruses tested simultaneously were not evident in these sera. The seropositive animals included the deer mouse (*Peromyscus maniculatus*), the western harvest mouse (*Reithrodontomys megalotis*), the chisel-toothed kangaroo rat (*Dipodomys microps*), the white-tailed antelope squirrel (*Citellus leucurus*), the black-tailed jack-rabbit (*Lepus californicus*), the nuttall and desert cottontail (*Sylvilagus nuttalli* and *S. auduboni*), and the kit fox (*Vulpes macrotis*). Thirty-eight of these positive serum samples, involving all species except the harvest mouse, also had VEE HI antibody titers of 1:40 or greater. Nine of the 58 samples were tested for neutralizing antibodies; 4 of these sera (from one deer mouse and three cottontails) were considered to have significant SN indices. In 157 other serum samples, cross-reactions with one or more other arbovirus antigens were demonstrated by use of the CF test. These cross reactive samples were not tested with the HI or SN techniques.

The tufted capuchin monkey is apparently a host for the viruses of the "VEE complex." Causey et al. (16) hung cages containing the animals in the Amazon jungles. They then attempted to isolate virus from blood samples taken daily. In this way, a large number of isolates of VEE virus (later shown to be Mucambo virus) were made. The viremia in these monkeys was found to occur within 4 days after infection, persisting no longer than 2 weeks. The virus titers during this time were well above the threshold value required for mosquitoes feeding upon the monkeys to obtain an infectious blood meal.

Gleiser et al. (42, 43) experimentally infected rhesus monkeys with the VEE virus and noted the pathological signs in the animals included reversible injury to the lymphatic and nervous system and inflammatory lesions in the central nervous system. Viremia occurred within 1 day after inoculation, reaching a peak in 24 hr and persisting at a high level for 3 days, then declining to a negligible level by 6 days. A minimal clinical response characterized by a diphasic fever was apparent in these animals.

Although little is known of the disease in wild rodents except for what has been stated above, laboratory animals such as mice, guinea pigs, hamsters, and rats are extremely susceptible to VEE virus infection, dying readily of the disease and producing high-titer, persistent viremia. The studies with these animals were described under *Virus Isolation Procedures*.

Bats appear experimentally to be excellent hosts for the VEE agent. Corristan et al (25) reported that four species (big brown bat, *Eptesicus fuscus*, little brown bat, *Myotis lucifugus*, eastern pipistrel, *Pipistrellus subflavus*, and long-eared bat, *Corynorhinus rafinesquii*) were readily infected experimentally when exposed to the virus by either the intranasal or intraperitoneal routes. The infectious dose for each bat species was approximately equivalent to that of Swiss-Webster mice infected by the same routes. When inoculated with 25 MIPLD<sub>50</sub> of VEE virus, blood virus titers in *E. fuscus* and *M. lucifugus* attained peaks of at least  $10^6$  MIPLD<sub>50</sub> within 48 hr, with significant titers persisting for at least 26 days. At intervals during this time, these titers were well above the threshold values usually required to infect mosquitoes. Low titers of the virus persisted in these bats for at least 90 days when at a hibernating temperature (10 C), and when the temperature was raised, the virus titers rose rapidly. The infection was apparently not lethal for these mammals.

A summary of the animals which have been reported to be susceptible to the VEE virus is shown in Table 1:

EPIDEMIOLOGY OF VEE VIRUS INFECTIONS

TABLE 1.—Animals known to be susceptible to infection with Venezuelan equine encephalitis virus

Species	Common name	Type of study <sup>a</sup>	Reference <sup>b</sup>
<b>MAMMALIA</b>			
<i>Bovis</i> sp.	Cow	N, H, C	Sellers et al. (91), Thorpe (unpublished data)
<i>Cebus apella</i>	Tufted capuchin monkey	I, E	Causes et al. (16), Causey and Theiler (17)
<i>Canis familiaris</i>	Dog	N, H	Sellers et al. (91)
<i>C. familiaris</i>	Dog	E	Taber et al. (103)
<i>Capra</i> sp.	Goat	N, H	Sellers et al. (91)
<i>Cavia cobaya</i>	Guinea pig	E	Beck and Wykoff (3)
<i>Citellus leucurus</i>	Antelope ground squirrel	C	Thorpe et al. (105)
<i>Corynorhinus rafinesquii</i>	Lump-nosed bat	E	Corristan et al. (25)
<i>Didelphis</i> sp.	Opossum	N, H	Sellers et al. (91)
<i>Dipodomys microps</i>	Chisel-toothed kangaroo rat	C, H	Thorpe et al. (105, unpublished data)
<i>Eptesicus fuscus</i>	Big brown bat	E	Corristan et al. (25)
<i>Equus asinus</i>	Mexican burro	E	Gleiser et al. (43)
<i>E. caballus</i>	Horse	I	Kubes and Rios (65)
<i>E. caballus</i>	Horse	E	Kissling et al. (57)
<i>Equus</i> sp.	Donkey	I	Baquérizo and Marmol (2)
<i>Equus</i> sp.	Donkey	E	Gilyard (40)
<i>Equus</i> sp.	Mule	I	Kubes (62), Randall and Mills (82)
<i>Heteromys anomalus</i>	Forest spiny pocket mouse	I	Downs et al. (31)
<i>Lepus californicus</i>	Black-tailed jackrabbit	C, N, H	Thorpe et al. (105, unpublished data)
<i>Macaca mulatta</i>	Rhesus monkey	E	Hearn (48)
<i>Mus musculus</i>	Laboratory mouse	E	Gleiser et al. (43), Hearn (48)
<i>Myotis lucifugus</i>	Little brown bat	E	Corristan et al. (25)
<i>Oryzotagus cuniculus</i>	Laboratory rabbit	E	Hearn (48)
<i>Oryzomys laticeps</i>	Terrestrial rice rat	I	Downs et al. (31)
<i>Ovis</i> sp.	Sheep	N, H	Sellers et al. (91)
<i>Peromyscus gossypinus</i>	Cotton mouse	N, H	Chamberlain et al. (21)
<i>P. maniculatus</i>	Deer mouse	C, N	Thorpe et al. (105)
<i>Pipistrellus subflavus</i>	Long-eared bat	E	Corristan et al. (25)
<i>Proechimys</i> sp.	Spiny rat	I	Causey et al. (16)
<i>Rattus norvegicus</i>	Laboratory rat	E	Causey et al. (16)
<i>Reithrodontomys megalotis</i>	Western harvest mouse	C	Thorpe et al. (105)
<i>Sigmodon hispidus</i>	Cotton rat	N, H	Chamberlain et al. (21)
<i>Sus</i> sp.	Pig	N, H	Sellers et al. (91)
<i>Sylvilagus audubonii</i>	Audubon cottontail rabbit	C, H	Thorpe et al. (105, unpublished data)
<i>S. nuttallii</i>	Nuttall cottontail rabbit	C	Thorpe et al. (105, unpublished data)
<i>Vulpes macrotis</i>	Kit fox	C, H	Thorpe et al. (105, unpublished data)
<i>Zygodontomys brevicauda</i>	Short-tailed cane mouse	I	Downs et al. (31)
<b>AVES</b>			
<i>Butorides virescens</i>	Green heron	I	Galindo et al. (37a)
<i>Columba livia</i>	Domestic pigeon	E	Chamberlain et al. (19), Samper and Soriano-Lleras (86)
<i>Corvus brachyrhynchos</i>	Crow	N	Kissling et al. (56)
<i>Crotophaga sulcirostris</i>	Groove-billed ani	I	Galindo et al. (37a)
<i>Cyanocitta cristata</i>	Blue jay	N	Kissling et al. (56)
<i>Dendroica coronata coronata</i>	Myrtle warbler	N	Kissling et al. (56)
<i>Florida caerules</i>	Little blue heron	I	Galindo et al. (37a)
<i>Guara alba</i>	White ibis	N	Kissling et al. (56)
<i>Icterus prothemelas</i>	Black-cowled oriole	I	Galindo et al. (37a)
<i>Megasceryle alcyon alcyon</i>	Eastern belted kingfisher	N	Kissling et al. (56)
<i>Melospiza melodia</i>	Song sparrow	E	Chamberlain et al. (19)
<i>Myiocetes granadensis</i>	Gray-capped flycatcher	I	Galindo et al. (37a)
<i>M. similis</i>	Social flycatcher	I	Galindo et al. (37a)
<i>Nyctanassa violacea</i>	White-crowned night heron	N	Kissling et al. (56)
<i>Oreoscoptes montanus</i>	Sage thrasher	C, H	Thorpe et al. (105, unpublished data)
<i>Passer domesticus domesticus</i>	English sparrow	E	Chamberlain et al. (19)
<i>Quiscalus quiscula</i>	Purple grackle	N	Kissling et al. (56)
<i>Ramphastos sulfuratus</i>	Keel-billed toucan	I	Galindo et al. (37a)
<i>Tamphocetus passerinii</i>	Scarlet-rumped tanager	I	Galindo et al. (37a)
<i>Richmondia cardinalis</i>	Cardinal	N	Kissling et al. (56)
<i>E. cardinalis</i>	Cardinal	E	Chamberlain et al. (19)
<i>Turdus grayi</i>	Clay-colored robin	I	Galindo et al. (37a)
<i>Zenaidura macroura</i>	Mourning dove	E	Chamberlain et al. (19)
<i>Zonotrichia albicollis</i>	White-throated sparrow	E	Chamberlain et al. (19)

<sup>a</sup> C=Complement-fixing antibody to the VEE virus demonstrated in serum from captured animal. E=Susceptibility based on studies in the laboratory. H=Hemagglutination inhibition antibody to the VEE virus demonstrated in serum from captured animal. I=Isolation of VEE virus from captured animal. N=Neutralization antibody to the VEE virus demonstrated in serum from captured animal.

<sup>b</sup> Earliest or most complete study used as reference.

Distribution in birds

The VEE virus is different from EEE and WEE viruses, other agents of the Group A arboviruses, in that it seems to multiply better in mammals than in birds. Until recently, there have been few complete reports of isolations of the agent from wild-caught birds. Samper and Soriano-Lleras (86) stated that the pigeon was the only known animal to be naturally infected at the time of their studies. These investigators showed experimentally that VEE virus could not be demonstrated after three passages through pigeons. Briceno Rossi (5a) isolated the agent from a chicken and a rooster taken from an endemic area of VEE in Venezuela during the recent epidemic of the disease in that country. A number of wild fowl caught in the

same area contained no signs of VEE virus infection. The same investigator demonstrated chicks less than 1 month old to be fatally susceptible to experimental infection with the virus; experimentally infected chickens older than 1 month produced antibodies to the virus but were not clinically ill and no viremia was detected. Kissling et al. (56) reported the presence of neutralizing antibodies of transmitting the VEE agent in the laboratory. *A. serratus* was found in great numbers in Ecuador (67), Brazil (16), and Trinidad (31), and in lesser numbers in the endemic areas of Venezuela (91); VEE virus isolations were made from these mosquitoes in the latter three countries. Virus was isolated from *A. scapularis* caught during the Venezuelan epidemic (91), and the

mosquito also was trapped in Brazil, although no virus isolates were made in the latter case (16). Experimentally, *A. aegypti*, *A. albopictus*, *A. geniculatus*, and *A. triseriatus* mosquitoes are reportedly capable of transmission of the virus (20, 26, 57, 84).

Mosquitoes of the genus *Culex* (subgenus *Melanoconion*) have yielded the only VEE virus isolations made in the United States (21). A survey in Colombia (46), Trinidad (31), and in Panama (37a, 78a) yielded isolates from *Culex* sp. mosquitoes, but Sellers et al. (91) were unable to isolate the agent from small numbers of this species caught in Venezuela. Eklund (35) reported that the *Culex* sp. transmitted the disease agent experimentally.

Other genera of mosquitoes of possible importance as vectors for VEE virus transmission include *Anopheles*, *Haemagogus*, *Psorophora*, and *Sabethes*. *Anopheles neomaculipalpus* was collected in moderate numbers from stable traps during the Trinidad outbreak, and one mosquito of this species reportedly transmitted the VEE virus from one donkey to another (40). One pool of *A. aquasalis* of 40 tested yielded an isolate of VEE virus in Venezuela (91). Pools of *Anopheles* sp. yielded isolates of the virus in Panama (37a, 78a). Pixuna virus (one of the "VEE complex") reportedly was isolated from *A. nimbus* in Belem, Brazil (18). Causey et al. (16) recovered one of the "VEE complex" viruses from *Haemagogus* sp. mosquitoes in Brazil; small numbers of this species were caught in Venezuela during the recent VEE outbreak in the country, but no virus isolates were reported from them (91). *Psorophora ferox* yielded isolates of the VEE virus or viruses of the "VEE complex" in Brazil (16), Colombia (46), and Trinidad (31). The VEE virus was recovered from 1 of 14 pools of *P. confinis*, but not from pools of *P. cilipes*, *P. ferox*, or *P. varipes* caught in Venezuela (91). Female *P. ferox* mosquitoes were shown experimentally to transmit VEE to healthy guinea pigs 14 days after infection (20). Virus isolates of the "VEE complex" were recovered from *Sabethes* sp. in Brazil by Causey et al. (16).

CONTROL PROCEDURES

Control of diseases such as VEE can theoretically be approached by a variety of techniques: (i) elimination of the arthropod vectors, (ii) the use of vaccines, (iii) decontamination of surroundings, and (iv) the use of chemotherapy.

The elimination of the arthropod vectors (only mosquitoes to date) would appear to be the most effective means for control on the basis of past to VEE virus in the sera of a number of birds caught in the swamps of Louisiana. Among these serologically positive birds were the white ibis, *Guara alba*, and the yellow-crowned night heron, *Nyctanassa violacea*, which migrate from South and Central America during the summer. All other birds having neutralizing antibodies to the virus were considered permanent residents of the area. In this study, titers were usually low to moderate (neutralization indices of 22 to 79 or greater) in comparison to relatively high titers to EEE and WEE viruses (neutralization indices of 162 to 630) in the same species of birds. Of the permanent resident birds having antibody to the VEE agent, a high percentage had EEE or WEE titers also. Recently, Galindo et al. (37a) reported isolations of the virus from 10 species of birds caught in northwestern Panama (Table 1). Several of these birds are known to migrate to North America.

Chamberlain et al. (19) infected wild birds with VEE virus by subcutaneous inoculation and by mosquito bite. All species of birds tested were relatively resistant, the English and white-throated sparrows (*Passer domesticus domesticus* and *Zonotrichia albicollis*) being more susceptible than

pigeons (*Columba livia*), cardinals (*Richmondia cardinalis*), and mourning doves (*Zenaidura macroura*). English sparrow-mosquito-English sparrow transmission could be demonstrated by use of the *Aedes triseriatus* mosquito. Virus levels were usually quite low in all of the tested birds, the English sparrow having viremia as early as 17 hr, with peak titers of  $10^{2.8}$  to  $10^{5.0}$  MIPLD<sub>50</sub> at 40 to 64 hr, and persisting up to 5 to 7 days (inoculated with 3.2 MIPLD<sub>50</sub> doses of virus). White-throated sparrows, mourning doves, cardinals, and pigeons were inoculated with 346 MIPLD<sub>50</sub> of virus; viremia was first observed after 18 hr and persisted up to 162 hr after inoculation. Virus titers varied, but were of significant levels (at least  $10^{2.6}$  MIPLD<sub>50</sub>) in pigeons and sparrows, and cardinals; essentially no virus, however, could be recovered from the blood of experimentally infected doves. When the same birds were inoculated with a higher dose (2,000 MIPLD<sub>50</sub>), viremia was shorter in duration, reaching a maximum in approximately 96 hr, with no higher peak titers than were previously observed. A pigeon infected through the bite of a mosquito had a titer of  $10^{3.6}$  MIPLD<sub>50</sub> at 144 hr after the initial infection. The peak titer in this bird was not observed until 120 hr. Infections in all birds were symptomless Miller (72a) had reported pigeons to be susceptible to respiratory infection with the VEE virus. Viremia titers approached  $10^2$  MIPLD<sub>50</sub> units per ml of blood. The implication of this latter study is the possibility of virus transmission from bird to bird by the respiratory route, perhaps from aerosolization of excreted virus.

A recent survey of 71 sera of wild birds from Venezuela by Sellers et al. (91) failed to yield any positive for VEE antibody by either the SN or HI test, although significant titers were demonstrated in sera of humans, livestock, and wild mammals from the same geographical area. Five buzzards caught by Gilyard (41) during the epizootic in Trinidad were apparently uninfected with the virus. The previous cited CF antibody study in wildlife of Utah included tests on 727 bird sera of 62 different species (93, 109), but only a single serum sample taken from a sage thrasher (*Oreoscoptes montanus*) was considered to have a significant CF antibody titer to VEE virus (105). This specimen was also found to have HI antibodies at a titer of 1:160. Most of the birds from the area are migrants, with only 20 species of approximately 270 known to be permanent residents. The sage thrasher arrives in the spring, nests and departs in the fall.

#### Possible arthropod vectors

A significant number of mosquito species have been shown to be capable of VEE virus transmission and have yielded isolations of the virus in nature. These mosquito species are summarized in Table 2. No other arthropods have as yet been implicated with the disease.

In Trinidad during the 1943 epizootic, Gilyard (40, 41) found *Mansonia titillans* to comprise 90% of the mosquitoes caught in stable traps set in the area. The VEE agent was isolated from a number of these mosquitoes at the time, and this species was thus implicated by Gilyard as the primary vector in the epizootic. This mosquito was also found in endemic areas of Ecuador (67), and the species reportedly will transmit the virus experimentally (35, 57). No apparent transovarial passage of VEE virus occurred from infected *M. indubitans* and *M. titillans* (57), but virus titers of greater than  $10^2$  were demonstrated in eggs laid by infected *M. perturbans* (20).

The *Aedes* sp. also have been implicated as vectors of VEE virus. *Aedes taeniorhynchus* was caught in small numbers during the Trinidad studies (40), and in Ecuador (67). It is capable of long flights, has wide distribution, and has been suspected of carrying

the VEE virus from epidemic areas in Venezuela to Trinidad (40). During the recent VEE outbreak of humans in Venezuela, *A. taeniorhynchus* appeared to be the most frequent carrier, of the organism (91). Eklund (35) has shown that the species is capable ex-

periences with related viruses. A mosquito eradication program carried out in an endemic area of Venezuela at the height of the 1962 VEE outbreak was thought to be a significant factor in halting the advance of the disease in the area (14a).

TABLE 2.—Known species of mosquitoes from which Venezuelan equine encephalitis virus has been isolated

Species	Method*	Reference
<i>Aedes aegypti</i>	E	Roubaud et al. (84)
<i>A. albopictus</i>	E	Roubaud et al. (84)
<i>A. geniculatus</i>	E	Roubaud et al. (84)
<i>A. serratus</i>	I	Casey et al. (16), Downs et al. (31), Sellers et al. (91)
<i>A. scapularis</i>	I	Sellers et al. (91)
<i>A. taeniorhynchus</i>	I	Eklund (35), Sellers et al. (91)
<i>A. taeniorhynchus</i>	E	Eklund (35)
<i>A. triseriatus</i>	E	Chamberlain et al. (19), Kissling et al. (57)
<i>Anopheles aquasalis</i>	I	Sellers et al. (91)
<i>A. nimbus</i>	I	Chamberlain (18)
<i>A. neomaculipalpus</i>	I	Gilyard (40)
<i>Anophelini</i> sp.	I	Galindo et al. (37a), Peralta and Shelokov (78a)
<i>Culex quinquefasciatus</i>	E	Galindo et al. (37a)
<i>C. quinquefasciatus</i>	I	Eklund (35)
<i>C. taeniopus</i>	I	Galindo et al. (37a), Peralta and Shelokov (78a)
<i>C. vomerifer</i>	I	Galindo et al. (37a), Peralta and Shelokov (78a)
<i>Culex</i> sp.	I	Chamberlain et al. (21), Downs et al. (31), Groot et al. (46)
<i>Haemagogus</i> sp.	I	Casey et al. (16)
<i>Mansonia indubitans</i>	E	Kissling et al. (57)
<i>M. perturbans</i>	E	Chamberlain et al. (20)
<i>M. titillans</i>	I	Gilyard (40)
<i>M. titillans</i>	E	Kissling et al. (57)
<i>Psorophora confinis</i>	I	Sellers et al. (91)
<i>P. ferox</i>	I	Casey et al. (16), Downs et al. (31), Groot et al. (46)
<i>P. ferox</i>	E	Chamberlain et al. (20)
<i>Sabethes</i> sp.	I	Casey et al. (16)

\* E = Mosquito shown capable of VEE virus transmission in the laboratory. I = Virus isolated from captured mosquitoes.

A Formalin-inactivated vaccine prepared in chick embryos has been used in Venezuela for prevention of VEE in horses (65). A partially purified vaccine reportedly has produced high levels of antibody and has been used for the protection of laboratory personnel (81). A vaccine prepared later, consisting of VEE, EEE, and WEE, has also been used (69). These vaccines, however, apparently contained active virus which was undetected in laboratory animal safety tests, since a significant number of individuals inoculated with these vaccines developed symptoms of the disease, and in some cases yielded isolates of the virus (96, 102). Attempts to use such Formalin-prepared vaccines have consequently been discouraged. Attenuation of the virus has been achieved in certain cell cultures (4, 48, 74), and an active attenuated vaccine has subsequently been produced. Gochenour et al. (44) induced a solid immunity in borros against a challenge dose of VEE, using an attenuated strain of the VEE virus. The virulence of the agent was not restored by passage in the burro. Similar results were observed with an attenuated virus strain in dogs (103). McKinney et al. (70) employed this attenuated virus for the immunization of laboratory personnel, and followed the course of viremia and the antibody response. After 1 to 2 years, antibody titers were still at high levels in immunized persons. An experimental vaccine comprised of this attenuated virus is available from the U.S. Army Medical Unit, Fort Detrick, Frederick, Md., for governmental agencies and research institutions. Administration of the vaccine is "limited to persons who are considered to be 'at risk' to infection because of occupation or other similar circumstances" (*Personnel communication*, Dan Crozier, U.S. Army Medical Unit, Fort Detrick, Frederick, Md.).

Hyperimmune serum therapy during the first 10 to 14 hr is recommended in the case of known laboratory infections (47).

Since the VEE virus has been shown capable of being transmitted by direct contact, decontamination of the surroundings is of importance, particularly as a means of protecting laboratory personnel. Propylene glycol, glycolic acid, thiolglycolic acid, thiourea, and methyl thiolglycolate are effective for inactivation of the VEE virus (27, 38, 49), and a variety of other standard disinfectants have been shown to be highly effective against other equine encephalitides (7).

No drug has been reported to show significant activity in vivo against VEE virus; hence, specific chemotherapy is not possible at present.

#### SUMMARY AND OUTLOOK

An overview of what has been discussed concerning VEE reveals two observations of particular interest. The first is that the geographical range of the disease agent is possibly extending, the virus being first isolated in Colombia, then apparently spreading through the forested parts of coastal South America, and now appearing in North America in coastal areas where the agent might be expected to be detected (i.e., Florida, Eastern Mexico, Louisiana). It is possible that evidence of the virus has been discovered in these extended areas because the agent is now being looked for in these areas for the first time, but an examination of the epidemiological data would indicate that in certain areas an extension in geographic range has been obvious. Interestingly, an extension in range in the reverse direction has recently been observed for SLE (23). A second observation of considerable importance is a possible change in host range which has apparently occurred in the VEE virus. For 20 years, the agent was considered chiefly the cause of a disease of equines, with clinical diseases in the human rarely, if ever, occurring. Recently, however, the disease caused by an immunologically similar virus in Venezuela, Colombia, and Panama resulted in severe human infections, with at least 190 fatalities recorded. These two observations concerning VEE would imply that a definite public health menace could be imminent to both North and South America.

Like most of the mosquito-borne encephalitis viruses, the VEE agent apparently has a complex natural infection cycle, possibly involving several vertebrate hosts, as well as mosquitoes and perhaps other arthropod vectors. Unlike the related Group A arboviruses such as WEE and EEE viruses, however, the available evidence would indicate that birds play a lesser role in the infection cycle of the VEE virus and that mammals may be the primary natural hosts. This assertion is based on reports that the viremias of experimentally infected birds have been lower than those usually found in mammals, and that transmission from one mammalian host to another by the mosquito

has been more readily demonstrated. It is difficult, however, to extrapolate the findings of laboratory studies carried out under controlled conditions to the natural ecology of the disease, and birds should definitely be considered to play some role in the transmission cycle of the virus, particularly in view of the recent isolation of the virus made from migratory birds (37a). Often in both birds and mammals, the VEE virus infection is inapparent, which is a definite advantage for a reservoir host. Another factor to be considered is the rate of death of both mammalian and avian hosts during a severe epizootic of the disease agent. Chamberlain et al. (19) have pointed out that the avian replacement rate is faster than the replacement rate for the larger mammals, and thus "birds might be involved in an endemic maintenance of infection, furnishing foci for periodic epidemic spread." Man would appear to be an incidental host, although, during times of an epidemic, he could become a significant vertebrate element in the transmission cycle.

The specific VEE neutralizing antibodies demonstrated in the sera of birds in Louisiana which had migrated from South America would suggest that migrant birds may well have been the means by which the virus was introduced into the United States. The few evidences of the disease in Utah would appear illogical except that an extensive bird refuge, which hosts large numbers of migrant birds, is located in north central Utah, and over 250 species of nonpermanent birds have been observed in the area from which the seropositive specimens were taken.

The mosquito is obviously the vector for usual transmission of the VEE virus from one host to another, and, because of the wide variety of mosquito species from which the agent has been isolated, conceivably the disease could become a problem in many parts of the world. Several species of *Aedes* (*A. aegypti*, *A. scapularis*, *A. taeniorhynchus*, *A. triseriatus*), *Mansonia* (*M. indubitans*, *M. perturbans*, *M. titillans*), *Psorophora* (*P. confinis*, *P. ferox*), and *Culex* mosquitoes which have been implicated as vectors of the VEE virus are known to be present in significant numbers in areas of North America (8a). The fact that this virus can also be transmitted by direct contact confuses the natural infection cycle of the agent, but lends weight to the eventuality of a possible world-wide distribution of the virus.

A combination of suitable climate, vegetation, and topography is apparently a critical factor in outbreaks of VEE; the virus essentially has been limited to the low lands of the rain-forested areas of the tropics to date. The recent alarming outbreak of the disease in Venezuela and surrounding countries came at a time when the total rainfall was approximately double the average for the preceding 5 years. Such flooding provided excellent breeding conditions for mosquitoes and caused a crowding of animals on the unflooded land areas (14a, 84a, 91). Although temperate conditions are dominant in the VEE endemic areas and over-wintering is not a problem, there is no reason to believe the virus would not be capable of persisting in various animal hosts through cold seasons. It is conceivable also that an overwintering host such as poikilothermic animals, which has been suggested for WEE virus (39), could maintain the virus for long periods of time. Transovarial passage of the virus through certain mosquitoes, which has been demonstrated experimentally (20), would indicate an additional means for virus survival during winter months.

Suggested further research would be centered around the manner of transmission of the VEE virus from South America to North America, further elucidation of the infection cycle in nature, and investigations of the antigenic differences among the strains of VEE virus. Extensive surveys of wild animal

populations, including poikilothermic animals, for viremic status, and antibody studies in human and lower animal populations of areas between the United States and the northern portions of South America seem to be warranted. Such areas should primarily include Central America and the islands of the West Indies, as well as other areas of suitable climate, topography, etc., in North and South America. A variety of disease surveys in lower animals are currently being carried out in the United States; the agents studied in these surveys should include the VEE virus.

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#### EXECUTIVE COMMUNICATIONS, ETC.

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

##### REPORT OF ACTUAL PROCUREMENT RECEIPTS FOR MEDICAL STOCKPILE OF CIVIL DEFENSE EMERGENCY SUPPLIES AND EQUIPMENT PURPOSES

A letter from the Secretary of Health, Education and Welfare, transmitting, pursuant to law, a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ending March 31, 1969 (with an accompanying report); to the Committee on Armed Services.

##### REPORT ON DEFENSE APPROPRIATION DEFICIENCIES INCURRED

A letter from the Secretary of Defense, reporting, pursuant to law, that certain appropriations deficiencies to be incurred for the necessities of the current year have been authorized (with an accompanying report); to the Committee on Appropriations.

##### PROPOSED LEGISLATION TO AUTHORIZE A FEDERAL CONTRIBUTION FOR THE EFFECTUATION OF A TRANSIT DEVELOPMENT PROGRAM FOR THE NATIONAL CAPITAL REGION

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation, to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324) (with accompanying papers); to the Committee on the District of Columbia.

##### REPORT OF FINANCIAL STATEMENTS OF THE AMERICAN LEGION

A letter from the Director of the American Legion transmitting, pursuant to law, a statement of financial condition of the American Legion as of December 31, 1968, prepared in accordance with requirements of Federal charter (with an accompanying report); to the Committee on Finance.

##### REPORT OF GRANTS FOR BASIC SCIENTIFIC RESEARCH MADE BY THE DEPARTMENT OF DEFENSE TO NONPROFIT INSTITUTIONS

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a re-

port showing grants for basic scientific research by the Department of Defense to nonprofit institutions during calendar year 1968 (with an accompanying report); to the Committee on Government Operations.

#### REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the use of military personnel in civilian-type positions by the U.S. Coast Guard, Department of Transportation, dated May 8, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the use of missile procurement funds by the Department of the Air Force to finance research and development efforts, dated May 7, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings available by using space on military aircraft to transport baggage between the United States and points in the Pacific and Southeast Asia, Department of Defense, dated May 6, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation to the Congress concerning the claim of Mr. Wylo Pleasant, an individual doing business as Pleasant Western Lumber Co. (now known as Pleasant's Logging and Milling, Inc.), for reimbursement of losses sustained under timber sale contract No. 12-11-092-29, dated November 17, 1959, entered into with the Forest Service, Department of Agriculture (with accompanying papers); to the Committee on the Judiciary.

##### PROPOSED LEGISLATION TO PROHIBIT THE USE OF INTERSTATE FACILITIES FOR THE TRANSPORTATION OF CERTAIN MATERIALS TO MINORS

A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors (with accompanying papers); to the Committee on the Judiciary.

##### TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

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

##### PROPOSED LEGISLATION TO PROHIBIT THE USE OF INTERSTATE FACILITIES FOR THE TRANSPORTATION OF SALACIOUS ADVERTISING

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising (with accompanying papers); to the Committee on the Judiciary.

##### PROPOSED LEGISLATION TO AUTHORIZE ASSISTANCE FOR PROJECTS FOR FOSTER GRANDPARENTS AND SENIOR COMPANIONS

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Older Americans Act of 1965 to extend its duration, to authorize assistance for projects for foster grandparents and senior companions, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act (with accompanying papers); to the Committee on Labor and Public Welfare.

## DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and request action looking to their disposition (with accompanying papers); to a Joint Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. McGEE and Mr. FONG members of the committee on the part of the Senate.

## REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PASTORE, from the Committee on Commerce, without amendment:

S. 1242. A bill to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting. (Rept. No. 91-167)

**INCREASED PARTICIPATION BY THE UNITED STATES IN THE INTERNATIONAL DEVELOPMENT ASSOCIATION—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 91-166)**

Mr. BYRD of West Virginia. Mr. President, on behalf of the junior Senator from Arkansas (Mr. FULBRIGHT), I report favorably from the Committee on Foreign Relations without amendment, a bill (H.R. 33) to provide for increased participation by the United States in the International Development Association. I ask unanimous consent that the report be printed together with supplementary views of the Senator from Missouri (Mr. SYMINGTON).

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Virginia.

**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. WILLIAMS of New Jersey:

S. 2070. A bill to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to \$2 an hour, to provide for an 8-hour workday, and for other purposes; 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. GOLDWATER:

S. 2071. A bill to amend the National Labor Relations Act to prohibit certain secondary boycotts in the construction industry which impede technological progress in such industry and unduly restrict the design professional's freedom in selecting the best and most efficient materials to accomplish construction projects; to the Committee on Labor and Public Welfare.

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

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

S. 2072. A bill to provide for the exemption of certain State lands from the application of the acreage limitation provisions of Federal reclamation laws; to the Committee on Interior and Insular Affairs.

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

By Mr. DIRKSEN (for himself, Mr.

ALLOTT, Mr. ANDERSON, Mr. BAKER, Mr. BENNETT, Mr. BIBLE, Mr. COOK, Mr. COTTON, Mr. CURTIS, Mr. DOLE, Mr. DODD, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRIFFIN, Mr. HRUSKA, Mr. JACKSON, Mr. JORDAN of Idaho, Mr. JORDAN of North Carolina, Mr. MILLER, Mr. MUNDT, Mr. MURPHY, Mr. PASTORE, Mr. PROUTY, Mr. SCHWEIKER, Mr. SCOTT, Mrs. SMITH, Mr. STEVENS, Mr. TALMADGE, Mr. THURMOND, Mr. TOWER, Mr. TYDINGS, and Mr. YOUNG of North Dakota):

S. 2073. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; and

S. 2074. A bill to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bills, which appear earlier under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 2075. A bill to deny tax-exempt status to private foundations and organizations engaging in improper transactions with certain Government officials and former Government officials, and to impose an income tax of 100 percent on income received by such officials and former officials from such foundations and organizations; to the Committee on Finance.

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

By Mr. EASTLAND (for himself, Mr.

AIKEN, Mr. COOK, Mr. MCGOVERN, Mr. ANDERSON, Mr. MONTOYA, Mr. STENNIS, Mr. BIBLE, Mr. JACKSON, Mr. JORDAN of North Carolina, and Mr. TALMADGE):

S. 2076. A bill to provide for the establishment and administration of a National Wild-fire Disaster Control Fund; to the Committee on Agriculture and Forestry.

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

By Mr. MANSFIELD (for Mr. SPARKMAN):

S. 2077. A bill for the relief of Dr. Alexander Matas; to the Committee on the Judiciary; and

S. 2078. A bill to amend the Appalachian Regional Development Act of 1965 to extend its coverage to certain additional counties; to the Committee on Public Works.

By Mr. MANSFIELD (for Mr. SPARKMAN) (for himself, Mr. BIBLE, Mr. BURDICK, Mr. CANNON, Mr. COOPER, Mr. DOMINICK, Mr. ERVIN, Mr. HARRIS, Mr. HATFIELD, Mr. MCGEE, Mr. MCCARTHY, Mr. MCGOVERN, Mr. METCALF, Mr. MILLER, Mr. NELSON, Mr. SCOTT, Mr. TALMADGE, and Mr. TOWER):

S. 2079. A bill to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems,

and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. METCALF:

S. 2080. A bill to amend title 28, United States Code, to authorize the Attorney General to reimburse State and local governments for certain expenses incurred in the prosecution of persons charged with the assassination or attempted assassination of officers of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2081. A bill to amend the Federal Aviation Act of 1958 in order to provide that terms of members of the Civil Aeronautics Board and the chairman and vice chairman thereof shall begin on July 1; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under an earlier heading.)

By Mr. MONDALE:

S. 2082. A bill for the relief of Dr. Conrad Ti Tsai; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself and Mr. DODD):

S. 2083. A bill to provide for orderly trade in antifriction ball and roller bearings and parts thereof; to the Committee on Finance.

By Mr. MCGOVERN:

S. 2084. A bill for the relief of Foo Lum;

S. 2085. A bill for the relief of Mui Kwun Tung; and

S. 2086. A bill for the relief of Man Sang Wong; to the Committee on the Judiciary.

By Mr. MCGEE:

S. 2087. A bill to correct certain inequities relating to civil service retirement benefits provided under subchapter III of chapter 83 of title 5, United States Code; to the Committee on Post Office and Civil Service.

By Mr. PELL:

S. 2088. A bill to amend title II of the Social Security Act to provide that benefits payable thereunder shall be periodically increased or decreased so as to correspond to increases or decreases in the cost of living; and

S. 2089. A bill to amend title II of the Social Security Act to increase the annual amount that individuals are permitted to earn without suffering deductions in the monthly benefits payable to them thereunder; to the Committee on Finance.

(See the remarks of Mr. PELL when he introduced the above bills, which appear earlier under a separate heading.)

By Mr. GORE:

S. 2090. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,250; and

S. 2091. A bill to repeal section 613 of the Internal Revenue Code of 1954, relating to percentage depletion; to the Committee on Finance.

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

By Mr. BIBLE (for himself and Mr. CANNON):

S. 2092. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income allowances paid under section 5942 of title 5, United States Code; to the Committee on Finance.

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

By Mr. HATFIELD

S. 2093. A bill to exclude certain property from the Mount Jefferson Wilderness; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK (for himself, Mr. DOLE, Mr. HATFIELD, Mr. JACKSON, Mr. MANSFIELD, Mr. MCGOVERN, Mr. METCALF, Mr. MUNDT, and Mr. PACKWOOD):

S. 2094. A bill to extend the life of the Lewis and Clark Trail Commission and for

other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. MONTROYA:

S. 2095. A bill to amend the Internal Revenue Code of 1954 so as to increase the amount of the general standard deduction and the minimum standard deduction, to increase the amount of the personal exemptions, and for other purposes; to the Committee on Finance.

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

By Mr. SYMINGTON:

S. 2096. A bill for the relief of Doctor George Alexander Karadimos; to the Committee on the Judiciary.

By Mr. GRAVEL:

S. 2097. A bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965 as amended; to the Committee on Public Works.

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

By Mr. GODELL:

S. 2098. A bill to establish the Lindenwald Historic Site at Kinderhook, N.Y., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 2099. A bill to require labeling of certain packages transported in interstate commerce containing alligator hides or products made therefrom; to the Committee on the Judiciary.

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

By Mr. NELSON:

S. 2100. A bill for the relief of Sik Po Li; and

S. 2101. A bill for the relief of Sai Yan Lo; and

S. 2102. A bill for the relief of Percy Ispan Avram; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself, Mr. DODD, Mr. GORE, Mr. HART, Mr. HUGHES, Mr. MCINTYRE, Mr. MAGNUSON, Mr. MONDALE, Mr. PASTORE, Mr. PELL, Mr. PROXMIER, Mr. RUBICOFF, Mr. TYDINGS, and Mr. YOUNG of Ohio):

S. 2103. A bill to amend the Internal Revenue Code of 1954 to deny the use of percentage depletion for oil and gas wells located outside the United States; to the Committee on Finance.

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

By Mr. TYDINGS:

S. 2104. A bill for the relief of Milton Kyhos;

S. 2105. A bill for the relief of Donald C. Goeway; and

S. 2106. A bill for the relief of Belen Bunag; to the Committee on the Judiciary.

By Mr. NELSON:

S. 2107. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices; to the Committee on Labor and Public Welfare.

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

By Mr. TYDINGS (for himself, Mr. BAYH, Mr. BYRD of West Virginia,

Mr. CASE, Mr. CHURCH, Mr. COOPER, Mr. CRANSTON, Mr. HANSEN, Mr. HART, Mr. HUGHES, Mr. INOUYE, Mr. JACKSON, Mr. MCGOVERN, Mr. METCALF, Mr. MONDALE, Mr. MOSS, Mr. PACKWOOD, Mr. PERCY, Mr. RANDOLPH, Mr. SAXBE, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 2108. A bill to promote public health and welfare by expanding, improving and better

coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. GRIFFIN:

S. 2109. A bill to provide for financial disclosure by members of the Federal judiciary; to the Committee on the Judiciary.

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

By Mr. WILLIAMS of Delaware:

S. 2110. A bill to terminate the investment credit, to reduce and extend the tax surcharge, to limit expenditures, and for other purposes; to the Committee on Finance.

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

By Mr. GURNEY:

S. 2111. A bill to require the termination of Federal financial assistance to colleges and universities that fail to properly support reserve officer training programs; to the Committee on Labor and Public Welfare.

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

By Mr. GRIFFIN:

S. 2112. A bill to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption; to the Committee on Finance.

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

By ALLOTT (for himself and Mr. DOMINICK):

S. 2113. A bill to authorize the construction, operation and maintenance of the Closed Basin Division, San Luis Valley Project, Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 2114. A bill to provide for the conveyance of certain real property situated in the State of Hawaii to the State of Hawaii; to the Committee on Interior and Insular Affairs.

By Mr. GRAVEL (for himself, Mr. BROOKE, Mr. CHURCH, Mr. CRANSTON, Mr. EAGLETON, Mr. HART, Mr. HUGHES, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MUSKIE, Mr. RUBICOFF, Mr. HARTKE, and Mr. YOUNG of Ohio):

S.J. Res. 108. A joint resolution to provide for a study and evaluation of the relationship between underground nuclear detonations and seismic disturbances; to the Joint Committee on Atomic Energy.

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

#### S. 2070—INTRODUCTION OF A BILL TO AMEND THE FAIR LABOR STANDARDS ACT

Mr. WILLIAMS of New Jersey. Mr. President, when the Fair Labor Standards Act was passed in 1938 the stated purpose set forth in its declaration of policy was "to correct and as rapidly as possible to eliminate the conditions" which are "detrimental to the maintenance of the minimum standards of living necessary for health, efficiency, and general well-being of workers." It is clear that throughout the more than 30 years since its enactment we have failed to live up to this purpose.

Even today large segments of our Nation's work force are still denied the protections of minimum wage coverage.

Moreover, even for those who are covered, the act's guarantees are plainly inadequate. The minimum wage of \$1.60 per hour yields a full-time, year-round worker only \$3,200 per year—obviously an insufficient amount to meet the living costs required by a family today.

As a consequence more than half of the 22 to 26 million Americans who live under poverty conditions are in this situation not because the head of the family is unemployed, but because he does not get a decent living wage for the work he does.

The plight of the "working poor" can be greatly improved by making the Fair Labor Standards Act responsive to today's needs and, at long last, giving full effect to its original goals. If we update the 1966 poverty line figure for price increases and increased tax burdens, it is clear that a family of four today needs almost \$4,000 a year; accordingly, a \$2 per hour minimum wage is a necessity at this time. In addition, we must no longer continue to exclude such large numbers of workers from minimum wage protection. It is clear to me that preventing poverty by guaranteeing a decent wage is much better—and much less costly—than repairing the damage done by substandard wages and living conditions, and will greatly reduce the future need for large-scale Federal programs for feeding the hungry.

I am accordingly introducing a bill, similar to one being introduced in the House by Congressman DENT of Pennsylvania, to accomplish these purposes: I ask unanimous consent that the bill and a summary of its major provisions be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 2070) to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to \$2 an hour, to provide for an 8-hour workday, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, 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. 2070

*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 "Fair Labor Standards Amendments of 1969".*

#### DEFINITIONS

Sec. 2. (a) Section 3(d) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(d) 'Employer' includes any person acting directly or indirectly in the interest of an employer in relation to an employee and shall include the United States and any State or political subdivision of a State (including employees of a State or political subdivision thereof, employed (1) in a hospital, institution, or school referred to in the last sentence of subsection (r) of this section, or (2) in the operation of a railway or carrier referred to in such sentence), but shall not include any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization."

(b) Section 3 (e) of such Act is amended by inserting the words "including any individual employed in domestic service" after the word "employer" the first time it appears in such section, and by adding at the end thereof a new sentence to read as follows: "Such term shall not include any individual employed as a baby sitter."

(c) Section 3 (h) of such Act is amended to read as follows:

"(h) 'Industry' means a trade, business, industry, or other activity, or branch thereof, or group of industries, in which individuals are gainfully employed."

(d) Section 3 (m) is amended by striking out the last sentence thereof.

(e) Section 3 (r) of such Act is amended by inserting after the comma at the end of paragraph (2) the word "or", and a new clause (3) to read as follows:

"(3) in connection with activities of the Government of the United States or of any State or Political subdivision of a State,"

(f) Section 3 (s) of such Act is amended—  
(1) by striking out the words "and which" after the words "by any person," and inserting in lieu thereof the words "including any enterprise which";

(2) by striking out clause (1) and inserting in lieu thereof the following:

"(1) is engaged in retail or service business, including any activity relating thereto";

(3) by striking out the word "or" at the end of clause (3)

(4) by striking out the period at the end of clause (4) and inserting in lieu thereof a semicolon and the word "or", and a new clause (5), to read as follows:

"(5) is engaged in activities of the Government of the United States or of any State or political subdivision of a State."

(g) Section 3 of such Act is further amended by striking out paragraph (t) thereof, and by redesignating paragraphs (u), (v) and (w) as paragraphs (t), (u) and (v), respectively.

(2) Section 3(e) of such Act is further amended by striking out "3(u)" and inserting in lieu thereof "3(t)".

#### MINIMUM WAGES

Sec. 3. (a) Section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended, is amended to read as follows:

"(1) not less than \$2.00 an hour,"

(b) Section 6(a) of such Act is amended by striking out the semicolon and the word "or" at the end of paragraph (4) and inserting in lieu thereof a period, and by striking out paragraph (5) thereof. (c) Section 6(b) of such Act is amended—

(1) by inserting "(1)" after the letter "(b)";

(2) by striking out the parenthetical clause reading "(other than an employee to whom subsection (a) (5) applies)";

(3) by striking out the word "is" after the word "workweek" and inserting in lieu thereof the word "was";

(4) by striking out paragraphs (1) through (5) thereof and inserting in lieu thereof the following:

"(A) not less than \$1.45 an hour during the year beginning February 1, 1970,

"(B) not less than \$1.60 an hour during the year beginning February 1, 1971, and

"(C) not less than \$2.00 an hour thereafter," and

(5) by adding at the end thereof a new paragraph (2) to read as follows:

"(2) Every employer shall pay to each of his employees who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce, and who in such workweek is brought within the purview of this section by the amendments made to this Act by the Fair Labor Standards Amendments of 1969, wages at the following rates:

"(A) not less than \$1.45 an hour during the year beginning February 1, 1970,

"(B) not less than \$1.60 an hour during the year beginning February 1, 1971, and

"(C) not less than \$2.00 an hour thereafter."

(d) Section 6(c)(2) is amended to read as follows:

"(2) (A) Any such employee who is covered by such a wage order to whom the rate or rates prescribed by subsection (a) of this section would otherwise apply shall be paid not less than the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1969, increased by the same amount by which the rate or rates prescribed by subsection (a) of this section pursuant to the Fair Labor Standards Amendments of 1969 exceed the rate or rates applicable to employees covered by such subsection in effect prior to the effective date of such amendments. Such rate or rates shall become effective on February 1, 1970, or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(B) Any such employee who is covered by a wage order to whom the rate or rates prescribed by subsection (b) (1) of this section would otherwise apply, shall be paid not less than the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1969, increased by the same amounts by which the rate or rates prescribed by subsection (b) (1) of this section pursuant to the Fair Labor Standards Amendments of 1969 exceed the rate or rates applicable to employees covered by such subsection in effect prior to the effective date of such amendments. Such rate or rates shall become effective, in accordance with the schedule prescribed by such subsection (b) (1), beginning on February 1, 1970, or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later."

(2) Section 6(c)(3) of such Act is amended by striking out the words "subsection (a) (5) or subsection (b)", wherever they appear, and inserting in lieu thereof the words "subsection (b) (2)", by striking out the words "Fair Labor Standards Amendments of 1966", wherever they appear, and inserting in lieu thereof the words "Fair Labor Standards Amendments of 1969", and by striking out "as the case may be". (e) Section 6(e) of such Act is hereby repealed.

#### MAXIMUM HOURS

Sec. 4. (a) Section 7 of the Fair Labor Standards Act of 1938, as amended, is amended by striking out subsections (a), (b), (c), and (d) and inserting in lieu thereof the following new subsections (a) and (b):

"(a) No employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, for a workweek longer than forty hours, unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

"(b) No employer shall employ any of his employees who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the pro-

duction of goods for commerce for a workday longer than eight hours, unless such employee receives compensation for his employment in excess of such hours above specified at a rate not less than one and one-half times the regular rate at which he is employed."

(b) (1) Subsections (e), (f), (g), (h) and (i) of section 7 of such Act, are redesignated as subsections (c), (d), (e), (f) and (g), respectively.

(2) Subsection (e) (as redesignated by the preceding paragraph) of section 7 of such Act is amended by striking out "(e)" and inserting in lieu thereof "(c)".

(3) Subsection (f) (as redesignated by paragraph (1)) of section 7 of such Act is amended by striking out "(e)" and inserting in lieu thereof "(c)".

(c) Subsection (j) of section 7 of such Act is hereby repealed.

#### EXEMPTIONS

Sec. 5. (a) (1) Section 13(a)(1) of the Fair Labor Standards Act of 1938, as amended, is amended by striking out everything after the words "Administrative Procedure Act".

(2) Sections 13(a)(2), 13(a)(4) and 13(a)(11) of such Act, relating to employees employed by retail and service establishments, are hereby repealed.

(3) Section 13(a)(3) of such Act, relating to employees employed by seasonal amusement or recreational establishments, is hereby repealed.

(4) Section 13(a)(6) of such Act, relating to employees employed in agriculture, is amended by striking out the words "five-hundred man-days" and inserting in lieu thereof the words "one hundred man-days".

(5) Section 13(a)(9) of such Act, relating to employees employed by motion picture theater establishments, is hereby repealed.

(6) Section 13(a)(13) of such Act, relating to employees of logging and sawmill operations, is hereby repealed.

(7) Section 13(a)(14) of such Act, relating to agricultural employees, engaged in the harvesting and processing of shade-grown tobacco, is hereby repealed.

(8) Sections 13(a)(5), 13(a)(6), 13(a)(7), 13(a)(8), 13(a)(10) and 13(a)(12) are redesignated as sections 13(a)(2), 13(a)(3), 13(a)(4), 13(a)(5), 13(a)(6) and 13(a)(7), respectively.

(b) (1) Sections 13(b)(1) and 13(b)(3) of such Act, relating to rail road, pipe line and air carrier employees, are hereby repealed.

(2) Section 13(b)(4) of such Act, relating to fish and seafood processing employees, is hereby repealed.

(3) Section 13(b)(7) of such Act, relating to employees of street, suburban or interurban electric railways, or local trolley or motorbus carriers, is hereby repealed.

(4) Section 13(b)(8) of such Act, relating to employees employed by hotels, motels, restaurants of nursing homes, is hereby repealed.

(5) Section 13(b)(10) of such Act, relating to employees employed as salesmen, partsmen or mechanics by motor vehicle, farm implement or aircraft dealers, is hereby repealed.

(6) Section 13(b)(12) of such Act, relating to employees employed in agriculture, is hereby repealed.

(7) Section 13(b)(15) of such Act, relating to employees engaged in ginning of cotton for market or the processing of sugar beets, sugar-beet molasses sugar cane or maplesap into sugar or syrup is hereby repealed.

(8) Section 13(b)(17) of such Act relating to drivers employed in the business of operating taxicabs is hereby repealed.

(9) Section 13(b)(18) of such Act relating to employees of catering establishments is hereby repealed.

(10) Section 13(b)(19) of such Act relating to employees of bowling establishments is hereby repealed.

(11) Section 13(b) (2), 13(b) (5), 13(b) (6), 13(b) (9), 13(b) (11), 13(b) (13), 13(b) (14) and 13(b) (16), are redesignated as sections 13(b) (1), 13(b) (2), 13(b) (3), 13(b) (4), 13(b) (5), 13(b) (6), 13(b) (7) and 13(b) (8), respectively.

(c) Section 13(c) of such Act is amended to read as follows:

"(c) (1) The provisions of section 12 relating to child labor shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, if such employee—

"(A) is employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person, or

"(B) is fourteen years of age or older, or

"(C) is twelve years of age or older and is employed on a farm to which he commutes daily within twenty-five miles of his permanent residence, and (1) such employment is with the written consent of his parent or person standing in place of his parent, or (ii) his parent or person standing in place of his parent is employed on the same farm.

"(2) The provisions of section 12 relating to child labor shall not apply to any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions."

**PENALTIES**

SEC. 6. The first two sentences of section 16(c) of the Fair Labor Standards Act of 1938, as amended, are amended to read as follows:

"The Secretary is authorized to supervise the payment of the unpaid minimum wage or the unpaid overtime compensation owing to any employee or employees under section 6 or 7 of this Act, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (b) of this section to such unpaid minimum wages or unpaid overtime compensation and an additional equal amount as liquidated damages. The Secretary may bring an action in any court of competent jurisdiction to recover the amount of the unpaid minimum wages or overtime compensation and an equal amount as liquidated damages."

**RELATION TO OTHER LAWS**

SEC. 7. Section 18(b) of the Fair Labor Standards Act of 1938, as amended, is amended (1) by striking out "6(a) (1)" and inserting in lieu thereof "6(a)", (2) by striking out "7(a) (1)" and inserting in lieu thereof "7(a)", and (3) by striking out the parenthetical clause reading "(except that the wage rate provided for in section 6(b) shall apply to any employee who performed services during the workweek in a work place in the Canal Zone)".

**EFFECTIVE DATE**

SEC. 8. This Act shall become effective upon the expiration of ninety days after the date of its enactment.

The material presented by Mr. WILLIAMS of Delaware follows:

**SUMMARY OF FAIR LABOR STANDARDS AMENDMENTS OF 1969**

Following are major provisions in the 1969 amendments to the Fair Labor Standards Act:

The bill would raise the minimum wage to \$2 per hour and broaden coverage to 13 million workers now excluded from protection:

**MINIMUM WAGE**

1. Increase the minimum wage from \$1.60 an hour to \$2 an hour immediately for those covered before 1966.

2. Raise the minimum wage in steps to \$2 an hour effective February 1, 1972, for those newly covered in 1966.

3. Broaden coverage for farm workers and

place farm workers on the same step-ups as all other workers newly covered in 1966.

4. Cover domestic, federal, state and local government workers and employees of small retail and service businesses on the same step-ups as those newly covered in 1966.

5. Increase Puerto Rican and Virgin Islands workers' wages by a sum equal to those of other workers.

6. Raise those covered by wage boards and non-appropriated funds to \$2 an hour immediately.

7. Eliminate clauses excluding employees of linen supply houses from full coverage.

**MAXIMUM HOURS**

1. Pay overtime after 8 hours in a day as well as 40 hours in a week.

2. Bring all workers under the overtime provisions.

3. Eliminate special maximum hour exemptions for agricultural processing workers and hospital workers.

**EXEMPTIONS**

Eliminate all special minimum wage, maximum hours exemptions which exclude any or all of the following groups of workers from protection: retail and service; seasonal, amusement and recreational; motion picture, logging, farm, railroad, pipeline and air carrier workers, fish processors, transit workers, hotel, motel, restaurant and nursing home workers; motor vehicle partsmen, cotton ginning workers; taxi drivers, catering employees and bowling establishment workers.

**CHILD LABOR**

Increase the age limit for children employed in hazardous farm work to 18, the present age limit for other hazardous work. Restrict the employment of children on farms outside school hours.

**ADDITIONAL PROVISIONS**

1. Penalize cheating employers by permitting the Secretary of Labor, when suing for unpaid minimum wages or overtime compensation, to collect liquidated damages as well.

2. Repeal the provisions which permit tips to be offset against the minimum wage.

**S. 2071—INTRODUCTION OF A BILL TO PROHIBIT CERTAIN SECONDARY BOYCOTTS IN THE CONSTRUCTION INDUSTRY**

Mr. GOLDWATER. Mr. President, I offer a bill today to protect the right of the American public to enjoy the benefits of technological progress in the construction industry and to protect the right of the design architect to select the best and more efficient materials to accomplish construction projects.

We all know that the construction industry has entered a decade of unprecedented demand. The expanding population and economy of this country have triggered a need for new living units and office space that is on the verge of overwhelming the construction industry. In view of the urgency of current requirements and in light of the impact of the building industry on the national economy—representing as it does one-tenth of the gross national product—I believe it is mandatory on us as responsible protectors of the public interest to assure that these needs will be met efficiently and on schedule.

Much has been done in Congress already toward this end. The Federal statute books are filled to the brim with measures and programs to spur construction. But overlooked in the midst of all this legislative activity are the needs of the industry itself to be physically able

to meet the demands imposed on it. Equally important to the success of the goals which all of us share is the ability of the building industry to use the programs we have created and the money we supply to erect enough projects at a reasonable cost and an adequate pace to comply with the enormous expectations we have placed upon it.

It is to restore this balance among our efforts and to establish some reason within the industry that I introduce today a bill which will permit builders to utilize the most modern and efficient materials available for completing their projects. My bill is intended to release the industry from irrational rules which limit innovation and spiral costs to the detriment of national policies which should override special interests.

In order to achieve this, my bill would provide that a product boycott in the construction industry shall be included among the list of those acts which constitute an unfair labor practice under section 8 of the National Labor Relations Act. My bill is tightly drafted. It is precise and limited to only this one industry. It is not applicable unless the architect, draftsman, or other designer actually specifies that a particular product is required for a construction project. It is the minimum protection essential in order to permit modernization in the building industry.

For unless the builders and contractors can offset the terrible costs of components and wages by using newer and better products, the United States will fall in its goal of supplying the vital needs of its people and inflation will continue to burst all the scales. By anyone's measure, wage increases in the building industry are far above productivity increases. In fact, the increase in wage costs is more than double than in any other industry.

One application of my bill, of course, will be to correct the 5-to-4 decision by the Supreme Court in 1967 which is referred to as the "Philadelphia Door" case. This decision, which allowed a boycott against the installation of prefabricated doors delivered to the construction site, has led to a series of strikes and boycotts with ever-expanding implications of danger to our economy.

Regardless of one's judgment about the correctness of this decision as an interpretation of the law as enacted in 1947, it is clear that we in Congress have the responsibility and the obligation to spell out our intent as to what constitutes sound labor policy for the United States in the context of the present setting, taking into account the current demands and predictable future needs of this Nation. It is for this reason that I offer my bill and express my wish that it will receive serious consideration by the Members of this body.

Mr. President, I ask unanimous consent that 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 will be printed in the Record.

The bill (S. 2071), to amend the National Labor Relations Act to prohibit certain secondary boycotts in the con-

struction industry which impede technological progress in such industry and unduly restrict the design professional's freedom in selecting the best and most efficient materials to accomplish construction projects, introduced by Mr. GOLDWATER, 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. 2071

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8(b)(4)(B) of the National Labor Relations Act (29 U.S.C. 158(b)(4)(B)) is amended by inserting "(1)" immediately after "Provided, That" and by inserting immediately before the semicolon at the end thereof a comma and the following: "and (1) for the purpose of this clause (B) a product boycott in the construction industry is an unfair labor practice, notwithstanding that the purpose of such boycott is work preservation, if the product against which the boycott is directed is required by the architectural specifications for the construction project and is shipped or otherwise transported to the site of such project".

Sec. 2. Section 8(e) of the National Labor Relations Act (29 U.S.C. 158(e)) is amended by inserting immediately before the period at the end thereof a colon and the following: "Provided further, That the prohibitions of this subsection shall apply to a contract or agreement between a labor organization and an employer in the construction industry, notwithstanding that the purpose of such contract or agreement is work preservation, if such contract or agreement is, or is intended to be, applied or enforced so as to boycott any product which is required by the architectural specifications for the construction project and is shipped or otherwise transported to the site of such project".

**S. 2072—INTRODUCTION OF A BILL TO PROVIDE FOR THE EXEMPTION OF CERTAIN STATE LANDS FROM THE APPLICATION OF THE ACREAGE LIMITATION PROVISIONS OF FEDERAL RECLAMATION LAWS**

Mr. JORDAN of Idaho. Mr. President, I introduce, on behalf of myself and my colleague (Mr. CHURCH), a bill which will allow the delivery of irrigation water by the Bureau of Reclamation to State institutions or lands owned by political subdivisions of the State where such lands are not operated for profit but for the furtherance of a public function.

This comes about, Mr. President, because the proposed application of acreage limitations relating to privately held lands under the Reclamation Act of 1902 has placed in jeopardy the continued effective operations of two farms in Idaho which are owned by the public, operated at public expense, and in existence for the public benefit.

Under section 5 of the Reclamation Act, water cannot be sold for land in private ownership for a tract exceeding 160 acres to any one landlord. The University of Idaho has been advised that its Caldwell Branch Agricultural Experiment Station will be required to comply with the 160-acre limitation or be deprived of water deliveries. The Idaho State School and Hospital, an institution for the mentally retarded, was sim-

ilarly advised in regard to the farm it operates as part of its rehabilitation and training efforts.

Because ownership of these publicly held farms has been construed, for the purposes of the law, as private ownership, I introduced, with the cosponsorship of Senator CHURCH, a bill in the 90th Congress to clarify this matter and allow these farms to continue to carry on the nonprofit functions they were established to perform. Due to other legislative priorities, the bill was not acted upon. The bill which I introduced today has been amended along lines suggested by the Department of Interior in its report of July 1, 1968.

Mr. President, this bill will not in any way affect the acreage limitation under the Reclamation Act as it applies to those persons, companies or corporations which are truly private landowners. It merely provides that the limit on acreage of irrigable land held in private ownership which may receive irrigation benefits from Federal reclamation works shall not apply to lands owned by States, subdivisions, and agencies or institutions thereof, so long as the lands are farmed in the direct furtherance of their public function, but not for the raising of revenue.

As you know, Mr. President, Congress is firmly committed to education, to agricultural research, to the development of a viable agricultural economy and to the rehabilitation and training of the mentally retarded. Surely we do not intend or desire to permit a feature of land law, which is itself designed to protect the public, to operate in a manner prejudicial to this commitment.

It is to eliminate such an unjust application of the law that we introduce this proposed legislation, and hope for early enactment.

Mr. CHURCH. Mr. President, I am happy to join with my distinguished colleague (Mr. JORDAN of Idaho) in the introduction of this bill to remedy an injustice that could be done certain State of Idaho and other State institutions or local governmental agencies by acreage limitations of the Reclamation Act of 1902.

As Senator JORDAN has pointed out, this is simple, direct legislation that would allow these nonprofit State institutions to continue to receive the benefit of Federal reclamation project water. Neither of these acreages is extensive, but their maintenance in their present size is necessary to the continued successful operation of each.

There is no infringement or alteration of the Reclamation Act of 1902 by this bill as regards acreage limitation for private landowners. The institutions affected are public in character and are not farmed primarily to raise revenue. As the Department of Interior has indicated in its report on the bill, to supply reclamation project water to excess lands devoted to these uses would not be contrary to the policy behind the excess lands provisions of the reclamation law.

Mr. President, if this law is not passed, it will work a great hardship on these Idaho institutions, forcing them to dis-

pose of their excess lands, inhibiting their long-range programs, and in other ways reducing operations essential to the public welfare and interest of the State of Idaho.

I am aware, Mr. President, that there are other bills before the Congress which would amend the basic provision of acreage limitation in the Reclamation Act, but this is not the objective of the bill which Senator JORDAN and I introduce today. Instead, it addresses itself to a specific and pressing problem in our own State, and I hope it will receive early and favorable consideration.

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

The bill (S. 2072), to provide for the exemption of certain State lands from the application of the acreage limitation provisions of Federal reclamation laws, introduced by Mr. JORDAN of Idaho (for himself and Mr. CHURCH), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

**S. 2075—INTRODUCTION OF A BILL TO DENY TAX-EXEMPT STATUS TO PRIVATE FOUNDATIONS AND ORGANIZATIONS ENGAGING IN IMPROPER TRANSACTIONS WITH CERTAIN GOVERNMENT OFFICIALS**

Mr. WILLIAMS of Delaware. Mr. President, last Monday I criticized Justice Fortas for having accepted a \$20,000 fee from a private foundation controlled by Louis Wolfson, a man who at the time was under active investigation by agencies of the U.S. Government, including the Department of Justice. I said at the time that I was having a bill drafted, the purpose of which would be to 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.

I now send this bill to the desk for appropriate reference, and I ask unanimous consent that both the bill and a

brief analysis as prepared by the legislative counsel be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the bill and the analysis will be printed in the RECORD.

The bill (S. 2075), to deny tax-exempt status to private foundations and organizations engaging in improper transactions with certain Government officials and former Government officials, and to impose an income tax of 100 percent on income received by such officials and former officials from such foundations and organizations, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part I of subchapter F of chapter 1 of the Internal Revenue Code of 1954 (relating to exempt organizations) is amended by adding at the end thereof the following new section:

"SEC. 505. IMPROPER TRANSACTIONS BY PRIVATE FOUNDATIONS WITH GOVERNMENT OFFICIALS AND FORMER GOVERNMENT OFFICIALS

"(a) DENIAL OF EXEMPTION.—A private foundation or organization shall not be exempt from taxation under section 501(a) if such foundation or organization, directly or indirectly—

"(1) makes, or offers to make, any payment of money to a government official or a member of his family in any form whatsoever, for any reason whatsoever,

"(2) makes, or offers to make, any gift or contribution to or for the use of a government official or a member of his family in any form whatsoever, or makes, or offers to make, services or facilities available to a government official or a member of his family (unless such facilities are made available to the general public on the same basis as to government officials and members of their families),

"(3) transfers, or leases or offers to transfer or lease, any property to a government official or a member of his family, or purchases or leases, or offers to purchase or lease, any property from a government official or a member of his family, or

"(4) employs, or offers to employ, a government official or a member of his family, or retains, or offers to retain, the personal services of a government official or a member of his family (unless such employment or personal services are performed without payment of any compensation or fee whatsoever).

"(b) PRIVATE FOUNDATION OR ORGANIZATION.—For purposes of this section, the term 'private foundation or organization' means any organization described in section 501(c) (3) which does not normally receive a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function which constitutes, or would constitute, the basis for its exemption under section 501(a)) from either—

"(1) the United States, a State or possession of the United States or any political subdivision of a State or possession, or the District of Columbia, or

"(2) direct or indirect contributions from the general public.

"(c) GOVERNMENT OFFICIAL.—For purposes of this section, the term 'government official' means, with respect to a transaction described in subsection (a), an individual who, at the

time of such transaction, holds any of the following offices, or who has held any such office at any time in the preceding 2-year period:

"(1) an elective public office in the executive or legislative branch of the Government of the United States,

"(2) an office in the executive, legislative, or judicial branch of the Government of the United States, appointment to which was made by the President,

"(3) an elective public office in the executive, legislative, or judicial branch of the government of a State, or any political subdivision thereof, or of the District of Columbia, and

"(4) an office in the executive, legislative, or judicial branch of the government of a State, or political subdivision thereof, or of the District of Columbia, appointment to which (or election to which) was made by the Governor or legislature of the State, or by the Commissioner of the District of Columbia.

"(d) MEMBERS OF FAMILY.—For purposes of this section, the members of the family of an individual are—

"(1) his spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance), and

"(2) the children (including legally adopted children and stepchildren) of such individual who have not attained the age of 21.

"(e) TAXABLE YEARS AFFECTED.—A private foundation or organization shall be denied exemption from taxation under section 501(a) by reason of subsection (a) for all taxable years beginning with the taxable year during which it is notified by the Secretary or his delegate that it has engaged in a transaction described in subsection (a).

"(f) DISALLOWANCE OF CHARITABLE DEDUCTIONS.—No gift, contribution, bequest, devise, legacy, or transfer, otherwise allowable as a deduction under section 170, 642(c), 545(b) (2), 2055, 2106(a) (2), or 2522, shall be allowed as a deduction if made to a private foundation or organization after the date on which the Secretary or his delegate publishes notice that he has notified such foundation or organization that it has engaged in a transaction described in subsection (a)."

(b) The table of sections for such part I is amended by adding at the end thereof the following new item:

"Sec. 505. Improper transactions by private foundations with government officials and former government officials."

(c) The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act, but only with respect to transactions occurring after such date.

SEC. 2. (a) Part I of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to tax on individuals) is amended by renumbering section 5 as 6, and by inserting after section 4 the following new section:

"SEC. 5. SPECIAL TAX ON INCOME RECEIVED BY GOVERNMENT OFFICIALS AND FORMER GOVERNMENT OFFICIALS FROM TAX-EXEMPT PRIVATE FOUNDATIONS

"(a) IMPOSITION OF TAX.—In the case of a government official, there is hereby imposed a tax equal to 100 percent of the taxable income received by him or a member of his family from a private foundation or organization which (at the time of receipt of such income) is exempt from taxation under section 501(a).

"(b) TAXABLE INCOME DEFINED.—For purposes of subsection (a), the taxable income received from a private foundation or organization is the sum of—

"(1) all income (including the value of services or facilities, but not including in-

come to which paragraph (3) applies) received, directly or indirectly, from a private foundation or organization, reduced by the deductions otherwise allowable under this chapter which are attributable to such income,

"(2) all contributions or gifts of money, property, services, or facilities received, directly or indirectly, from a private foundation or organization, and

"(3) all gain derived from the sale or exchange of property, directly or indirectly, to a private foundation or organization.

Paragraphs (1) and (2) shall not apply to services or facilities furnished to a government official or a member of his family if such services or facilities are furnished to the general public on the same basis as to such government official or such member.

"(c) PRIVATE FOUNDATION OR ORGANIZATION.—For purposes of this section, the term 'private foundation or organization' means any organization described in section 501(c) (3) which does not normally receive a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function which constitutes the basis for its exemption under section 501(a)) from either—

"(1) the United States, a State or possession of the United States or any political subdivision of a State or possession, or the District of Columbia, or

"(2) direct or indirect contributions from the general public.

"(d) GOVERNMENT OFFICIAL.—For purposes of this section, the term 'government official' means, with respect to income described in subsection (b), an individual who, at the time of receipt of such income, holds any of the following offices, or who has held any such office at any time in the preceding 2-year period:

"(1) an elective public office in the executive or legislative branch of the Government of the United States,

"(2) an office in the executive, legislative, or judicial branch of the Government of the United States, appointment to which was made by the President,

"(3) an elective public office in the executive, legislative, or judicial branch of the government of a State, or any political subdivision thereof, or of the District of Columbia, and

"(4) an office in the executive, legislative, or judicial branch of the government of a State, or political subdivision thereof, or of the District of Columbia, appointment to which (or election to which) was made by the Governor or legislature of the State, or by the Commissioner of the District of Columbia.

"(e) MEMBERS OF FAMILY.—For purposes of this section, the members of the family of an individual are—

"(1) his spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance), and

"(2) the children (including legally adopted children and stepchildren) of such individual who have not attained the age of 21.

"(f) COORDINATION WITH OTHER TAXES IMPOSED BY THIS CHAPTER.—

"(1) REGULAR INCOME TAX.—For purposes of the tax imposed by section 1 or 1201 (b), income and deductions described in subsection (b) (1) and sales and exchanges described in subsection (b) (3) shall not be taken into account.

"(2) TAX SURCHARGE.—For purposes of the tax imposed by section 51, the tax imposed by this section shall not be taken into account.

"(g) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(b) The table of sections for such part I is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 5. Special tax on income received by government officials and former government officials from tax-exempt private foundations.

"Sec. 6. Cross references relating to tax on individuals."

(c) The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act, but only with respect to income received after such date.

The material presented by Mr. WILLIAMS of Delaware follows:

#### IMPROPER PAYMENTS BY PRIVATE FOUNDATIONS TO GOVERNMENT OFFICIALS

This bill has two basic purposes—one, to deny a tax exemption to a private foundation which engages in an improper transaction with a government official and; two, to tax monies or the fair market value of any assets received by the government official from the improper transaction at a rate of 100 percent.

#### DENIAL OF EXEMPTION TO PRIVATE FOUNDATIONS

For purposes of this bill, private foundations are those foundations granted tax exemption under Section 301(c)(3) of the Internal Revenue Code which do not normally receive a substantial part of their support from either—

(1) the United States, a State or possession of the United States or any political subdivision of a State or possession, or the District of Columbia, or

(2) direct or indirect contributions from the general public.

Thus, in essence, they are those foundations, the charitable contributions to which is limited to 20 percent, rather than to the 30 percent that is allowed with respect to public charities. These private foundations owe their existence to the exemption they receive under the income tax law. Like other tax-exempt charitable, education and religious organizations, private foundations are subject to few restrictions once they establish that they are organized and operated for an exempt purpose. For example, the exemption would be denied if any of these organizations participates in, or intervenes in, a political campaign on behalf of any candidate for public office. The exemption also would be denied if certain "prohibited transactions" are engaged in. Unreasonable accumulations of income may result in denial of exemption, and unrelated business income may be taxable to these organizations—with the exception of churches and certain trusts—even though the tax exemption itself is not lost.

Unfortunately, while the prohibited transaction rules are designed to prevent self-dealing between the tax-exempt organization and its creator or major contributors, there is no provision in the present law which would stop the practice whereby private tax-exempt foundations make payments to public officials or members of their family. These payments are made from tax-free funds.

This bill would deny tax-exempt status to any private foundation that directly or indirectly makes any payment, or offers to make any payment of money to any government official or any members of his family for any reason whatsoever. It would apply regardless of whether or not there was consideration for the payment. This would prevent, for example, the making of payments under the guise of honorariums or loans.

The bill would deny the exemption if the private foundation makes, or offers to make, any gift or contribution to or for the use of a government official or a member of his family, or if it makes or attempts to make

services of facilities available to the government official that are not available to the general public. This would prevent, for example, grants or the furnishing of trips and vacation facilities to a government official.

The bill would also deny exemption to private foundations which transfer or lease, or offer to transfer or lease any property to a government official or his family; or who purchase or lease, or offer to purchase or lease, any property from a government official or a member of his family. This, for example, would prevent the type of situation where an apparent arm's length transaction is used to hide the "funneling" of assets to a government official or his family.

Finally, the bill would deny the tax exemption to a private foundation where it employs, or offers to employ, a government official or member of his family. Not only would this feature stop the practice of influential government officials moving into employment with private foundations, but also it would prevent the payment of retainers or fees to government officials.

Under the various sections of the bill the term, "government official" includes those government employees who, at the time of the transaction held any of the following offices, or who have held any such office at any time in the preceding two-year period:

(1) an elective public office in the executive or legislative branch of the Government of the United States,

(2) an office in the executive, legislative or judicial branch of the Government of the United States, appointment to which was made by the President,

(3) an elective public office in the executive, legislative, or judicial branch of the government of a State, or of any political subdivision thereof, or of the District of Columbia, and

(4) an office in the executive, legislative, or judicial branch of the government of a State, or political subdivision thereof, or the District of Columbia, appointment to which (or election to which) was made by the Governor or legislature of the State or by the Commissioner of the District of Columbia.

In this bill a member of a government official's family is defined as his wife (unless she is legally separated from him under a decree of divorce or separate maintenance) and his children under 21, including an adopted child or a stepchild. Thus, if any private foundation engages in any of the improper transactions covered by the bill with the government official within two years after his departure from government service, it will lose its tax exemption.

Under the bill the private foundation would lose its exemption beginning with the taxable year in which it is notified by the Secretary that it has engaged in the improper transaction with the government official. It could not regain tax-exempt status thereafter.

#### TAX ON GOVERNMENT OFFICIALS

Under this bill a tax equal to 100 percent of the taxable income received by the government official from a private tax-exempt foundation, directly or indirectly, personally or through his family, would be imposed on the government official. Like the provisions dealing with the denial of the tax exemption to the private foundation, the provision taxing the government official would apply not only with respect to amounts received while he was actually employed by the government, but also with respect to amounts he receives from the private foundation during the two years following his departure from government service.

This tax on the government official becomes effective as of the date of enactment of the bill but only as to payments received after such date.

#### S. 2076—INTRODUCTION OF A BILL TO PROVIDE FOR THE ESTABLISHMENT AND ADMINISTRATION OF A NATIONAL WILDFIRE DISASTER CONTROL FUND

Mr. EASTLAND. Mr. President, I am introducing a bill, for myself, Senators AIKEN, COOK, MCGOVERN, ANDERSON, MONTOYA, STENNIS, JACKSON, BIBLE, JORDAN of North Carolina, and TALMADGE, to create a National Wildfire Disaster Board.

The plight of the building industry due to the high cost of lumber building materials in recent months has created quite a furor. The purpose of this bill is not to solve this immediate problem but to provide the machinery so that wildfires of disastrous proportions can be dealt with immediately and save a large part of the timber and other natural resources that are being lost to fires annually.

The act provides for the use of Federal funds in training key personnel responsible for the suppression of wildfires of disaster proportions. The Board would work through the States in upgrading their firefighting potential to deal with fires while they are still at the small level. It would also encourage the development of plans for assistance from other areas in extinguishing those fires that develop to disastrous proportions.

The activities under this bill would be in conjunction with and not in derogation of the provisions of the Clarke-McNary Act or the Federal Disaster Relief Act. It would act to prevent disasters rather than dealing with them after they occur.

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

The bill (S. 2076) to provide for the establishment and administration of a National Wildfire Disaster Control Fund, introduced by Mr. EASTLAND (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### S. 2079—REINTRODUCTION OF A BILL TO ASSIST U.S. FARMING AND BEEF INDUSTRIES

Mr. MANSFIELD. Mr. President, the distinguished Senator from Alabama (Mr. SPARKMAN) is absent on official business today. He has asked me to introduce some measures on his behalf, and I ask that his statement and the associated bills be inserted in the RECORD at this point.

There being no objection the material will be printed in the RECORD as follows:

Mr. SPARKMAN. Mr. President, on behalf of myself and other Senators, I am reintroducing today a bill to help all those associated with the American farming and beef industries to develop export markets for their products. I ask unanimous consent that a text of this measure be printed following my remarks.

This bill is modeled after S. 2226 of the 90th Congress which, in turn, was based on an inquiry of the Select Committee on Small Business between 1964 and 1967. That

investigation included three sets of hearings and a Senate report of June 1967.<sup>1</sup>

The background of this measure is set forth in statements which accompanied the filing of the Report and the offering of S. 2226, and I ask unanimous consent that excerpts from this material also be reprinted in the RECORD.

Mr. President, I believe that these initiatives in the field of trade expansion are even more timely today.

According to the statistical authorities, in 1964, when the Committee commenced its investigation the United States had a surplus on the merchandise export account of \$6.676 billion; in 1967, when these recommendations were initially brought before the Senate, the export trade surplus had been reduced to \$3.483 billion; in 1968, this figure was further reduced to \$1.029 billion.<sup>2</sup>

Furthermore, imports into the United States have continued to grow at a rate of about double the export growth. Restrictions on U.S. agricultural exports imposed or threatened by the European economic community have mounted, resulting in an actual decline in foreign sales of U.S. agricultural commodities during 1968.

The reaction of many in this country has been toward import restrictions, including further tightening of import limitations in the meat and livestock field.

The Small Business Committee inquiry establishes that there is a strong demand for beef in Western Europe which, in the six nations of the EEC alone, will outrun supply at the annual rate of about 1 million metric tons by next year, 1970. This import gap could amount to as much as \$1 billion in sales each year. Without any doubt the United States possesses natural advantages allowing this country to mass produce the world's highest quality table meats. Our farms and ranches hold 30 percent of the world's cattle and have given this nation a surplus of the grains needed to turn out premium steaks, roast beef and other meat delicacies.

Where effort has been made in building a market for these products, there has been impressive success. The experience of one hotel chain is described in my 1967 remarks. A recent article reflects an interest in Oriental countries, as follows:

"Several outstanding Japanese hotels are now selling U.S. beef advertised as such: one uses 4 tons a month. Leading wholesalers report that new hotel accounts are constantly being added to their customer lists for U.S. beef. Indications are that as much as 100 tons moved into the Japanese market by the end of 1968."<sup>3</sup>

Another report, this time from Scandinavia, shows that U.S. steaks "went over so well that some Swedish restaurants now offer this item on the menu regularly."<sup>4</sup>

And so the evidence continues to come in, from Western Europe and now Japan and Scandinavia.

The bill we are offering would expand the role of these and other foreign market opportunities to the widest spectrum of U.S. agriculture, industry and finance. The annual

conference proposed by this bill would extend not only to those growing, feeding, processing, and purveying U.S. beef products, but those who would transport, finance, and insure such shipments as well as those who could supply feed grains and other raw materials.

This conference would allow the sifting and evaluation of information from all over the world on promising opportunities and impending problems for the U.S. beef industry. It would permit a cross-checking of public with private information, and the professional evaluation of trends in order that our businessmen could plan ahead to maximize profits and minimize losses caused by changing conditions in the world as well as U.S. markets.

It thus appears, Mr. President, that for some time many of us in the Senate have been advocating attention to export expansion in an effort to secure a dependable balance of payments surplus for the country and a stable foundation of profits for our farmers, livestock raisers and others in the U.S. beef industry. During the 90th Congress the Department of Agriculture waited eleven months before submitting a report on this measure, and then commented unfavorably. I wonder how long the Departments of the Federal Government are going to allow the opportunities recommended by the Congress to lie fallow.

The interests of our small business community as well as the U.S. balance of payments calls for doing as much as possible to expand exports in this as in other fields. I therefore hope the Department of Agriculture will examine this bill and send us a prompt and favorable report. I also hope that early hearings be held so that the Cattle Conference bill may be brought before the Senate at an early date.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and excerpts will be printed in the RECORD.

The bill (S. 2079) to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes, introduced by Mr. MANSFIELD (for Mr. SPARKMAN and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

#### S. 2079

*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 "Cattle Industry Trade Conference Act".*

#### STATEMENT OF POLICY

SEC. 2. The Congress hereby declares that the production of beef and beef products is of vital importance to the economy of the Nation and that the Secretary of Agriculture and other officials of the Government concerned with international trade in beef and beef products should exercise the authority vested in them by law to encourage exploration and development of overseas markets for these commodities by groups and individual United States businessmen interested in such markets (without regard to their size or previous experience in international trade); and in order that the Secretary of Agriculture and other appropriate Federal

officials and the business community may be kept currently informed of conditions in world markets and of the specific kinds of assistance which may be needed by the industry of this country, the Secretary of Agriculture should sponsor an annual conference, to be attended by representatives of the beef industry and all departments and agencies of the Federal Government concerned with the exports and imports of beef and beef products, to consider such conditions and to attempt to find practical solutions to the problems that are involved.

#### ANNUAL BEEF EXPORT CONFERENCE

SEC. 3. (a) The Secretary of Agriculture (hereinafter referred to as the "Secretary") is authorized and directed to call a cattle industry trade conference each year. Each such conference shall be composed of representatives from the Department of Agriculture, designated by the Secretary, and delegates from the beef industry, selected in such manner as may be approved by the industry. There shall also be in attendance at each such conference representatives from the Department of State, the office of the President's Special Representative for Trade Negotiations, the Department of Commerce, and the Export-Import Bank of Washington, to be designated by the chief executive officers thereof.

(b) The Secretary and a person selected by the beef industry shall serve as cochairmen of conferences held pursuant to this section; and such conferences shall be planned, organized, and conducted in accordance with rules of procedure mutually agreed upon by the cochairmen. The conference shall be held each year at a time and place convenient to delegates of the beef industry and the Secretary.

(c) Delegates to any conference held pursuant to this section shall receive no compensation for their services, but while attending meetings of the annual conference at places away from their homes or regular places of business they shall be allowed travel expenses, including per diem allowance in lieu of subsistence, as authorized by law for persons in the government service intermittently.

(d) Except as otherwise provided in this section, the Secretary shall be responsible for the conduct of each annual cattle industry trade conference held pursuant to this section.

(e) It shall be the function of each annual conference to review, discuss, analyze, and recommend solutions to problems of the beef industry relating to exports, imports, and trade of beef and beef products. Each such conference shall specifically consider, but shall not be limited to, problems relating to—

- (A) transportation costs and methods;
- (B) market survey information;
- (C) market development;
- (D) differences in preferences and standards of other nations;
- (E) political barriers;
- (F) veterinary and sanitary regulations;
- (G) credit and insurance;
- (H) domestic regulations or barriers;
- (I) unfamiliarity with export markets; and
- (J) structural problems of the beef industry of the United States.

(f) In carrying out the provisions of this section, the Secretary shall—

- (1) request the cooperation and assistance of other Federal departments and agencies concerned with the exports and imports of beef and beef products;
- (2) compile, prepare, and make available for the use of the delegates to each conference such background information and material as he may deem necessary or appropriate.

(g) Any conference held pursuant to this section is authorized to secure information directly from any department, agency, or es-

<sup>1</sup> "Expansion of Livestock Exports," Senate Report 343, 90th Congress, 1st Session, June 12, 1967.

<sup>2</sup> *Statistical Abstract of the United States*, 1968, House Document No. 206, 90th Congress, Table #1198, Balance of Payments: 1960 to 1967. Comparable figures for 1968 from "Highlights of U.S. Export and Import Trade," U.S. Department of Commerce, #FT 990, February 1969, p. 3.

<sup>3</sup> "Far East Promotions of U.S. Beef Continue," *Foreign Agriculture Magazine*, February 17, 1969, p. 14.

<sup>4</sup> "U.S. Steaks Now a Fixture for Top Swedish Restaurant Chain," *Foreign Agriculture Magazine*, March 10, 1969, p. 11.

establishment of the executive branch of the Government with the consent of the head thereof, and each such department, agency, or establishment to the greatest practical extent shall furnish such information upon request of either cochairman of the conference. Such personnel of such departments, agencies, or establishments as may be required to assist any conference held pursuant to this section in carrying out its functions may be utilized upon request of the Secretary. Any such department, agency, or establishment furnishing the services of personnel shall be entitled to reimbursement therefor out of any funds appropriated under subsection (1) of this section.

(h) The Secretary shall maintain a record of the proceedings of each such conference and shall submit a written report to the Congress with respect to any problem presented for consideration at any such conference, within thirty days after the end of such conference, whenever the same or substantially the same problem was presented for consideration at the previous annual conference. He shall set forth the problem so presented and specify what action has been taken by the appropriate department or agency to alleviate it. Whenever any problem being reported upon is outside the competence or jurisdiction of the Department of Agriculture, representatives of the department or agency concerned shall cooperate with and assist the Secretary in the preparation of the report regarding such problem. Such report shall also contain such recommendations as may be necessary or appropriate to correct such problem.

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

#### ANNUAL PUBLICATION

SEC. 5. The Secretary shall provide for the annual publication of a report pertaining to the demand in foreign markets for various grades and classifications of beef and beef products, and the extent to which the demand in each such market is being adequately met. Such report shall contain such information concerning the potential for exportation of United States beef and beef products as the Secretary determines will be of value to the beef industry of this country and shall include information of the kind contained in the publication issued by the Department of Agriculture in 1966 under the title "World Beef Trends." The Secretary shall include in such report short, medium, and long-range projections of domestic and foreign demand for various beef products. Such report shall be published each year not less than thirty days prior to the date of the annual conference sponsored by the Secretary pursuant to section 4 of this Act.

#### FOREIGN IMPORT RESTRICTIONS

SEC. 6. It is the sense of the Congress that, where foreign import restrictions which are unjustifiable impede or prevent the export of this Nation's beef and beef products to any country or group of countries, the President should exercise fully his powers under section 252 of the Trade Expansion Act of 1962 to obtain the elimination or modification of the offending trade barriers within a reasonable time, specifically including whenever necessary the imposition of duties or other import restrictions on the products of the group of countries or individual countries which are involved.

#### DEFINITION

SEC. 7. As used in this Act, the term "beef and beef products" means live beef cattle and the edible and nonedible products of slaughtered beef cattle.

The excerpts, presented by Mr. SPARKMAN, follow:

[From the CONGRESSIONAL RECORD,  
Aug. 3, 1967]

#### INTRODUCTION OF BILL TO ASSIST THE U.S. CATTLE INDUSTRY, AUGUST 3, 1967

Mr. SPARKMAN. Mr. President, on behalf of myself and other Senators, I send to the desk a bill entitled "The Cattle Industry Trade Conference Act," and ask that it be appropriately referred.

This proposal arises out of a study of nearly 3 years by the Senate Small Business Committee. The committee was seeking to learn of the possibilities and problems of assisting small independent producers and processors in the cattle industry by exploring potential markets overseas for high-quality American beef products.

In its report filed on June 12, 1967—"Expanding of Livestock Exports," Senate Report 343, 90th Congress, first session—our committee cited evidence of considerable demand in foreign countries, which could be translated into profitable commercial markets for the American industry.

In Western Europe, for instance, there are 370 million consumers, who have become increasingly prosperous and are seeking more and better meat in their diets. Officials of the European Economic Community have estimated that by 1970 the six EEC nations might have to import 1 million metric tons of beef annually, with a value of as much as \$1 billion a year to the suppliers.

It is the committee's hope and my hope that American farmers, ranchers, cattle feeders, and meatpackers will gain a fair share of this market.

The combination of this latest European demand and the lowered sea and air transportation costs accompanying the committee inquiry has been reflected in a small but growing trade in U.S. quality beef which began in 1966 and has now been extended to several hotels and restaurants.

A recent letter from Mr. Charles Bell, vice president for administration of the Hilton International Hotels, contained the following report:

"Hilton International has indeed expanded its exports (of American quality beef). In addition to the ton to ton and a half per week we are shipping to Paris (the Le Western restaurant), we are now shipping approximately the same quantity to the "Maison du Boeuf" restaurant of our new Brussels Hilton Hotel.

"In addition to the shipments to Paris and Brussels, Hilton International is supplying one ton and more to our hotels in Rotterdam and Amsterdam and has just shipped off almost 10,000 lbs. of beef ribs to the Hong Kong Hilton.

"Sample shipments have also been sent to the Royal Teheran Hilton and we anticipate steady ordering from that hotel."

These initial export movements are small, but significant. They constitute the first commercial export shipments of U.S. quality meats in nearly 50 years.

For that period of time American steaks, roasts, and hamburgers have not been available on the European Continent. The beef which is eaten there is veal and meat from older dairy cows, produced as a byproduct of the dairy industry, supplemented by imports of grass-fed beef from South America and elsewhere.

The growth in exports in American variety meats demonstrates the desire to upgrade beef consumption in Europe. In 1951 our variety meat exports were virtually zero. Now they are about 10.3 percent of American production and return \$75 million to the American industry. It seems to the committee that this is an indication of the speed with which a similar trade might develop for other American meat products.

Looking at the other side of the picture—the ability of the American cattle and beef industry to furnish these products—we find

that this country produces about one-third of all the world's beef. With by far the largest "productive platform," our industry is in a position to consider servicing the large import gaps now arising in places such as Western Europe.

It is well known that cattle constitutes a vital crop for the farmer in practically every State of the Union. Sales of livestock bring in nearly one-third of all farm income, with cattle accounting for about one-quarter. Thus, any success that we might have in developing export markets is likely to have wide benefits throughout the country as well as in our seacoast States, and can have also significant balance-of-payments advantages.

The bill which I introduce today proposes to assist our industry to explore and develop these markets.

It would establish an annual conference at which high Government policymakers, together with the industry leaders, would review and analyze world supply, demand, and trade in beef products.

This conference would be planned, organized, and conducted under the direction of two cochairman: one from the Government side, appointed by the Secretary of Agriculture, and the other designated by industry.

The committee does not envision that this conference will result in the creation of any permanent commission or agency or would require the hiring of additional Government employees. Preparation of the conference would be in the regular course of business of the Government departments concerned with exports and imports of meat products and the welfare of the industry that furnishes these fine products to our own people.

In this connection, the committee was concerned during its investigation when it learned of the low-profit margins which seem to persist and to characterize our domestic cattle industry. These conditions are reflected on the following table financial rates on ranch income, placed in the committee's May 1966 hearing record at the committee's request:

AVERAGE RETURN FOR BEEF CATTLE OPERATIONS, 1957-64

	Northern Plains	Inter-mountain	Southwest
Net ranch income.....	\$6,482	\$6,127	\$6,179
Percentage return on investment.....	1.75	1.83	.71

On the basis of this information the committee's report recommends that the Department of Agriculture should present its assessment of the structural difficulties and low profit margins, which affect the full participation of the industry in both domestic and foreign markets, and should take the initiative in organizing a response to these problems.

This conference proposed by the committee will provide an opportune occasion for the Department to focus its efforts in this regard. It would also allow the Department to proceed with the program recommended by the committee to provide effective assistance to businessmen who wish to export, regardless of size or previous experience in international trade. The Department carries on successful cooperating programs as to many other products and the committee feels that the time has arrived for a similar sustained effort to be made in this commodity area.

Another section of this bill would also have the Department of Agriculture publish each year an authoritative report giving information on world supply, demand, and trade in beef products. This would be available 30 days prior to the conference and could serve as a basis for discussion.

It is my feeling that the holding of such a conference would give the experienced and

trusted leaders of industry and the Government an opportunity, on a regular basis, to discuss the potentials and problems of international trade which deeply affect this important segment of our economy. These deliberations would be instructive and might be helpful in arriving at the practicable solutions to the problems which have beset the cattle industry in recent years.

In the Congress, we shall continue to do all we can to further the development of export as well as domestic markets and the capability of the small and large American businessmen in the beef industry to participate fully in them.

#### COSPONSOR OF CATTLE INDUSTRY TRADE CONFERENCE BILL

Mr. BIBLE. Mr. President, I am pleased to join with the Senator from Alabama (Mr. SPARKMAN) and other Senators in reintroducing a bill to provide for an annual Government-industry conference on trade in beef cattle products.

As Members of this body are aware, this legislation arises out of an investigation performed under the leadership of the Senator from Alabama between 1964 and 1967, while he was chairman of the Select Committee on Small Business. This was one of the resulting bills. It was introduced during the 90th Congress, and I was glad to cosponsor the legislation at that time. As successor to Senators SPARKMAN and Smathers as chairman of this committee, I feel it is timely and important to pursue these matters.

When the livestock export inquiry began, the United States had not exported any of its quality meat products for about 50 years. This was despite the fact that there are something over 370 million consumers in Western Europe, with rising standards of living, and U.S. steaks, roasts, and other table meats are virtually unknown on the continent because there is no organized beef cattle industry. The main items at European meat counters are veal and beef from milk cows, which are byproducts of the dairy industry.

Even so, many in industry and Government 5 years ago thought it was impossible to export U.S. meats because of a complex of interlocking problems.

Under the guidance of Senator SPARKMAN, the committee first established the demand for imported beef within the six nations of the European Economic Community at about 1 million metric tons a year, or an annual market worth about \$1 billion. The committee report then picked the problems apart, analyzed their sources, and provided an impetus for industry and Government to work toward their solution.

As a consequence, Senator SPARKMAN observed today that export shipments have now begun to move to Western Europe, Japan, and Scandinavia. This trade is in its infancy. However, its potential is substantial to regions such as the Southeast and the Mountain States, including my own State of Nevada. It can be directly beneficial to small, independent, and family livestock raisers and processors throughout the country who would benefit from the growth of additional stable markets. Increasing sales of

this kind could also result in sizable increases to U.S. balance-of-payments earnings.

However, to participate in this trade our smaller businessmen must have knowledge of it.

The annual conference and annual study of world beef trends which are recommended by this bill would lay a solid basis for discussion of both problems and potentials of the export and import trades in meat products.

We envision that that conference would take place at times and places convenient to people in the industry, so that producers and processors of all sizes and from all parts of the country can take part.

The bill provides for cochairmen from both industry and Government. This should mean that the representation, procedures, subject matter, and follow-through of the conference will be mutually agreed upon and satisfactory to all parties. Such annual gatherings would, I feel, deepen the communication between industry and Government and build greater understanding of trends in the international market for livestock products so that American businessmen can take maximum advantage of these developments.

The enactment of this bill would, I believe, be a step forward in the many areas which I have described, and particularly to smaller firms in the beef industry throughout the country.

#### S. 2090 AND S. 2091—INTRODUCTION OF BILLS TO AMEND THE INTERNAL REVENUE CODE

Mr. GORE. Mr. President, I introduce two bills, and ask that they be appropriately referred.

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

The bills (S. 2090) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,250; and (S. 2091) to repeal section 613 of the Internal Revenue Code of 1954, relating to percentage depletion, introduced by Mr. GORE, were received, read twice by their titles, and referred to the Committee on Finance.

Mr. GORE. Mr. President, I have offered today an amendment to repeal section 613 of the Internal Revenue Code. This is the section which authorizes percentage depletion for oil and gas, various minerals, and other extractive operations involving such products as clay and clam shells. The effect of my amendment would be to allow cost depletion, which is more in line with the taxation of industrial operations. No longer would there be a choice between cost and percentage depletion.

So much has been said about percentage depletion over the years, that I hesitate to take the time of the Senate to discuss it in detail. It has been attacked vigorously. It has been defended with equal vigor.

But tax reform is in the air today as

never before during my tenure of service in the Senate. I want to insure, insofar as I can, that the percentage depletion question is looked into thoroughly at this time while the climate is better than it has been, perhaps, in the recent past. When the Ways and Means Committee completes action on a tax reform bill, which I hope will be a comprehensive one, I shall examine it carefully. I hope it will deal with percentage depletion, and adequately. If not, it shall be the duty of the Senate to deal with it, and I shall make every effort to attach as an amendment the bill which I have today introduced.

There are two principles of taxation involved in our laws and regulations respecting percentage depletion. These two principles have been somewhat intermingled and intermingled and a great deal of confusion has resulted.

One principle of taxation which has always been recognized since we have had a Federal income tax, is that the return of capital should not be taxed. An investor in any enterprise has always been entitled to a tax-free return of the capital he has invested in that enterprise.

Accordingly, we have various schedules for depreciation and cost depletion. On the sale or conversion of a property, cost is recovered before any tax is computed on the gain realized. This principle has been grossly abused from time to time.

Another principle which is generally recognized, although here there is some disagreement, is that a government may legitimately use tax policy as a means of promoting, or dampening down, various activities because of their economic, social or other effects. Accordingly, we have from time to time, by means of tax incentives, encouraged activities which were deemed desirable or beneficial to the Nation as a whole. Under this principle, the Government has, especially in times of emergency, provided for accelerated depreciation, higher depletion rates and special deductions for emergency development or exploration.

Let me say, in passing, that a tax incentive is not necessarily the best way to subsidize or encourage a given activity. An outright subsidy to exploration in the extractive industries, for example, might prove to be more forthright, equitable and efficacious. After all, a tax reduction does not help the small "wildcat" or coal miner who is losing money.

Percentage depletion has been defended on both of the principles I have briefly mentioned. Most spokesmen, however, are more prone to emphasize the fact that percentage depletion, admittedly far more generous than cost depletion, is justified, and even required, in the national interest. It is claimed that only through such generous treatment can the ordinarily prudent man be induced to undergo the great risks involved. Although the gusher is the picture ordinarily painted of oil extraction, these people would have us believe that the more appropriate picture is a succession of dry holes, stretching in unnumbered succession across the horizons of the world's wastelands.

In my opinion, percentage depletion is erroneous in principle, allowing the cost of an operation to be recovered many times over. In practice it has been greatly abused, resulting in the enrichment of a few at the expense of the many taxpayers not so favorably treated by the tax laws.

I think it might be helpful to review briefly just how our depletion tax practices have developed. The development of depletion laws and regulations is an interesting example of the foot-in-the-door type of loophole creating.

Depletion has been recognized in one form or another from the very beginning of our Federal income tax laws in 1913. The Revenue Act of 1913 provided for a "reasonable allowance for the exhaustion, wear, and tear of property arising out of its use or employment in the business"; that is, an allowance was to be made for the return, untaxed, of capital.

The Revenue Act of 1916 spelled out depletion allowances a little more definitely, and provided that—

When the allowance authorized \* \* \* shall equal the capital original invested, or in case of purchase made prior to March 1, 1913, the fair market value as of that date, no further allowance shall be made.

In other words, depletion was allowed for the purpose of seeing to it that an owner of a mine or well recovered his investment tax free.

In 1918 a new idea was enacted into law, discovery depletion. In explaining this new idea on the floor of the Senate, Senator Penrose, the ranking Republican member of the Finance Committee, stated that the committee had changed the language of the provisions of law dealing with depletion so as to provide "for a more liberal allowance than heretofore permitted in the case of newly discovered mines, or oil or gas wells, permitting the deduction to be based on the fair-market value of property discovered instead of its cost."

Senator La Follette opposed the provision, stating that depletion allowance might permit taxpayers to take depletion deductions far in excess of cost.

Representative Kitchin, chairman of the Ways and Means Committee, opposed the changes in the law, stating that they were relief provisions and that he could not subscribe to them. He regarded them as "pieces of special favoritism."

It would appear from the Finance Committee report, although it is not specifically stated, that this change was made in order to encourage exploration and discovery of new resources.

At this particular point in the legislative history of depletion, and associated deductions and allowances, the two general principles of taxation to which I have alluded became somewhat fused. They have remained confused ever since. Discovery depletion then, seemed to allow the return of capital untaxed, but in addition, it also gave an extra reward to the wildcatter. Furthermore, since the two principles were incorporated into one tax deduction, the extra reward which theoretically encouraged wildcatting was available to those who operated only in proven fields and had no

intention or desire to move into unexplored territory.

In 1926 a gross distortion was written into law. In the Revenue Act for that year, discovery depletion was changed to percentage depletion for oil and gas.

The conference report on the Revenue Act of 1926, in discussing this change for oil and gas, stated that the administration of the discovery depletion provision "has been very difficult" and that the change to percentage depletion was being made "in the interest of simplicity and certainty in administration."

I realize that proper administration must be kept in mind when tax bills are drawn up. Indeed, if we eliminated all of the loopholes and reduced applicable rates, administration would certainly be much improved. To violate a proper principle of taxation and introduce gross inequities into the tax structure in the name of ease of administration, however, is something else altogether. Ease of administration has been invoked many times to masquerade a tax favor.

At least some, however, recognized at the time just what this change was, in fact, intended to accomplish. Senator Couzens stated on the floor of the Senate that—

Congress first intended to \* \* \* allow the deduction to the little "wildcatter" \* \* \*. That was the intent of Congress \* \* \*. That idea has now been entirely abandoned, and this is so profitable and advantageous to the oil industry that it is proposed to extend it so that not only the little wildcatter but the whole industry will get the benefit.

Here, then, we see clearly the result of an attempt on the part of the Congress to incorporate two principles of taxation into one tax law. First, there is the attempt to provide for the return of capital tax free, second, there is the attempt to supply an incentive for additional exploration and discovery, by means of tax concessions, in order to accomplish the social and economic goal of providing the country with an ample supply of oil and gas. The confusion thus introduced is still with us, and subsequent technological and tax developments have compounded the confusion, with wide flow of tax benefits but with only hit or miss promotion of national economic objectives and needs.

Of course, once oil and gas crossed over the Jordan into the promised land, other mineral, mining, and extractive interests were not far behind.

In addition to percentage depletion, oil and gas companies also receive deductions for intangible drilling costs, while other mineral and mining interests receive special deductions for exploration and developmental costs. These costs, along with all others, are then recovered a second time by allowing all these operators to take percentage depletion.

The arguments in favor of this special treatment all boil down to one. It is necessary to spur new exploration. It is necessary as an inducement for high-risk operations. It is necessary if the economy is to have the advantages which accrue as a result of having an abundance of energy sources and minerals.

These arguments will not stand close scrutiny.

In the first place, despite the distortions which have been brought about by monopoly, oligopoly, and arbitrary price fixing, our national economy is still basically price regulated. If a commodity is in short supply and in strong demand, the prices generally go up. When that happens, wildcatting, exploration, and development, as well as production from existing sources, and imports, will be increased. Prices do not necessarily come down when conditions are reversed, but that is a different subject altogether.

Granting tax concessions which give the most benefit to large, established producers may not bring about increased production.

In 1942, Secretary Morgenthau testified before the Senate Finance Committee on the subject of depletion and related items. He stated then that it was doubtful that percentage depletion encouraged "exploration and drilling for oil. There is grave doubt that it has substantial effect on oil discovery." So far as cost is concerned, Secretary Morgenthau went on to say:

It would have cost the Federal Government about one-third as much to have paid all the cost of every wildcat well that was drilled in 1941 as to have allowed percentage depletion and the associated intangible drilling expenses.

I find it most distressing to hear so many of my colleagues, on both sides of the aisle, speak the old shibboleths about free enterprise when they want to justify a giveaway by offering tax cuts to the large, well entrenched, and wealthy. It never seems to occur to some that there are ways to stimulate activity other than through tax cuts.

If additional exploration for oil and minerals is needed, for example, the Government, as the agent of the whole society, may follow any number of courses.

In 1942, when the Senate was considering an amendment to broaden percentage depletion, Senator La Follette said:

In my opinion this percentage depletion is one of the worst features of the bill, and now it is being extended. We are vesting interests which will come back to plague us.

How right he was.

Senator Taft, during the same debate, stated:

The percentage depletion is to a large extent a gift. It is to a large extent a special privilege beyond what anyone else can get.

Mr. President, I do not wish to cover the whole field of percentage depletion arguments at this time. I would, however, like to call to the attention of my colleagues the fact that we have now a recent study which seems persuasive to me. I refer to part 4, "Tax Reform Studies and Proposals U.S. Treasury Department." I commend a careful study of this volume to my colleagues in order that we may all be ready to act when we have an opportunity to vote on the discontinuance of percentage depletion.

Although this study is confined to oil and gas operations as they are affected by percentage depletion and other tax gimmicks. I think the conclusions must

be equally valid with respect to other extractive operations.

Here are the two principal conclusions of this study, with respect to percentage depletion and the oil and gas industry.

**First:**

The elimination of percentage depletion as an option would reduce existing reserve levels by 3% and result in an additional \$1.2 billion in tax revenue at current production levels.

**Second:**

Percentage depletion is a relatively inefficient method of encouraging exploration and the resultant discovery of new domestic reserves of liquid petroleum. This is in part due to the low sensitivity of desired reserve levels to the price subsidy represented by percentage depletion, and in part to the inefficiency of the allowance for this purpose, since over 40% of it is paid for foreign production and non-operating interests in domestic production.

Clearly, Mr. President, this study shows the emptiness of the claims of those who for years have perpetrated the percentage depletion fraud on the public. And, of course, I must include in my indictment Members of Congress who steadfastly refuse to correct faulty laws.

As I have pointed out, my bill would end percentage depletion for all extractive operations. So far as my studies indicate, there would be no substantially different conclusions with respect to minerals than with respect to oil and gas were a thorough consideration given to the effects of percentage depletion on ordinary mining operations.

As I have stated many times over the years, there is no justification for percentage depletion. It is purely and simply a formula for tax reduction for those who need no such tax forgiveness. It does not operate in any sense whatsoever in the public or national interest. It should be removed entirely from the statute books.

There is now an apparently good climate for tax reform. But there can be no real tax reform if we close our eyes to percentage depletion, the most obviously selfish and self-interest tax gimmick thus far invented by the fertile minds of tax dodgers. I hope my colleagues will review carefully the Treasury study on percentage depletion and be ready for serious consideration of my amendment when we debate the next tax bill which comes over from the House of Representatives.

**S. 2092—INTRODUCTION OF BILL TO AMEND THE INTERNAL REVENUE CODE**

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to exclude from gross income allowances paid to Federal Government employees under section 5942 of title 5 of the United States Code.

Title 5 United States Code section 5942 relates to Federal Government personnel employed at the U.S. Atomic Energy Commission Nevada test site, including the Nuclear Rocket Development Station. It authorizes payment to such employees—in addition to their regular compensation—of a special allowance not to exceed \$10 a day. The allowance

is paid under regulations prescribed by the Bureau of the Budget.

Mr. President, in providing this special allowance the Congress recognized that the Federal Government's installation at the Nevada test site is situated in an unusually remote location. The Congress also recognized that because of the nature of the activities carried on at the test site, and because of its isolation special burdens are imposed on Federal employees assigned to the site. Such employees do not have the option of establishing their homes reasonably close to where they work. The nearest community offering family living is Las Vegas, Nev., which is from 66 to 92 miles away from the employees' worksites. Some of these employees must commute for distances up to 184 miles a day to and from their jobs. They spend as much as 4 hours driving time getting to and from work.

In 1966, when this special allowance was considered and enacted, the Civil Service Commission reported that the unusual commuting time and distance associated with working at the test site, and the absence of closer living accommodations, had combined to create a particularly severe personnel recruitment and retention problem.

Hence, Mr. President, we approved this special allowance—not by way of extra compensation or incentive pay—but to help defray the inordinately high expenses that must be incurred by these employees in traveling to and from this isolated Government installation. Our purpose was to recognize and provide for an extraordinarily burdensome travel situation, and to help assure that the vitally important work being conducted at the test site would be kept fully manned.

Now, Mr. President, what do we find? We find that having authorized this necessary special allowance on the one hand, the Government has been taking back a portion of it with the other. Despite vigorous claims by the employees at the Nevada test site that this special expense allowance should not be viewed as income, the Internal Revenue Service has disallowed their claims, and the special allowance has been treated as part of their taxable income for Federal income tax purposes. In December 1968, the appellate division of the IRS region headquarters in San Francisco ruled there is no authority under the Internal Revenue Code to exclude this special allowance from the taxpayer's gross income.

Mr. President, it makes little sense to me for the Government to provide this special allowance and then take a part of it back by way of taxes. The Internal Revenue Code now allows for the exclusion from income of a number of allowances provided Federal employees under the Foreign Service Act of 1946, the Central Intelligence Act of 1949, and the Administrative Expense Act of 1946. Certain allowances received by civilian employees and Peace Corps personnel are also excludable.

While it is true that most such exclusions relate to employment beyond the continental limits of the United States, the point is that such exclusions are

grounded on the special conditions—often hardship conditions—incident to the Federal employment involved.

The remoteness of the Nevada test site also imposes a hardship on the Government personnel assigned there. We recognized this fact when the Congress authorized this special travel allowance. There are approximately 179 Federal Government employees at the test site and the nuclear rocket development station. In fairness to these employees I believe this allowance should also be excluded from taxation.

The bill I am introducing at this time would amend the Internal Revenue Code so as to specifically exclude this statutory allowance from gross income for Federal tax purposes retroactive to taxable years ending on or after March 31, 1966, the date the allowance was first made available to Nevada test site employees.

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

The bill (S. 2092) to amend the Internal Revenue Code of 1954 to exclude from gross income allowances paid under section 5942 of title 5, United States Code, introduced by Mr. BIBLE (for himself and Mr. CANNON) was received, read twice by its title, and referred to the Committee on Finance.

**S. 2094—INTRODUCTION OF A BILL TO CONTINUE THE LEWIS AND CLARK TRAIL COMMISSION**

Mr. BURDICK. Mr. President, I introduce for myself and the following Senators, Mr. DOLE, Mr. HATFIELD, Mr. HUGHES, Mr. MAGNUSON, Mr. JACKSON, Mr. MANSFIELD, Mr. MCGOVERN, Mr. METCALF, Mr. MUNDT, and Mr. PACKWOOD, a bill to continue the Lewis and Clark Trail Commission.

The Lewis and Clark Expedition of 1804-06 was not only one of the most perfectly executed explorations of all times, but in addition, most important in the formation of our country as we know it today for it consolidated our boundaries from the Atlantic to the Pacific. Now today the Lewis and Clark Trail plan not only follows this historic route, but utilizes it as a conservation and outdoor recreation plan of action. This Lewis and Clark Trail plan was conceived by a great American conservationist and world-famous artist, Mr. Jay N. "Ding" Darling. Following Mr. Darling's death in January 1962, and the creation of the J. N. "Ding" Darling Foundation which has as its objective an extension of Mr. Darling's conservation ideals, representatives of the foundation presented the Lewis and Clark Trail idea to the Secretary of the Interior, who enthusiastically received the idea, urging the foundation and those interested in the trail plan to secure additional grass roots support. A capable program of activity was developed, including two excellent conferences at Omaha and subsequently at Portland, Oreg. These conferences and other action programs set the stage for an acceptance of the Lewis and Clark Trail plan in the 11 trail States and provided a basis for subsequent developments including the crea-

tion of the Lewis and Clark Trail Commission. The Commission was created by Congress in the fall of 1964, under Public Law 88-630. A subsequent act was passed in 1966, Public Law 89-475, which brought the State of Illinois into the Lewis and Clark Trail Commission activities.

The Commission has developed a program that has and is carrying out the mandate of the Congress, which is to create public awareness of the historic significance of the Lewis and Clark Expedition, to establish not only an appreciation for, but the actuality of refuges and wildlife areas, the conservation of our natural resources and the improvement and the development of outdoor recreational opportunities along the trail route.

The varied resources of the trail route are being linked together, including archeological sites, historic sites, wilderness areas, wilderness waterways, reservations, the development of reservoirs behind Federal dams and perhaps more important than all, the visitors and the tourists can move along the trail via a road system in each of the 11 trail States. This road system is now completely marked with the Lewis and Clark Trail symbol. Thus, a very unusual, interesting, and economically beneficial travel experience is available along this vast trail route extending half way across the country. The Commission has further served its responsibilities under Public Law 88-630 by scheduling three public hearings, two of which have been held, the third to be held in May at St. Louis, Mo. and Wood River, Ill. Many of the Federal agencies, including the Department of the Interior; Commerce; Agriculture; Health, Education, and Welfare; and the Department of Defense, have cooperated in the creation of a number of recreational opportunities that might not have been a reality without the program emphasis of the trail plan.

Each of the 11 trail States have established their own Lewis and Clark Trail Committee, which have been very effective in developing a local and State support that is phenomenal. The publicity attached to the trail plan developments has been most gratifying.

A youth program has been developed in cooperation with the Boy Scouts of America for Scouts to participate in the enjoyment of the use of the trail and in conservation programs along the trail route. The project afforded boys and leaders in Scouting an opportunity to participate in a rugged, outdoor adventure of historic significance and at the same time, to provide a good-turn service to the public, State, and Federal agencies, and to the Lewis and Clark Trail Commission. The project gave Boy Scout councils located along the Lewis and Clark route the opportunity to highlight their explorers, older boy program, to establish permanent historic trail segments for the future use of the youth of America, to promote local and national publicity for the Lewis and Clark Trail, and for the Boy Scouts of America, and to make valuable contacts available with local, State, and National officials. The project also helped further establish

the Lewis and Clark Trail as a national scenic trail and emphasized to the future citizens of tomorrow the recreational uses of the trail and its related facilities.

A number of States through their various State agencies, local governments, and cities, have created literally hundreds of additional opportunities for the people to fulfill their outdoor heritage.

The life of the Commission set by Public Law 88-630 is 5 years. The Commission at its meeting in Portland, Oreg., in November 1968, by resolution urged the Congress to consider the extension of the life of the Lewis and Clark Trail Commission. The Commission feels that there are many valid reasons for the continuation of the Commission.

The identification in marking and interpretation of the entire trail route, notably to include historic and other areas of significance along the trail must be continued.

The recommendations which have been received at the public hearings of the Lewis and Clark Trail Commission have yet to be reviewed and incorporated into summary form, utilizing the recommendations that are valuable for developments as additional action programs along the trail route.

The youth program, particularly the one involving cooperation with the Boy Scouts of America should and can have continued guidance and acceleration. The Boy Scouts of America have continued to express their approval and are urging an expansion of this youth participation program. This will probably take the form of a series of short—10 to 100 miles—historic trails along the Lewis and Clark Trail route. As an example, one of these will be the "Lewis and Clark Trail" located in and near East Alton, Ill. Another "trail to the coast" located in and near Portland, Oreg., will be soon in the process of being approved by the national Boy Scouts of America. These trails within the Lewis and Clark Trail areas are open, of course, to all youth organizations.

Of overriding significance in the need for the Commission's life extension will be the creation of an association or organization that can eventually carry on the objectives of the Lewis and Clark Trail Commission. Already steps are being taken to attempt to gather basic data in the implementation of this plan. Thus an association that can continue to act as the Commission has, in the capacity of a catalyst, urging attention to programs of activity that would be of value along the trail route, is a tremendously needed thing. The Commission needs to implement such a program which would hopefully permanently establish the great values that have been started so admirably by the Lewis and Clark Trail Commission.

Mr. President, for Senators DOLE, HATFIELD, JACKSON, MAGNUSON, MANSFIELD, MCGOVERN, METCALF, MUNDT, and PACKWOOD, and myself, I urge that the work of the Commission be permitted to continue by enactment of this bill to extend the life of the Commission. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill

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

The bill (S. 2094) to extend the life of the Lewis and Clark Trail Commission and for other purposes, introduced by Mr. BURDICK (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2094

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 6, 1964 (78 Stat. 1005), as amended by the Act of June 29, 1966 (80 Stat. 229), is further amended by—*

(a) deleting the fourth sentence of section 7 and substituting the following new sentences: "The report of the first phase of the work of the Commission shall be submitted not later than five years after the date of this Act, and thereafter the Commission shall function to further or implement the recommendations of said report. The final report of the Commission shall be submitted not later than December 31, 1974, at which time, the Commission shall cease to exist."; and

(b) by revising section 3(d) to read as follows:

"(d) Six members, who shall be the Secretaries of the following Departments, or their designated representatives: Interior; Agriculture; Defense; Health, Education, and Welfare; Commerce; and Transportation."

**S. 2095—INTRODUCTION OF A BILL TO INCREASE THE AMOUNT OF THE GENERAL STANDARD DEDUCTION AND THE MINIMUM STANDARD DEDUCTION, TO INCREASE THE AMOUNT OF PERSONAL EXEMPTIONS, AND FOR OTHER PURPOSES**

Mr. MONTROYA. Mr. President, on February 18, 1969, I introduced a measure, S. 1054, to increase the personal income tax exemption from \$600 to \$1,000 and announced at the same time that I would be introducing a more comprehensive tax reform proposal in the near future. I have been reviewing the many recommendations which were made by the outgoing Johnson administration, as well as other necessary reforms which have been brought to my attention. Likewise, I have been following the testimony presented to the House Ways and Means Committee during the course of their hearings on tax reform.

I was also gratified to note that the President has submitted to the Congress a tax reform message.

With these expressions of interest, it appears that we may at last be taking heed of the burden being placed on a large portion of our population. Throughout the Nation we see visual signs of the threat of a taxpayers' revolt. In my own State of New Mexico, we have witnessed the formation of the New Mexico Taxpayers for Tax Reform as well as the Taxpayers Association of New Mexico, an example which I am sure is being followed in the other States. They have legitimate complaints. Our tax system needs to be made more equitable and it needs to be made so now.

I will not bore this body with a long recounting of the injustices of our tax

structure. We are all only too familiar with these inequities. Suffice it to say that while most American taxpayers, be they individuals or business firms, are paying their fair share of the Federal tax bill which yielded \$150 billion in fiscal 1968, there are at the same time a great number who are paying more than their fair share while others are escaping paying their share of the services which their Government provides them.

We are informed of the married couple with an income of the poverty limit of \$2,200 nonetheless paying an income tax of \$84—a tax they can well not afford. We have also heard of the individual with a total income of \$1,284,718 who paid a tax of only \$274. We are also all too familiar with the growing tax burdens being placed on the low- and middle-income wage earners by local municipalities, by State legislatures, as well as by our Federal Government.

In short, Mr. President, the time is long overdue for a complete revision of the Internal Revenue Code. We must set about promptly on the business of tax reform. I am not so naive to think that we can bring about tax reform overnight. I realize that the practicalities of dealing with a subject as complex as the revision of the Internal Revenue Code and the realities of dealing with special interests who will not be too anxious to permit Congress to proceed about a modernization of the tax code are such that many months of hearings and debate lie ahead of us. Some of the more complex issues, on which there are meritorious arguments on both sides, will embroil the Congress in time-consuming debate.

The House Ways and Means Committee, as I have stated, has conducted extensive hearings into these complex and controversial issues. I shall review the testimony presented at those hearings with a great deal of interest. The President has indicated his support of legislation to more equitably deal with the taxes which wealthier individuals should pay but which they are not. Another of our colleagues in the Senate has proposed a measure seeking to tax the wealthy at a more equitable rate.

Thus, with these other efforts in mind, the proposal which I introduce at this time aims at seeking to lessen the tax burden of the low- and middle-class wage earners. These are reforms that can be instituted immediately without becoming embroiled in the more controversial and complex issues that will of necessity take time. There should be nothing controversial nor complex over the suggestion that no one should be made to pay more than their fair share of the taxes required to run their country.

Because the low- and middle-income wage earners of this Nation have been carrying an inequitable share of the taxload, my measure seeks to lessen their burden and leaves to other proposals which have been or will be introduced the task of seeking to have the wealthy and others pay their share of the taxload. I do not overlook the latter, but, with the announced intention of others to seek reform in this area, I shall concentrate on seeking a reduction in the

taxload of the low- and middle-income wage earners as promptly as possible.

Therefore, while not overlooking other needed reforms, the following are reforms which we can institute immediately and without controversy, and which my measure introduced today, seeks to bring about:

First. Increase in amount of standard deduction: The minimum standard deduction would be increased from the present \$200 plus \$100 for each allowable exemption to \$600 plus \$100 for each allowable exemption—subject to the same overall limit of \$1,000 that exists under present law.

The minimum standard deduction represents the most equitable and efficient method available of directing tax relief to persons in the lowest income ranges. Under the present tax system, there are single individuals as well as families who are paying income tax even though their total incomes are below the poverty level. By increasing the minimum standard deduction as I propose, we would drastically alter this situation. My proposal would greatly reduce the income tax payments of all persons at or near the poverty level and would completely exempt from tax the majority of those persons below the poverty level who now pay income tax.

Second. Increase in amount of personal exemptions to \$1,000: This provision is identical to S. 1054 which I introduced on February 28, 1969, and which I had introduced before.

As I stated in introducing this provision on February 28, the last time the personal exemption figure was revised was in 1948. It has not been increased with the rising level of prices. In fact, since 1948 the Consumer Price Index has risen by 44.6 percent—based on average levels of the index in 1948 and 1968—so that the \$600 figure would have to be raised to at least \$868 merely to equal the purchasing power of the \$600 exemption over 20 years ago. But even that figure would not be near sufficient.

What we consider a reasonable standard of living has changed in these last two decades also. Certain aspects of living once considered attainable only by a few have come within the reach of many and are accepted as part of the American way of life. The estimated annual cost of a moderate standard of living for a family of four was determined by the U.S. Department of Labor in 1966 to be \$9,191. A moderate standard of living was defined as providing "for the maintenance of health and social well-being, the nurture of children, and participation in community activities."

This budget is in no sense a luxury budget, including practically nothing for expenses of higher education, for example. The personal exemptions for a family of four today should certainly comprise a greater percentage of this total than the present \$2,400. Certainly exemptions totaling \$4,000 which my bill will provide would be far more equitable.

Third. Termination of preferential treatment for certain stock options: In these days of six- and seven-figure salaries, we find more and more individuals resorting to acceptance of stock options

instead of straight salary in order to avoid the taxation that would come with such high-bracket incomes. The preferential treatment which is presently allowed for qualified and restricted stock options would be terminated under my proposal. My proposal leaves untouched the employee stock option provision. The latter provision benefits mostly the middle-income wage earner and is subject to little if any abuse.

Fourth. Extension of time for payment of estate tax where estate consists largely of interest in closely held businesses and farms: This provision would liberalize the rules for the payment of death taxes to avoid possible forced sale of closely held businesses and farms. Estates which contain farms or closely held family businesses sometimes encounter difficulty in finding the cash needed to pay the Federal taxes which become due shortly after death. The end result in many cases is the necessity to sell the farm or business by the widow or children in order to pay the taxes. My proposal would liberalize present rules, including an extension of time in which to pay death taxes.

Mr. President, as I have stated earlier, this is not meant to be a complete tax-reform package. Rather, it is meant to be a realistic reform measure which can be instituted promptly with little debate and controversy. It is a measure designed to bring about a "fair share" payment of taxes among the low- and middle-income wage earners. There are many other areas yet to be explored, but I trust we can move at least this initial step at once.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point 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. 2095), to amend the Internal Revenue Code of 1954 so as to increase the amount of the general standard deduction and the minimum standard deduction, to increase the amount of the personal exemptions, and for other purposes, introduced by Mr. MONTROYA, was received, read twice by its title, referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

S. 2095

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Adjustment Act of 1969".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

SEC. 2. INCREASE IN GENERAL AND MINIMUM STANDARD DEDUCTION.

(a) REVISION OF STANDARD DEDUCTION.—Section 141 (relating to standard deduction) is amended to read as follows:

"SEC. 141. STANDARD DEDUCTION.

"(a) STANDARD DEDUCTION.—Except as otherwise provided in this section, the stand-

ard deduction referred to in this title is the larger of the 14-percent standard deduction or the minimum standard deduction.

"(b) 14-PERCENT STANDARD DEDUCTION.—The 14-percent standard deduction is an amount equal to 14 percent of the adjusted gross income, except that such deduction shall not exceed \$1,800 (\$900, in the case of a separate return by a married individual).

"(c) MINIMUM STANDARD DEDUCTION.—The minimum standard deduction is an amount equal to the sum of—

"(1) \$100, multiplied by the number of exemptions allowed for the taxable year as a deduction under section 151, plus

"(2) (A) \$600, in the case of a joint return of a husband and wife under section 6013,

"(B) \$600, in the case of a return of an individual who is not married, or

"(C) \$300, in the case of a separate return by a married individual.

The minimum standard deduction shall not exceed \$1,000 (\$500, in the case of a separate return by a married individual).

"(d) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—Notwithstanding subsection (a)—

"(1) The minimum standard deduction shall not apply in the case of a separate return by a married individual if the tax of the other spouse is determined with regard to the 14-percent standard deduction.

"(2) A married individual filing a separate return may, if the minimum standard deduction is less than the 14-percent standard deduction, and if the minimum standard deduction of his spouse is greater than the 14-percent standard deduction of such spouse, elect (under regulations prescribed by the Secretary or his delegate) to have his tax determined with regard to the minimum standard deduction in lieu of being determined with regard to the 14-percent standard deduction.

"(e) INDIVIDUALS WHO ARE DEPENDENTS OF OTHER TAXPAYERS.—Notwithstanding subsection (a), the minimum standard deduction shall not apply for any taxable year in the case of an individual with respect to whom an exemption is allowed under section 151(e) (1) (B) to another taxpayer."

(b) CLERICAL AMENDMENT.—Section 4(c) (3) is amended by striking out "10-percent" and inserting in lieu thereof "14-percent".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

### SEC. 3. INCREASE IN AMOUNT OF PERSONAL EXEMPTIONS TO \$1,000.

(a) INCREASE IN AMOUNT OF PERSONAL EXEMPTIONS.—The following provisions are amended by striking out "\$600" wherever appearing therein and inserting in lieu thereof "\$1,000":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b) (3) (A) relating to assessment and collection in the case of certain returns of husband and wife).

(b) CONFORMING CHANGES.—The following provisions are amended by striking out "\$1,200" wherever appearing therein and inserting in lieu thereof "\$2,000":

(1) Section 6012(a) (1) (relating to persons required to make returns of income); and

(2) Section 6013(b) (3) (A) (relating to assessment and collection in the case of certain returns of husband and wife).

(c) OPTIONAL TAX.—(1) Section 3 (relating to optional tax if adjusted gross income is less than \$5,000) is amended by adding at the end thereof the following new subsection:

"(c) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1968.—In lieu of the tax imposed

by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than \$5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 14-percent standard deduction or the minimum standard deduction."

(2) Section 3(b) is amended by inserting after "December 31, 1964" each place it appears ", and before January 1, 1969".

(3) Section 4(a) is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(4) Paragraphs (2) and (3) of section 4(c) are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 14-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 14-percent standard deduction, except that an individual described in section 141 (d) (2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 14-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141 (d) (2)."

(5) Section 4(f) (4) is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(6) The last sentence of section 6014(a) is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

(d) WITHHOLDING OF TAX AT SOURCE.—(1) Section 3402(b) (1) (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

"Percentage Method Withholding Table	
	Amount of one withholding exemption
"Payroll period:	
Weekly -----	\$21.20
Biweekly -----	42.30
Monthly -----	45.80
Quarterly -----	91.70
Semiannual -----	275.00
Annual -----	550.00
Daily or miscellaneous (per day of such period) -----	3.00"

(2) So much of paragraph (1) of section 3402(c) (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1) (A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages

paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):"

(e) EFFECTIVE DATES.—The amendments made by subsections (a), (b), and (c) shall apply to taxable years beginning after December 31, 1968. The amendments made by subsection (d) shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

### SEC. 4. TERMINATION OF PREFERENTIAL TREATMENT FOR CERTAIN STOCK OPTIONS.

(a) QUALIFIED STOCK OPTIONS.—Section 422(b) (relating to definition of qualified stock options) is amended by inserting after "after December 31, 1963" the following: ", and before the date of the enactment of the Tax Reform Act of 1969".

(b) RESTRICTED STOCK OPTIONS.—Section 424 (relating to restricted stock options) is amended—

(1) by inserting after "after December 31, 1963" in subsection (b)", and before the date of the enactment of the Tax Reform Act of 1969"; and

(2) by inserting after "after December 31, 1963," in subsection (c) (3) "and before the date of the enactment of the Tax Reform Act of 1969".

### SEC. 5. EXTENSION OF TIME FOR PAYMENT OF ESTATE TAX WHERE ESTATE CONSISTS LARGELY OF INTEREST IN CLOSELY HELD BUSINESS.

(a) AMENDMENTS TO SECTION 6166.—

(1) LIBERALIZATION OF QUALIFICATION REQUIREMENTS.—The first sentence of section 6166(a) (relating to extension of time for payment of estate tax in certain cases) is amended to read as follows: "If the value of an interest in a closely held business which is included in determining the gross estate of a decedent who was (at the date of his death) a citizen or resident of the United States exceeds 25 percent of the taxable estate of such decedent, the executor may elect to pay part or all of the tax imposed by section 2001 in 5 or more (but not exceeding 40) equal quarterly installments."

(2) CLOSELY HELD BUSINESS.—Section 6166(c) (relating to definition of closely held business) is amended by striking out paragraphs (2) and (3) and inserting in lieu thereof the following:

"(2) an interest as a partner in a partnership carrying on a trade or business, if such partnership had 15 or less partners, and

"(3) stock in a corporation carrying on a trade or business, if such corporation had 15 or less shareholders."

(3) DATE FOR PAYMENTS.—Section 6166(e) (relating to date for payment of installments) is amended by striking out "one year" and inserting in lieu thereof "one calendar quarter".

(b) SUBSTITUTION OF OTHER SECURITY FOR BONDS.—

(1) IN GENERAL.—Section 6165 (relating to requirement of bonds) is amended to read as follows:

**"SEC. 6165. BONDS OR OTHER SECURITY WHERE TIME TO PAY TAX OR DEFICIENCY HAS BEEN EXTENDED.**

"(a) **BONDS.**—In the event the Secretary or his delegate grants any extension of time within which to pay any tax or deficiency therein, the Secretary or his delegate may require the taxpayer to furnish a bond conditioned upon the payment of the amount extended in accordance with the terms of such extension. The amount of any such bond shall not exceed the amount extended plus any anticipated additions thereto (including interest).

"(b) **OTHER SECURITY.**—The Secretary or his delegate is authorized to accept other security, in lieu of a bond, in fulfillment of the requirement of subsection (a). Such other security shall be in such form and shall be accepted under such written agreements and with such amounts of collateral as the Secretary or his delegate may prescribe by regulations. Subject to such regulations, in the case of an extension of time under section 6166, the interest of a decedent in a closely held business to which such section applies shall constitute adequate collateral for payment of the amount extended under such section.

"(c) **REGULATIONS.**—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(2) **CLERICAL AMENDMENT.**—The table of sections for subchapter B of chapter 62 is amended by inserting "or other security" after "bonds" in the item relating to section 6165.

**(c) DISCHARGE OF EXECUTOR FROM PERSONAL LIABILITY.**—

(1) **CONDITIONS FOR DISCHARGE.**—The last sentence of section 2204 (relating to discharge of executor from personal liability) is amended to read as follows: "The executor shall be discharged from personal liability for any deficiency in tax thereafter found to be due and shall be entitled to a receipt or writing showing such discharge if—

"(1) the amount of which he has been notified has been paid, or

"(2) an extension of time for payment of such amount (or any unpaid portion thereof) has been granted by the Secretary or his delegate and a bond or other security has been given under section 6165 for payment of the amount for which an extension of time has been granted."

(2) **TIME OF DISCHARGE.**—The first sentence of section 2204 is amended by striking out "1 year" each place it appears therein and inserting in lieu thereof "18 months".

**S. 2097—INTRODUCTION OF A BILL FUNDING THE FEDERAL FIELD COMMITTEE FOR DEVELOPMENT PLANNING IN ALASKA**

Mr. GRAVEL. Mr. President, I introduce today, for appropriate reference, a bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965, as amended.

This bill would place the Federal Field Committee on the par with the five regional development commissions, but of course does not call for similar funding. The Field Committee has played a dynamic and useful role in Alaska. It has done a remarkable job.

Mr. President, I am confident that with augmented funding, the Field Committee can develop much-needed facilities in Alaska, especially in the areas of unemployment and training. We are in grave

need of skill centers to train and retrain many Alaskans who are in sore need of a helping hand from the Federal Government.

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

The bill (S. 2097) to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965 as amended, introduced by Mr. GRAVEL, was received, read twice by its title, and referred to the Committee on Public Works.

**S. 2099—INTRODUCTION OF A BILL TO REQUIRE LABELING OF CERTAIN PACKAGES TRANSPORTED IN INTERSTATE COMMERCE CONTAINING ALLIGATOR HIDES OR PRODUCTS MADE THEREFROM**

Mr. METCALF. Mr. President, according to an Interior Department press release of March 9, Secretary Hickel was "declaring war" on the poachers who are slaughtering alligators in the Everglades National Park in Florida.

He announced that he was assigning 10 additional park rangers to the Everglades "to work exclusively on law enforcement," and that the "drive against poaching will cost approximately \$100,000 this year."

I, too, am concerned about the possibility of the alligator becoming extinct. But I do not think the way to stop poaching is to pull 10 rangers out of other parks, where they are also needed, and toss them into a trackless swamp, where approximately five men of the park's 20-man staff were working in the back country. I doubt that 15 men will be able to do the job. I will reserve my comment on progress by press release—in which the words "declaring war" are used to describe assigning 10 men to a task of such magnitude.

It seems to me the way to stop poaching would be to cut the poachers off at the billfold—instead of the taxpayers, who will pay the bill, and the parks, already overburdened because of the tremendous increase in visitors.

I doubt that we will ever be able to stop an individual from killing an alligator to make his wife a handbag or a pair of shoes. But the greater part of the poaching will end when it is no longer profitable—just as many years ago we ended the slaughter of birds for plumage for ladies' hats.

I want to help Secretary Hickel end the slaughter of alligators. As a start I propose to require that alligator hides or products made therefrom, shipped in interstate commerce, be accompanied by a certification from the appropriate official in the State where the alligators were taken that the alligators were not taken in violation of State law. This would help States to enforce the laws against poachers and give us an idea of how many alligators were taken in States where they are poached.

I offer that bill for introduction and ask that it be printed at this point in the RECORD, together with the Interior Department press release referred to previously.

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. 2099) to require labeling of certain packages transported in interstate commerce containing alligator hides or products made therefrom, introduced by Mr. METCALF, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2099

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 3 of title 18 of the United States Code is amended by adding immediately after section 44 thereof the following new section:*

"§ 44A. Labeling packages containing alligator hides

"Whoever ships, transports, carries, brings or conveys in interstate commerce any package containing any hides of alligators without plainly marking, labeling, or tagging such package with the names and addresses of the shipper and consignee, the contents by number and kind, the State wherein the alligators, from which such hides were taken, were killed, trapped, or otherwise captured, and a certified statement signed by the head of the agency within such State having jurisdiction over wildlife therein to the effect that the alligators, from which such hides so shipped, transported, carried, brought, or conveyed were taken, were not killed, trapped, or otherwise captured in violation of any law of that State; or

"Whoever ships transports, carries, brings, or conveys in interstate commerce any package containing any product manufactured, made, or processed, in whole or in part, from the hides of alligators without plainly marking, labeling, or tagging such package with the names and addresses of the shipper and consignee, the contents by number and kind, the State where the alligators, from which such hides so used in manufacturing, making or processing such product were taken, were killed, trapped, or otherwise captured, and a certified statement signed by the head of the agency within such State having jurisdiction over wildlife therein to the effect that the alligators, from which such hides so used were taken, were not killed, trapped, or otherwise captured in violation of any law of that State—

"Shall be fined not more than \$1,000 or imprisoned for not more than six months, or both; and such hides or products shall be forfeited."

(b) The analysis to chapter 3 of title 18, United States Code, is amended by adding immediately after "44. Marking packages or containers." the following new item: "44A. Labeling packages containing alligator hides."

The material, presented by Mr. METCALF, follows:

[From a Department of the Interior News Release]

**INTERIOR SECRETARY HICKEL OPENS DRIVE AGAINST ALLIGATOR POACHERS**

Secretary of the Interior Walter J. Hickel today announced that he was opening an immediate drive to end the slaughter of alligators in the Everglades National Park in Florida.

The Secretary will fly to the Everglades on Thursday, March 13, to investigate the situation first-hand.

"The danger of extinction of the alligator is so critical that I am assigning 10 additional Park Rangers to the Everglades to work exclusively on law enforcement," Secretary Hickel said. "We're declaring war on the poachers."

The Secretary also announced that the Department of Justice has agreed to prosecute poachers to the fullest extent possible under the law and to provide whatever additional legal support is necessary.

"Senator Edward Gurney and Representatives William Cramer, J. Herbert Burke and Louis Frey, Jr., of Florida have expressed their deep concern," the Secretary said. "They have made recommendations which I am including in this action."

In addition to increasing the number of Rangers assigned to Everglades Park, the National Park Service has begun recruiting long-time residents of the area to be trained as a "Conservation Posse" to reinforce the Rangers.

"We are looking for men who know the 'Glades like they know themselves," the Secretary said. "We want men who have lived in the swamps, who love wildlife, and who will dedicate themselves to preserving the alligator."

The reassignment of Rangers and transfer from other National Parks has begun. Four Rangers in Everglades Park are being relieved of all other duties and assigned specifically to alligator protection. Their former duties will be handled by personnel transferred from Shenandoah National Park, Blue Ridge Parkway and the Great Smoky Mountain National Park.

Three former Everglades Rangers are being returned from Cape Hatteras National Seashore, Natchez Trace Parkway, and Vicksburg National Military Park.

"A million alligators once abounded in the Park, and now only about 20,000 remain," Secretary Hickel revealed. "Because of the limited manpower and equipment available to the National Park Service, poachers have been able to butcher the alligators by the thousands and sell the illicit hides at fancy prices."

"Bills now pending before Congress will help end this slaughter by prohibiting interstate commerce in alligators and their hides, and of course we are pushing their enactment."

Current penalties for poaching and for other violations related to the killing of alligators can result in fines up to \$10,000 and imprisonment up to 10 years, or both.

Secretary Hickel said the drive against poaching will cost approximately \$100,000 this year.

"I want to point out that this money will have to come out of other essential activities throughout the National Park system," the Secretary said.

"Lack of funds already is causing a deep cut in Park services throughout the country, and this additional drain will hurt badly. But our nation will be hurt even more if we do not act now to save irreplaceable wildlife."

The campaign in the Everglades will be directed by Park Superintendent John Raftery.

#### S. 2103—INTRODUCTION OF A BILL TO ELIMINATE THE DEPLETION ALLOWANCE FOR OVERSEAS OIL AND GAS WELLS

Mr. MUSKIE. Mr. President, on behalf of myself and 13 other Members, I introduce, for appropriate reference, a bill (S. 2103) to amend the Internal Revenue Code of 1954 to deny the use of percentage depletion for oil and gas wells located outside of the United States. The present law exempts from taxation 27½ percent of gross income for oil- and gas-producing properties, up to 50 percent of net income.

The amendment would apply to taxable years beginning after the date of enactment of this act.

Percentage depletion was first adopted in the law in 1926 as a substitute for de-

pletion based on "discovery value." Discovery value depletion had been in effect since 1918 as an incentive to find new oil supplies that we needed in World War I. This provision allowed a depletion deduction based on the value of oil and gas in the ground at the time of discovery. This proved difficult to administer because of the endless controversies between the oil companies and the Government over the value of the gas and oil in the ground. To avoid these controversies, and to simplify administration, Congress, in 1926, adopted the depletion allowance as we now know it.

In 1959, after 2 years of attempting to operate a voluntary oil import control program, President Eisenhower enacted the mandatory oil import quota program. That program prohibits the shipment of foreign oil into the United States, unless a special quota for the oil has been granted by the U.S. Department of the Interior. The total amount of oil allowed to enter the United States is approximately 761,000 barrels a day, representing 12.2 percent of the projected U.S. domestic production.

It is ironic that we are allowing a 27½-percent tax exemption for the exploration and production of oil in foreign countries, while at the same time we have regulations that prohibit the importation of foreign oil into the United States.

The amendment we are offering today would restrict the depletion allowance to domestic exploration, which is the basis on which it was originally established. We believe it can contribute to the development of a more rational national petroleum policy.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point 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. 2103) to amend the Internal Revenue Code of 1954 to deny the use of percentage depletion for oil and gas wells located outside the United States, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2103

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 613(b)(1) of the Internal Revenue Code of 1954 (relating to percentage depletion rate for oil and gas wells) is amended by inserting "in the United States" after "wells".*

(b) The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

#### S. 2107—INTRODUCTION OF THE MEDICAL DEVICE SAFETY ACT OF 1969

Mr. NELSON. Mr. President, today I am introducing the Medical Device Safety Act of 1969 to assure the safety, effectiveness, and reliability of equipment and devices used in the treatment and diagnosis of diseases.

It is indeed appalling that the thousands of therapeutic and diagnostic de-

vices presently on the market have not been pretested for safety or reliability.

No one should be exposed to possible electrocution, unwarranted infection, or permanent disability by faulty manufactured or poorly designed medical devices.

Hospital and medical equipment should be required to meet minimum safety standards just as drugs presently must do. It is appalling that thousands of therapeutic and diagnostic devices currently on the market have not been pretested for safety or reliability.

This legislation would authorize the Secretary of Health, Education, and Welfare to establish safety standards for medical devices, require premarket clearance for certain medical devices and create an advisory council on medical devices.

Presently the Federal Government can take action against faulty or dangerous medical equipment only after they have been used and proven to be unsafe. Establishing that a device is unsafe and being in a position to prove this in court can be a long, tedious, and costly procedure. Usually, it is only after several serious injuries have occurred.

In the absence of any legal requirement to report injuries and in view of a practitioner's or manufacturer's desire not to be exposed to liability, it is difficult to ascertain the number of injuries which occur from the use of medical devices. Some indication might be perceived from a statement before the National Product Safety Commission indicating that about 1,200 hospital patients are electrocuted each year while receiving routine treatment.

These cases have been traced to a variety of problems from the malfunction of equipment, such as electrocardiograms, to ungrounded heating pads and hospital bed controls.

I ask unanimous consent that a February 20, 1969, article in the Washington Post concerning this testimony be inserted in the RECORD following my statement.

The problem of unsafe devices exists not only with complex electronic equipment but also with simple items, such as bone pins, nails, screws, and plates. In numerous cases, these simple devices which are often not made from inert materials have reacted with body chemicals and rusted.

They had to be removed after insertion, posing an additional hazard to the patient.

Of course, there are legitimate uses for many, many devices and great advances have been made in developing equipment to utilize the newer knowledge of modern science in helping to provide better health service such as the artificial kidney machine. But the miracles of bona fide scientific medical instruments must be controlled when such products are built for the commercial market and care must be taken to insure that quacks do not develop fake machines or gadgets based on the concept of a new scientific accomplishment.

There are certain instruments which might fall within the definition of "device" which are not significant from the point of view of requiring premarketing

clearance. Examples of such items would be tongue depressors, surgical instruments such as scalpels, first-aid dressings, and so forth. The bill I am proposing will not require preclearance for such common items.

However, those devices for which premarketing clearances are deemed necessary will be subjected to premarketing testing, including controlled clinical testing, for safety and effectiveness.

The results of this testing will have to be submitted, along with other relevant data, to the Secretary of Health, Education, and Welfare for review. If the Secretary agrees that the data submitted proves, by substantial evidence, the safety, effectiveness, and reliability of the device, the application will be approved and the device can then be marketed in interstate commerce. However, if the data submitted are inconclusive or fail to establish either safety or effectiveness, then the application will be denied. The sponsor can appeal the decision of denial and request a hearing on the matter.

Standards would be established, in consultation with the many standard-setting organizations now in existence, in lieu of preclearance for devices amenable to minimum standards.

The bill will also require quality manufacturing controls and require manufacturers to maintain and make available information received by the manufacturer or distributor concerning the safety and effectiveness of its devices. Withdrawal of the Secretary's approval of the device application will be permitted where doubt as to a device's safety or effectiveness arises. I ask unanimous consent that a brief section-by-section analysis and the text of the bill also be inserted in the RECORD after my remarks. In short, the proposed legislation would improve public health protection by extending to devices the same medical and scientific safeguards that Congress applied to drugs in 1938 and 1962.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, the section-by-section analysis, and the article will be printed in the RECORD.

The bill (S. 2107) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices, introduced by Mr. NELSON, 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. 2107

*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 "Medical Device Safety Act of 1969".*

#### TITLE I—AUTHORITY TO ESTABLISH STANDARDS

SEC. 101. Chapter V of the Federal Food, Drug, and Cosmetic Act as amended by this Act, is amended by adding at the end thereof the following new section:

##### "STANDARDS FOR MEDICAL DEVICES

##### "Authority to set standards

"SEC. 513. (a) Whenever in the judgment of the Secretary such action will protect the

public health and safety, he may by regulation establish for any device (including any type or class of device), a reasonable standard relating to the composition, the properties, the identification or the performance (including compatibility with power systems and connections) of the device or devices involved (or relating to two or more of such factors).

##### "Weight given other standards—Consultation with interested groups

"(b) In the development and consideration of proposals for the issuance of standards under this section, and in particular prior to the commencement of formal proceedings on his own initiative pursuant to subsection (c), the Secretary shall to the optimum extent consult with, and give appropriate weight to relevant standards published by, other Federal agencies concerned with standard setting or other nationally or internationally recognized standard-setting agencies or organizations, and invite appropriate participation, through joint or other conferences, workshops, or other means, by informed persons representative of scientific, professional, industry, and consumer organizations that in his judgment can make a significant contribution to such development.

##### "Procedure for issuance, amendment, or repeal of standards

"(c) The provisions of section 701 (e), (f), and (g) of this Act shall, subject to the provisions of subsection (d) of this section, apply to and in all respects govern proceedings for the issuance, amendment, or repeal of regulations under subsection (a) of this section (including judicial review of the Secretary's action in such proceedings). The Secretary may suspend the running of any applicable time limit under section 701 (e) pending receipt of the report of an advisory committee under subsection (d) of this section and consideration of the committee's report by the Secretary.

##### "Referral to independent advisory committee

"(d) (1) In any proceeding for the issuance, amendment, or repeal of a regulation establishing a standard under this section, whether commenced by a proposal of the Secretary on his own initiative or by a proposal contained in a petition, the petitioner, or any other person who will be adversely affected by such proposal or by the Secretary's order issued in accordance with paragraph (1) of section 701(e) if placed in effect, may request, within the time specified in this subsection, that the petition or order thereon, or the Secretary's proposal, be referred to an advisory committee of experts for a report and recommendations with respect to any matter involved in such proposal or order that requires the exercise of scientific judgment. Upon such request, or if the Secretary on his own initiative deems such a referral necessary, the Secretary shall appoint such an advisory committee and shall refer to it, together with all the data before him, the matter so involved for study thereof, and for a report and recommendations thereon in accordance with the applicable provisions of paragraph (5) (C) (ii) of subsection (b), and subject to paragraph (2) of subsection (d), of section 706. A person who has filed a petition or who has requested the referral of a matter to an advisory committee pursuant to this subsection, as well as representatives of the Department, shall have the right to consult with such advisory committee in connection with the matter referred to it. The request for referral under this subsection, or the Secretary's referral on his own initiative, may be made at any time before, or within thirty days after, publication of an order of the Secretary acting upon the petition or proposal.

"(2) The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsection (b) (5) (D) of section 706.

"(3) Where such a matter is referred to an expert advisory committee upon request of an interested person, the Secretary may, pursuant to regulations, require such person to pay fees to pay the costs, to the Department, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations."

#### CONFORMING AMENDMENTS

SEC. 102. Section 501 of such Act (21 U.S.C. 351) is amended by adding at the end thereof the following new paragraph:

"(e) If it is, or purports to be or is represented as, a device of a type or class with respect to which, or with respect to any component, part, or accessory of which, a standard established under section 513 is in effect, unless such device, or such component, part, or accessory, is in all respects in conformity with such standard."

#### TITLE II—PREMARKET CLEARANCE OF CERTAIN MEDICAL DEVICES

SEC. 201. (a) Section 501 of such Act, as amended by section 102 of this Act, is further amended by adding at the end thereof the following new paragraph:

"(f) If (1) it is a device, and (2) such device, or any component, part or accessory thereof, is deemed unsafe, unreliable, or ineffective within the meaning of section 514 with respect to its use or intended use."

(b) Chapter V of such Act, as amended by section 101 of this Act, is further amended by adding at the end thereof a new section as follows:

##### "PREMARKET CLEARANCE FOR CERTAIN MEDICAL DEVICES

##### "When premarket clearance is required

"SEC. 514. (a) A device shall, with respect to any particular use or intended use thereof, be deemed unsafe, unreliable, or ineffective for the purpose of the application of section 501(f) if—

"(1) its composition, construction, or properties are such that such device is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such device, to be safe, reliable, and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof; and

"(2) such device (A) is intended to be secured or otherwise placed, in whole or in part, within the human body or into a body cavity, or directly in contact with mucous membrane, and is intended to be left in the body or such cavity, or in such direct contact, permanently, indefinitely, or for a substantial period or periods (as determined in accordance with regulations issued after notice and opportunity to present views), or (B) is intended to be used for subjecting the human body to ionizing radiation, electromagnetic, electric, or magnetic energy (including, but not limited to, diathermy, laser, defibrillator, and electroshock instrumentation), or heat, cold, or physical or ultrasonic energy, or is intended for physical or radio or electronic or electric communication in either direction with any part of the human body or with a device placed within or connected with the human body, or (C) is a device which the Secretary, by special order made on the basis of a finding (for reasons stated in the order) that there is probable cause to believe that the device is not effective for its use or intended use, or that it is not safe for use or not reliable, under the conditions prescribed, recommended, or suggested in its labeling, has declared to be subject to the requirements of this subsection with respect to such use or intended use,

unless either—

"(3) an application with respect to such device has been filed pursuant to subsection (b) and there is in effect an approval of such application by the Secretary under this section,

"(4) such device is exempted by or pursuant to subsection (j), (k), or (l) of this section, or

"(5) such device is intended solely (A) for use in the cure, mitigation, treatment, or prevention of disease in animals other than man or (B) to affect the structure or any function of the body of such animals.

The Secretary shall, by regulation issued or amended from time to time under the authority of this sentence, insofar as practicable promulgate and keep current a list or lists of devices, and of the particular uses (or conditions of use) thereof, which he finds are generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such devices, to be safe, reliable, and effective for use (under the conditions, if any, referred to in such list or lists), and the inclusion, while in effect, of a device in such a list shall, in any proceeding under this Act, be conclusive evidence against the United States of the facts stated in that list with respect to such device.

*"Application for clearance*

"(b) Any person may file with the Secretary an application for determination by the Secretary of the safety, reliability, and effectiveness of any device to which paragraphs (1) and (2) of subsection (a) apply. Such persons shall submit to the Secretary as a part of the application (1) full reports of all information, published, or otherwise available to the applicant, concerning investigations which have been made to show whether or not such device is safe, reliable, and effective for use; (2) a full statement of the composition, properties, and construction, and of the principle or principles of operation, of such device; (3) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and, when relevant, packing and installation of such device; (4) an identifying reference to any standard, applicable to such device, which is in effect pursuant to section 513, and adequate information to show that such device fully meets such standard; (5) such samples of such device and of the articles used as components thereof as the Secretary may require; (6) specimens of the labeling proposed to be used for such device; and (7) such other information, relevant to the subject matter of the application, as the Secretary may require.

*"Time for initial consideration of application*

"(c) Within 180 days after the filing of an application under subsection (b), or such additional period as may be agreed upon by the Secretary and the applicant, the Secretary shall either—

"(1) approve the application if he then finds that none of the grounds for denying approval specified in subsection (d) applies, or

"(2) give the applicant notice of an opportunity for a hearing before the Secretary to be held under subsection (d) on the question whether such application is approvable.

The Secretary may suspend the running of the applicable time limit under this subsection pending receipt of the report of an advisory committee under subsection (h) and the period allowed to the Secretary for consideration of the report thereafter.

*"Bases for approval or disapproval; opportunity for hearing*

"(d) (1) If, upon the basis of the information submitted to the Secretary as part of the application and any other information before him with respect to such device, the

Secretary finds, after due notice to the applicant and opportunity for a hearing to the applicant, that—

"(A) such device is not shown to be safe and reliable for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof;

"(B) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g);

"(C) there is a lack of substantial evidence that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof; or

"(D) based on a fair evaluation on all material facts, such labeling is false or misleading in any particular;

he shall issue an order denying approval of the application. If, after such notice and opportunity for hearing, the Secretary finds that clauses (A) through (D) of this subsection do not apply, he shall issue an order approving the application.

"(2) As used in this subsection and subsection (e), the term 'substantial evidence' means evidence consisting of adequate and well-controlled investigations, including clinical investigations, by experts qualified by scientific training and experience to evaluate the effectiveness of the device involved, on the basis of which it could fairly and responsibly be concluded by such experts that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling or proposed labeling thereof.

"(3) For the purposes of this section, when a device is intended for use by a physician, surgeon, or other person licensed or otherwise specially qualified therefor, its safety, reliability, and effectiveness shall be determined in the light of such intended use.

*"Withdrawal of approval*

"(e) (1) The Secretary may, after due notice and opportunity for hearing to the applicant, issue an order withdrawing approval of an application with respect to a device under this section if the Secretary finds—

"(A) (i) that clinical or other experience, tests, or other scientific data show that such device is unsafe or unreliable for use under the conditions of use upon the basis of which the application was approved; or (ii) on the basis of evidence of clinical experience, not contained in such application or not available to the Secretary until after the application was approved, or of tests by new methods or by methods not reasonably applicable when the application was approved, evaluated together with the evidence available to the Secretary when the application was approved, that such device is not then shown to be safe or reliable for use under the conditions of use on the basis of which the application was approved;

"(B) on the basis of new information before him with respect to such device, evaluated together with the evidence to him when the application was approved, that there is a lack of substantial evidence that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof;

"(C) that the application filed pursuant to subsection (b) contains an untrue statement of a material fact;

"(D) that the applicant has failed to establish a system for maintaining required records, or has repeatedly or deliberately failed to maintain such records, or to make required reports, in accordance with an applicable regulation or order under subsection (a) of section 515, or that the applicant has refused to permit access to, or copying or

verification of, such records as required by paragraph (2) of such subsection;

"(E) on the basis of new information before him, evaluated together with the evidence before him when the application was approved, that the methods used in, or the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g) and were not brought into conformity with such requirements within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of; or

"(F) that on the basis of new information before him, evaluated together with the evidence before him when the application was approved, the labeling of such device, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of.

"(2) If the Secretary (or in his absence the officer acting as Secretary) finds that an imminent health or safety hazard is involved, he may suspend the approval of such application immediately, and give the applicant prompt notice of his action and afford the applicant the opportunity for an expedited hearing under this subsection; but the authority conferred by this paragraph to suspend the approval of an application shall not be delegated.

"(3) Any order under this subsection shall state the findings upon which it is based.

*"Authority to revoke adverse orders*

"(f) Whenever the Secretary finds that the facts so require, he shall revoke any previous order under subsection (d) or (e) denying, withdrawing, or suspending approval of an application and shall approve such application or reinstate such approval, as may be appropriate.

*"Service of Secretary's orders*

"(g) Orders of the Secretary under this section shall be served (1) in person by any officer or employee of the Department designated by the Secretary or (2) by mailing the order by registered mail or certified mail addressed to the applicant at his last-known address in the records of the Secretary.

*"Referral to Independent Advisory Committee*

"(h) (1) In the application filed by the applicant under subsection (b), or at any time prior to the expiration of the time for action by the Secretary under clause (1) or (2) of subsection (c), or within such reasonable period after notice of opportunity for a hearing to be held under subsection (d) or (e) as may be specified by the Secretary in such notice, the applicant may request that such application or the Secretary's action thereon, or the matter or matters with respect to which notice of opportunity for hearing is given, be referred to an advisory committee of experts for a report and recommendations with respect to any question therein involved that requires the exercise of scientific judgment. Upon such request, or if the Secretary on his own initiative deems such a referral necessary, the Secretary shall appoint an advisory committee and shall refer to it, together with all the data before him, the question so involved for study thereof, and for a report and recommendations thereon, in accordance with the applicable provisions of paragraph (5)(C)(i) of subsection (b), and subject to paragraph (2) of subsection (d) of section 706. The applicant, as well as representatives of the Department, shall have the right to consult with such advisory committee in connection with the question referred to it.

"(2) The appointment, compensation, staffing, and procedure of such advisory committee shall be in accordance with subsection (b) (5) (D) of section 706.

"(3) Paragraph (3) of section 513(d) shall also apply in the case of a referral to an advisory committee under this subsection.

*"Judicial review"*

"(i) The applicant may, by appeal, obtain judicial review of a final order of the Secretary denying, or withdrawing approval of, an application filed under subsection (b) of this section. The provisions of subsection (h) of section 505 of this Act shall govern any such appeal.

*"Exemption for investigational use"*

"(j) (1) It is the purpose of this subsection to encourage, to the maximum extent consistent with the protection of the public health and safety and with professional ethics, the discovery and development of useful devices and to that end to maintain optimum freedom for individual scientific investigators in their pursuit of that objective.

"(2) Subject to the provisions of paragraph (3), there shall be exempt from the requirement of approval of an application under the foregoing provisions of this section any device which is intended solely for investigational use (in a hospital, laboratory, clinic, or other appropriate scientific environment) by an expert or experts qualified by scientific training and experience to investigate the safety, reliability, and effectiveness of such device.

"(3) (A) The Secretary shall promulgate regulations relating to the application of the exemption referred to in paragraph (2) to any device that is intended for use in the clinical testing thereof upon humans by separate groups of investigators under essentially the same protocol, in developing data required to support an application under subsection (b).

"(B) Such regulations may provide for conditioning the exemption, in the case of investigations intended for such use, upon—

"(i) the submission to the Secretary, by the manufacturer of the device or the sponsor of the investigation, of an adequate plan for the investigation, together with a report of prior investigations of the device (including, where appropriate, tests on animals) adequate to justify the proposed investigation;

"(ii) the obtaining, by manufacturer, or the sponsor of the investigation, of a device to be distributed to investigators for such testing by a signed agreement from each of such investigators that humans upon whom the device is to be used will be under his personal supervision or under the supervision of investigators responsible to him;

"(iii) the establishment and maintenance of such records, and the making of such reports to the Secretary, by the manufacturer of the device or the sponsor of the investigation, of data (including but not limited to analytical reports by investigators) obtained as a result of such investigational use of the device, as the Secretary finds will enable him to evaluate the safety, reliability, and effectiveness of the device in the event of the filing of an application pursuant to subsection (b), but nothing in this clause or in this subsection shall be construed to require any clinical investigator to submit directly to the Secretary reports on the investigational use of devices; and

"(iv) such other conditions relating to the protection of the public health and safety as the Secretary may determine to be necessary.

"(C) Such regulations shall also condition such exemption upon the manufacturer, or the sponsor of the investigation, of the device requiring that investigators using the device for the purpose described in subparagraph (A) certify to such manufacturer or sponsor that they—

"(i) will inform individuals upon whom such device or any controls in connection therewith are used, or the representatives of such individuals, that the device is being used for investigational purposes, and

"(ii) will obtain the consent of such individuals or representatives, except where they deem it not feasible or, in their professional judgment, contrary to the best interest of such individuals.

"(D) Such regulations shall provide—

"(i) that whenever the Secretary determines that a device is being or has been shipped or delivered for shipment in interstate commerce for investigational testing upon humans as described in subparagraph (A) of this paragraph, and that such device is subject to the foregoing subsections of this section and fails to meet the conditions for exemption for investigational use of the device, he shall notify the sponsor of the Secretary's determination and the reasons therefor and that the exemption will not apply with respect to such investigational use until such failure is corrected, and

"(ii) that in determining whether subparagraph (A) of this paragraph (3) is applicable and, if so, in determining compliance with the conditions of exemption, including the adequacy of the plan of investigation submitted to the Secretary, or upon application for reconsideration of his determination with respect to any such matter, the Secretary shall, if so requested by the sponsor of the investigation, or may on his own initiative, obtain the advice of an appropriate expert or experts who are not otherwise, except as consultants, engaged in the carrying out of this Act.

*"Exemptions for devices complying with or in anticipation of standards, custom-made prescription devices, and devices made to specifications of licensed practitioners for use in their practice"*

"(k) In addition to the device exempted by subsection (j) the Secretary, shall, by or pursuant to regulation, exempt the following devices, with respect to any particular use or intended use thereof, from the requirement of approval under this section:

"(1) Any device which, with respect to such use, fully conforms to an applicable standard in effect pursuant to section 513, or pursuant to section 358 of the Public Health Service Act, to the extent that the Secretary finds that the standard provides assurance that the device will be safe, reliable, and effective for such use.

"(2) Any device of a type or class with respect to which there is in effect a notice by the Secretary, published in the Federal Register, that in his judgment the establishment, within a reasonable time, of a standard (issued under authority referred to in paragraph (1)) that would adequately meet the requirements of public health and safety with respect to such use of the device (without subjecting such device to the requirement of approval under the foregoing subsection of this section) appears to be feasible; that he intends to propose the establishment of such a standard; and that the nonapplication of the foregoing subsections of this section to such type or class of device with respect to such use pending the establishment of such standard would involve no undue risk from the standpoint of the protection of the public health and safety.

"(3) Any device made to the lawful order, and in accordance with specifications, of a practitioner licensed by law to use or prescribe the use of the device if—

"(A) a device meeting such specifications (i) is not generally available in finished form for purchase or for dispensing upon prescription, and (ii) is not, whether in finished form or otherwise, stocked or offered through a catalog or advertising or other commercial channels by the maker or processor thereof; and either

"(B) (i) such device is intended for the use of a patient, named in such order, of such practitioner, or (ii) such device is intended solely for use by such practitioner, or by persons under his professional super-

vision, in the course of his professional practice.

*"Other exemptions"*

"(1) (1) The Secretary shall also by regulation exempt from the requirements imposed by or pursuant to the provisions of this section preceding subsection (j), or from one or more of such requirements, devices licensed by the Atomic Energy Commission under the Atomic Energy Act of 1954 to the extent he finds it to be appropriate to avoid duplication of regulatory controls or procedures and to be consistent with the purposes of this Act.

"(2) The Secretary shall further, by or pursuant to regulation, exempt from such requirements, or from one or more of such requirements, devices with respect to which in his judgment the application of such requirements is not necessary for the protection of the public health, either because of the small number of devices involved, the negligible significance of the device from the standpoint of the protection of the public health and safety, or for other reasons."

*PROHIBITED ACTS*

SEC. 404. (a) Paragraph (e) of section 301 of such Act, is amended by striking out "or" before "512" and by inserting "or 514(j) or 515," after "512(j), (l), or (m)."

(b) Paragraph (j) of section 301 of such Act is amended by inserting "514," immediately after "512."

(c) Paragraph (1) of such section 301 is amended (1) by inserting "or device" after the word "drug" each time it appears therein, and (2) by striking out "505," and inserting in lieu thereof "505 or 514, as the case may be."

*TITLE III—REQUIREMENT OF GOOD MANUFACTURING PRACTICE*

SEC. 301. Section 501 of the Federal Food, Drug, and Cosmetic Act, as amended by sections 102 and 201 of this Act, is further amended by adding at the end thereof the following new paragraph:

"(g) If it is a device and the methods used in, or the facilities or controls used for, its manufacture, processing, packing, holding, or installation do not conform to, or are not operated or administered in conformity with, current good manufacturing practice to assure that such device is safe and reliable and has the properties and performance characteristics which it purports or is represented to possess and otherwise meets the requirements of this Act."

*TITLE IV—RECORDS AND REPORTS; REGISTRATION OF ESTABLISHMENTS*

SEC. 401. (a) Chapter V of the Federal Food, Drug, and Cosmetic Act is further amended by adding at the end thereof the following new section:

*"RECORDS AND REPORTS ON DEVICE EFFECTS AND EXPERIENCE"*

"SEC. 515. (a) (1) Every person engaged in manufacturing or processing, or in distributing, a device that is subject to a standard in effect under section 513, or with respect to which there is in effect an approval of an application filed under section 514(b), shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such person with respect to such device, and bearing on the safety, reliability, or effectiveness of such device, or on whether such device may be adulterated or misbranded, as the Secretary may by general regulation, or by special regulation or order applicable to such device, require. Regulations and orders prescribed under the authority of this subsection shall have due regard for the professional ethics of the medical profession and the interests of patients and shall provide, wherever the Secretary deems it appropriate, for the exami-

nation, upon request, by the persons to whom such regulations or orders are applicable, of similar information received or otherwise obtained by the Secretary.

"(2) Every person required under this subsection to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

"(b) Subsection (a) shall not apply to—

"(1) pharmacies which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs or devices, upon prescriptions of practitioners licensed to prescribe such drugs or devices, to patients under the care of such practitioners in the course of their professional practice, and which do not, either through a subsidiary or otherwise, manufacture or process drugs or devices for sale other than in the regular course of their business of dispensing or selling drugs or devices at retail;

"(2) practitioners licensed by law to prescribe or administer drugs and devices and who manufacture or process devices solely for use in the course of their professional practice;

"(3) persons who manufacture or process devices solely for use in research or teaching and not for sale;

"(4) any person, with respect to any device if,—

"(A) neither such device nor any of its components has been in interstate commerce, and

"(B) such device is not introduced or intended for introduction into interstate commerce; or

"(5) such other classes of persons as the Secretary may by or pursuant to regulation exempt from the application of this subsection upon a finding that such application is not necessary to accomplish the purposes of this subsection."

#### INSPECTION RELATING TO DEVICES

SEC. 402. (a) The second sentence of subsection (a) of section 704 of such Act (21 U.S.C. 374) is amended by inserting "or prescription devices" after "prescription drugs" both times it appears.

(b) The third sentence of such subsection is amended (1) by striking out "for prescription drugs", (2) by striking out "and antibiotic drugs" and inserting in lieu thereof ", antibiotic drug, and devices," (3) by striking out "or section 507 (d) or (g)" and inserting in lieu thereof ", section 507 (d) or (g), section 513(j), or section 514", and (4) by inserting "or devices" after "other drugs", inserting "or of a device subject to section 513" after "new drug", and inserting "or section 514" after "section 505(j)".

(c) (1) Paragraph (1) of the sixth sentence of such subsection is amended by inserting "or devices" after "drugs" each time such term occurs.

(2) Paragraph (2) of that sentence is amended by inserting ", or prescribe or use devices, as the case may be," after "administer drugs"; and by inserting ", or manufacture or process devices," after "process drugs".

(3) Paragraph (3) of that sentence is amended by inserting ", or manufacture or process devices," after "process drugs".

#### REGISTRATION OF DEVICE MANUFACTURERS

SEC. 403. (a) Section 510 of such Act is amended as follows:

(1) The section heading is amended by amended by inserting "of drugs and devices" after "producers".

(2) Subsection (a)(1) is amended by inserting "or device package" after "drug package"; by inserting "or device" after "the drug"; and by inserting "or user" after "consumer".

(3) The first sentence of subsection (b) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(4) The first sentence of subsection (c) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(5) (A) The first sentence of paragraph (1) of subsection (d) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such paragraph is amended by inserting "or any device" after "drug".

(B) Paragraph (2) of such subsection (d) is amended by inserting "or any device" after "drug".

(6) Subsection (g) is amended by inserting "or devices" after "drugs" each time such term occurs in paragraphs (1), (2), and (3) of such subsection.

(7) The first sentence of subsection (i) is amended by inserting ", or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or devices" after "drugs".

(b) Subsection 502(o) of such Act, is amended by inserting "or device" after "drug".

(c) The second sentence of section 801(a) of such Act is amended by inserting "or devices" after "drugs" both times such words appear.

(d) Section 301 of the Drug Amendments of 1962 (76 Stat. 793) is amended by inserting "and devices" after "drugs" each time such word appears, except that "or devices" is inserted after "which drugs" and after "intrastate commerce in such drugs".

#### TITLE V—ADVISORY COUNCIL ON DEVICES, ETC.

SEC. 501. Chapter VII of the Federal Food, Drug, and Cosmetic Act, as amended by this Act, is amended by adding at the end thereof the following new section:

##### "ADVISORY COUNCIL ON DEVICES, AND OTHER ADVISORY COMMITTEES AND EXPERTS

"SEC. 708. (a) For the purpose of advising the Secretary with respect to matters of policy in carrying out the provisions of this Act relating to devices, there is established in the Department (in addition to the ad hoc advisory committees that may from time to time be appointed under sections 514 and 515) an Advisory Council on Devices consisting of members appointed by the Secretary without regard to the civil service and classification laws. Such members shall consist of persons chosen with a view to their special knowledge of the problems involved in the regulation of various kinds of devices under this Act, members of the professions using such devices, scientists expert in the investigational use of devices, and members of the general public.

"(b) The Secretary may also from time to time appoint, without regard to the civil service and classification laws, in addition to the advisory councils and committees otherwise authorized under this Act, such other advisory committees or councils as he deems desirable.

"(c) In order to facilitate the carrying out of this Act, the Secretary may employ experts and consultants, as authorized by title 5, United States Code, section 3109.

"(d) Members of an advisory council or committee appointed pursuant to subsection (a) or (b) who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the council or committee or otherwise engaged on its business, and experts or consultants employed pursuant to subsection (c) shall while so employed, be compensated at per diem rates fixed by the Secretary but not in excess of the rate established for grade GS-18 of the General Schedule at the time of

such service, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses (including per diem in lieu of subsistence) as authorized by title 5, United States Code, section 5703, for persons in the Government service employed intermittently."

#### TITLE VI—EFFECTIVE DATES AND TRANSITIONAL PROVISIONS

SEC. 601. (a) Except as provided in subsections (b), (c), and (d) of this section, the foregoing provisions of this part shall take effect on the date of the enactment of this Act.

(b) Except as provided in subsection (c) of this section, paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act, as added to such section by section 201(a) of this Act, shall, with respect to any particular use of a device, take effect (1) on the first day of the thirteenth calendar month following the month in which this Act is enacted, or (2) if sooner, on the effective date of an order of the Secretary approving or denying approval of an application with respect to such use of the device under section 514 of such Act as added by section 201(b) of this Act.

(c) (1) Where, on the day immediately prior to the date of enactment of this Act, a device was in use in the cure, mitigation, treatment, or prevention of disease in man, or for the purpose of affecting the structure or any function of the body of man, such paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act shall become effective with respect to such preexisting use or uses of such device on the closing date (as defined in this subsection) or, if sooner, on the effective date of an order of the Secretary approving or denying approval of an application with respect to such use of the device under such section 514 of such Act.

(2) For the purposes of this subsection, the term "closing date" means the first day of the thirty-first calendar month which begins after the month in which this Act is enacted, except that, if in the opinion of the Secretary it would not involve any undue risk to the public health, he may on application or on his own initiative postpone such closing date with respect to any particular use or uses of a device until such later date (but not beyond the close of the sixtieth month after the month in which this Act is enacted) as he determines is necessary to permit completion, in good faith and as soon as reasonably practicable, of the scientific investigations necessary to establish the safety and effectiveness of such use or uses. The Secretary may terminate any such postponement at any time if he finds that such postponement should not have been granted or that, by reason of a change in circumstances, the basis for such postponement no longer exists or that there has been a failure to comply with a requirement of the Secretary for submission of progress reports or with other conditions attached by him to such postponement.

(d) Any person who, on the day immediately preceding the date of enactment of this Act, owned or operated any establishment in any State (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act) engaged in the manufacture or processing of a device or devices, shall, if he first registers with respect to devices, or supplements his registration with respect thereto, in accordance with subsection (b) of section 510 of that Act (as amended by section 403 of this Act), prior to the first day of the seventh calendar month following the month in which this Act is enacted, be deemed to have complied with that subsection for the calendar year 1969. Such registration, if made within such period and effected in 1970, shall also be deemed to be in compliance with such subsection for that calendar year.

The material, presented by Mr. NELSON, follows:

**BRIEF SECTION-BY-SECTION ANALYSIS OF MEDICAL DEVICES SAFETY ACT OF 1969**

**TITLE I. AUTHORITY TO ESTABLISH STANDARDS**

*Section 101*—amends Chapter V of the Federal Food, Drug, and Cosmetic Act by adding a new section relating to the standards for medical devices.

*Section 513(a)*—authorizes the Secretary of Health, Education, and Welfare to establish standards for devices when such action will protect public health and safety.

*Section 513(b)*—requires that the Secretary, in developing standards, shall consult with and give appropriate weight to standards published by other Federal agencies and National or international standard-setting agencies, and shall invite participation of others representative of scientific, professional, industry, and consumer organizations.

*Section 513(c)*—establishes the procedure for issuance, amendment, or repeal of standards related to those now incorporated in the Federal food and drug law (announcement and hearings on proposed rule making), but authorizes also the use of a referral to an independent advisory committee, outlined in *Section 513(d)* below.

*Section 513(d)*—authorizes those who would be affected by a standard to request a review of a proposed standard, or any matter involved in such a proposal, to an independent advisory committee for consideration.

*Section 102*—makes conforming amendments in section 501 of the present food and drug law by amending the section defining "adulterated drugs and devices" to include devices which do not meet a standard set forth in accordance with *Section 513* above, where such a standard exists.

**TITLE II. PREMARKET CLEARANCE OF CERTAIN THERAPEUTIC DEVICES**

*Section 201(a)*—amends section 501 of the present food and drug law by deeming a device "adulterated" if it is unsafe, unreliable, or ineffective with respect to its use or intended use.

*Section 201(b)*—amends the present food and drug law by adding a new *Section 514*, "Premarket Clearance for Certain Therapeutic Devices."

*Section 514(a)*—sets forth conditions for when a premarketing clearance is required. States that a device is to be deemed unsafe, unreliable, or ineffective for purposes of applying *section 501(f)* above when:

(1) the device is not generally recognized by experts, qualified by scientific training or experience, to be safe, reliable, or effective for use under the conditions prescribed, suggested or recommended; and,

(2) the device is intended for or is used within the human body, intended to be used for subjecting the human body to some process, or after investigation is found to be ineffective, unsafe, or unreliable, unless—

(1) a new device application has been filed, or an approved application exists,

(3) it is exempted as outlined in *513(j), (k),* or (l) below,

(4) or is used solely in animals other than man.

This section also requires that the Secretary shall maintain and publish a list of devices and their uses.

*Section 514(b)*—describes the contents and procedure for new device applications to comply with the clearance procedure set forth in *514(a)* above. These applications must contain:

(1) information and data to show the safety, reliability, and effectiveness of the device,

(2) composition, properties, and principles of operation,

(3) methods and controls used in manufacture,

(4) identification of the applicable standard and information to show that the device meets the standard,

(5) samples of the device,

(6) specimens of labeling, and

(7) other requirements the Secretary may require.

*Section 514(c)*—requires the Secretary to act on application within 180 days after filing by approving, denying and affording an opportunity for hearing, or suspending the time limit pending the report of an advisory committee.

*Section 514(d)*—establishes the basis for approval or disapproval. Disapproval would be made where:

(1) the device is not safe or reliable under conditions prescribed,

(2) manufacturing or processing controls do not meet good manufacturing practices, (3) lack of substantial evidence that the device has the effect it purports,

(4) has false or misleading labeling.

Also defines substantial evidence to mean evidence from adequate and well-controlled investigations, including clinical investigations.

*Section 514(e)*—authorizes the Secretary to withdraw approval of an application where:

(1) other data, or later evidence, indicates that the device is unsafe or unreliable,

(2) new information shows the device to be ineffective,

(3) the application contains untrue statements of material fact,

(4) there is a failure to maintain records, as required elsewhere in the bill (see new *section 515*).

(5) good manufacturing practices are not employed as required elsewhere in the bill (see new *section 501(g)*).

(6) on the basis of new information, the labelling is false or misleading.

Where an imminent health or safety hazard is involved, the Secretary is authorized to suspend approval immediately and to provide for an expedited hearing into the matter.

*Section 514(f)*—provides the Secretary with authority to revoke adverse orders when the facts so require.

*Section 514(g)*—requires that the Secretary's order be served in person or by registered or certified mail.

*Section 514(h)*—authorizes the use of a referral committee for an opportunity for a hearing on an application or the Secretary's action to obtain the committee's report and recommendations. This procedure may be employed when filing an application or at any time prior to the expiration of the time for the Secretary to make a determination on an application. The committee would be appointed by the Secretary. This procedure also applies to *Section 513(d)* relating to standards as outlined above.

*Section 514(i)*—provides applicants with the right of appeal and to obtain judicial review.

*Section 514(j)*—establishes exemption for devices used solely for investigational purposes by persons qualified to conduct such investigation. The exemption would be conditioned upon:

(1) the existence of an adequate plan of investigation

(2) a written agreement that the use of the device will be under the supervision of the investigator in cases where the device is for human use

(3) that records and data obtained from the investigation are kept and available

(4) other conditions determined by the Secretary to assure public health and safety.

The exemption is conditioned also upon notification to those who use such a device that its use is for investigational purposes, and that consent be obtained.

*Section 514(k)*—also exempts from the application procedure under *section 514* any device which fully conforms to an applicable standard established under *section 513*, *section 358* of the Public Health Service Act, or meets standards about to be announced or implemented, devices made upon order by a practitioner, where such a device is not generally available in finished form or in existing commercial channels, or where the device is for the use of a named patient, or for the sole use of a practitioner in the course of his professional practice.

*Section 514(l)*—provides exemptions for devices licensed by the Atomic Energy Commission, or for devices where the application of the procedure in this section is not necessary for the protection of the public health.

*Section 202*—makes conforming changes in existing law to include under the section on "prohibited acts" certain aspects of the new *section 514*.

**TITLE III. REQUIREMENT OF GOOD MANUFACTURING PRACTICE**

*Section 301*—amends present law to provide that a device is "adulterated" if the method and controls used to manufacture the device do not conform with good manufacturing practice to assure that such a device is safe and reliable and that it has the characteristics it purports to have.

**TITLE IV. RECORDS AND REPORTS: INSPECTION AND REGISTRATION OF ESTABLISHMENTS**

*Section 401*—amends present law by adding a new *section 515* requiring that manufacturers, processors, and distributors of devices subject to standards keep records and make reports to the Secretary relating clinical experience and other data which bears on the safety, reliability, and effectiveness of such devices. The Secretary is also authorized to have access to such records.

*Section 515(a)*—sets forth the above requirements.

*Section 515(b)*—exempts from these requirements the following:

(1) pharmacies operating in conformance with applicable local laws,

(2) practitioners, licensed by law, who manufacture devices solely for use in the course of their professional practice,

(3) persons who manufacture devices solely for use in research or teaching, and not for sale,

(4) persons, with respect to any device, no part of which has been interstate commerce and which is not intended for interstate commerce,

(5) other classes, as determined by the Secretary.

*Section 402*—amends varied parts of existing law to provide the inspection provisions now relating to drugs to devices covered under the act.

*Section 403*—amends various sections of existing law relating to the registration of drug manufacturers to include the manufacturers, processors, and distributors of devices covered under the act.

**TITLE V. ADVISORY COUNCIL**

*Section 501*—establishes a new *section 708* which provides for the creation of an Advisory Council on Devices within the Department of Health, Education, and Welfare to advise the Secretary on policy matters in carrying out the provisions of the bill. The members would be selected with a view toward their special knowledge of the problems involved in regulating various kinds of devices.

**TITLE VI**

*Section 601*—makes the provisions of the bill effective upon the date of enactment with the exception as shown in *502(b), (c),* and (d).

*Section 601(a)*—makes the effective date (except as provided in *502(c)* below) of the definition of an "adulterated device" on the 1st day of the 13th month following enact-

ment (1 year from enactment), or sooner if, upon application, the Secretary issues an order with respect to such application. The effective date in latter case would be the date of the order. This effective date is the date on which the "safety, reliability, and effectiveness" requirement is imposed.

Section 601(b)—relates to devices already in existence. The safety, reliability, and effectiveness requirements shall become effective on a "closing date," the 1st day of the 31st month after enactment (2½ years after enactment), unless an application is filed sooner. If an application is filed sooner, the effective date is the date of an order with respect to such application. Under certain conditions, this date may be extended by the Secretary to the end of the 60th month following enactment (5 years after enactment), or to any date between the 31st and end of the 60th month.

Section 601(c)—requires registration of manufacturers, processors, and distributors prior to the 1st day of the 7th month (6 months after enactment).

[From the Washington Post, Feb. 20, 1969]

#### HEARING TOLD 1,200 PATIENTS GET ELECTROCUTED YEARLY

(By Morton Mintz and Nate Haseltine)

About 1200 hospital patients are accidentally electrocuted annually while receiving "routine diagnostic tests" or treatment because of faulty equipment, safety investigators were told yesterday.

The source of the information was Dr. Carl W. Walter, clinical professor of surgery at Harvard Medical School and a surgeon at Peter Bent Brigham Hospital, Boston. The disclosures were made by consumer advocate Ralph Nader in testimony before the National Commission on Product Safety.

Dr. Walter said in a telephone interview that many of the electrocutions happen during diagnostic procedures in which the patient is hooked up to electronic systems. Almost invariably he said, the deaths are listed as cardiac arrests—and "who's to prove electricity did not cause the heart stoppages?"

For that reason, he said, there have been few law suits over the deaths, and the hazards have been little publicized.

The Boston doctor said that most hospital electrocutions happen when untrained hospital employees link together incompatible electronic units. But other such deaths, he said, are caused by surges of high voltage, leaking from equipment, poor circuit design and connecting patients to electronic equipment for long periods of time—as in intensive care units.

Dr. Walter said he obtained the figure on electrocutions from an actuary for a national insurance company whom he would not name. The number, he said, is close to his own estimates.

But Nader said that Dr. Seymour Ben-Zvi, director of scientific and medical instrumentation at Downstate Medical Center in New York City, has documented evidence of defects in 40 per cent of the equipment coming into the Center.

Nader criticized the insurance firm whose actuary supplied Dr. Walter with the information. "Unfortunately," he said, "this company has followed the ghoulish practice of the insurance industry in not publicly releasing this data so as to promote remedial measures."

In other testimony before the Safety Commission:

A scientific firm hired by the Commission on a non-profit, \$800 contract said that it has devised protections to prevent thousands of children from being burned annually when they happen on to the scorching hot grilles on gas-fired floor furnaces.

Frank E. Hogdon, director of laboratories for the American Gas Association, praised the commission-sponsored firm for doing in three

weeks what his organization of gas utilities had failed to do over a decade.

An industry committee on safety standards "simply did not know of any technology and apparently couldn't think of any; and didn't perhaps have enough incentive," Hogdon said.

A Milwaukee lawyer representing five children scalded by electric steam vaporizers said that one maker alone, the Hanksraft Co., has acknowledged that about a hundred damage suits are pending against it.

#### Directed to report

The new disclosures about hazards in the home came during the closing session of an inquiry into whether "voluntary" standards—which indicate to consumers what to expect from sellers—provide sufficient protection. The Commission is under a Congressional directive to make a report to Congress and President Nixon.

The gas furnaces are used—mainly by low-income families—almost entirely in the temperate climate of the South Atlantic and South Central states, and in Arizona, California and New Mexico. Possibly four million have been installed. Today, there is a burgeoning new market in mobile and summer homes.

"The only other heating device so constructed is the barbecue," which "is deliberately designed to cook flesh," Dr. Julian A. Waller of the University of Vermont testified.

Dr. Waller said that the victims were mainly children under five. Each year, he estimated, between 60,000 and 65,000 of them are burned seriously enough to require medical treatment. About 90 per cent of the victims suffer second- or third-degree burns "sufficiently to blister or char skin," he said.

The physician, who said data were lacking on persons older than 5, became aware of the problem a decade ago when he was caring for 50 children under age 2 in a Contra Costa, Calif., clinic. In a single year nine of them were "cooked in the same fashion as a waffle" from 13 contacts with flare-furnace grilles.

Waller and two Department of Health, Education, and Welfare safety specialists—Floyd Oglesbay and Alphonse Schaplowsky—gave this account of the effort to get the AGA to act:

In 1958, Eugene Lehr, HEW's liaison with the industry, learned of injuries in Denver (which since has banned the furnaces). He ordered a survey and expressed concern to the AGA.

The standards set by an industry committee permitted a temperature an inch above the grille of 350 degrees over room temperature. A one-second exposure to 158 degrees can produce a second-degree burn.

In Mississippi County, Ark., among a rural population of 85,000, Oglesbay found nine children who had been burned in a single year.

On July 21, 1958, the AGA's R. E. Cramer told Lehr of a lack of "documented reports" and said the industry's Standards Committee would do nothing because if the grille temperature were to be limited to a suggested 120 to 130 degrees, "it would not be possible to heat a room with a floor furnace."

In August, 1959, Lehr told the AGA that the furnaces were unsafe, and, sending along photos of burned toddlers, asked it to withdraw its approval. He forwarded studies, including some done by Waller in Atlanta while he was in the Public Health Service.

On Aug. 28, 1959, the AGA's C. George Segeler told Lehr that this continuation of AGA approval would not be "desirable or practical."

In 1964 Waller and Dewa Manheimer published a paper showing that among 11,000 children medically treated for burns in 14 years in Alameda County, California, 28 per cent of those under five got them from floor furnaces.

The consulting engineering firm whose

three-week \$800 project developed grille protections is Weiner Associates of Baltimore.

#### S. 2110—INTRODUCTION OF THE REVENUE AND EXPENDITURE CONTROL ACT OF 1969

Mr. WILLIAMS of Delaware. Mr. President, I introduce a bill to terminate the investment credit, to reduce and extend the tax surcharge, to limit expenditures, and for other purposes, and ask that an explanation of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The bill (S. 2110) to terminate the investment credit, to reduce and extend the tax surcharge, to limit expenditures, and for other purposes; to the Committee on Finance, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Finance.

The material, presented by Mr. WILLIAMS of New Jersey, follows:

#### EXPLANATION OF THE REVENUE AND EXPENDITURE CONTROL ACT OF 1969

Short title.—Section 1 of the bill states that this Act may be cited as the "Revenue and Expenditure Control Act of 1969."

Termination of investment credit.—Section — of the bill repeals the seven percent investment tax credit for property placed in service after April 21, 1969. Under present law, seven percent of qualified investment in new depreciable property, except for buildings, may generally be subtracted from tax liability. It is estimated that the revenue loss resulting from the investment credit totals \$3.3 billion in calendar year 1969, \$2.8 billion from corporations and \$0.5 billion from individuals. Unlike the 1967 suspension of the investment tax credit, which provided a series of exemptions and special rules, easing the impact of the suspension with respect to property under contract, this section provides a complete cutoff of the tax credit for property placed in service after April 21, 1969.

Recapture of accelerated depreciation on real property.—Present law provides an incentive for the construction of new real property by permitting the owner of real property to claim depreciation at a higher rate (accelerated depreciation) during the early years of the property's life than could be claimed if depreciation were taken in equal amounts each year (straight-line depreciation). If the property is sold after ten years, the owner has the advantage that depreciation has been deducted from income subject to ordinary income tax rates, while the difference between the depreciated cost of the property and the actual sale price is taxed at capital gains rates—a maximum of 25 percent. To prevent a situation where new property is constructed and sold soon afterward solely to reap tax advantage, the law provides for the recapture of part of the tax benefits attributable to accelerated depreciation. If the property is sold before ten years, only a part of the difference between the depreciated cost of the property and the actual sale price may be taxed at the lower capital gains rates; the rest is subject to ordinary income tax rates. If the property is held 20 months or less, the entire tax advantage is recaptured by taxing 100 percent of the cumulative difference between the amount depreciated under accelerated depreciation and the amount that could have been attributed to straight-line depreciation at the ordinary income tax rates. For each month after 20 months, one percent less of the difference is

recaptured by being subject to ordinary income tax; the balance is taxed at the lower capital gains rates. Thus, after ten years (120 months), the entire difference is taxed at capital gains rates. Section — of the bill doubles this period of time, providing that the entire tax advantage will be recaptured if the property is held 40 months or less, with one-half percent less subject to ordinary income tax rates for each month thereafter. No part of the tax advantage would be recaptured if the property is held more than 20 years.

**Reduction and extension of surtax.**—Present law places a ten percent surtax on individuals and corporations through June 30, 1969. Section — of the bill would extend the surtax for another twelve months (until June 30, 1970) at the reduced rate of seven percent (7 percent) both for individuals and for corporations. Since a ten percent surtax is already in effect for the first six months of calendar year 1969, this section will result in an 8.5 percent surtax for calendar year 1969 as a whole and a 3.5 percent surtax for calendar year 1970. The 3.5 rate is equivalent to a 7 percent rate for the one half of 1970 during which the surtax would apply. Based on the estimates contained in the 1970 budget, section — would increase Federal revenues by \$6.7 billion.

**Reduction of \$5,272 billion in Federal expenditures.**—Section — of the bill imposes a ceiling of \$190,000,000,000 on Federal expenditures during fiscal year 1970, compared with estimates totaling \$195,272,000,000 in the budget proposed by President Johnson. This represents a reduction of \$5,272,000,000. The \$190 billion ceiling may be exceeded only to the extent that expenditures for these four items exceed the estimates contained in the 1970 budget: (1) Vietnam war costs; (2) interest on the public debt; (3) veterans' benefits and services; and (4) Social Security trust fund payments. This section is virtually identical, except for the numbers, to the expenditure limitation provisions of the Revenue and Expenditure Control Act of 1968.

**Reduction of \$10 billion in new obligational authority.**—Section — of the bill imposes a ceiling of \$200,116,000,000 on new obligational authority and loan authority (generally comparable to appropriations) during fiscal year 1970, compared with requests totaling \$210,116,000,000 in the budget proposed by President Johnson. This represents a reduction of \$10 billion. The \$210,116,000,000 ceiling may be exceeded only to the extent that new obligational and loan authority for these four items exceed the estimates contained in the 1970 budget: (1) Vietnam war costs; (2) interest on the public debt; (3) veterans' benefits and services; and (4) Social Security trust fund payments. This section is virtually identical, except for the numbers, to the new obligational authority limitation provisions of the Revenue and Expenditure Control Act of 1968.

**Moratorium on public works.**—Section — of the bill imposes a moratorium on all public works projects which have been authorized but not yet begun. This moratorium would apply to recreational facilities as well as public buildings but it would not apply to the Federal highway construction program. The amendment also prohibits the Federal government from making grants to State or local governments for new public works projects. However, the head of the Federal department or agency involved may request the Director of the Office of Emergency Planning to investigate whether a proposed public works project may be undertaken. If the Director determines that delay in such project would cause irreparable damage to the public health or welfare, the project may be commenced. With respect to projects in progress, Section — requires the Director the Office of Emergency Planning to investigate and determine whether the construction

can be postponed during the moratorium without "irreparable damage to the public health or welfare." Such projects as he finds may be postponed, must be postponed. The moratorium would begin the day after the enactment of this act and would end on June 30, 1970 (the moratorium would continue in effect as long as the surtax is in effect).

**Interest on long-term Federal Bonds.**—Section — of the bill repeals the 4¼ percent ceiling on interest paid on long-term government bonds. It also repeals the 4¼ percent limitation on the interest paid on United States savings bonds. Savings bonds are currently being issued at the maximum rate.

**United States retirement and savings bonds.**—In 1966 a law was enacted authorizing the Secretary of the Treasury to issue a new type of savings bonds called "United States retirement and savings bonds," paying an investment yield of up to 5 percent annually (compared with a 4¼ percent limit on series E savings bonds). An individual could purchase up to \$3000 of such bonds each year. The period of maturity for these bonds could range between 10 years and 30 years. Despite the new authority, no retirement and savings bonds have been issued by the Treasury since the law was passed. Section — of this bill contains several revisions of the retirement and savings bond authority. First, the bill would require the Secretary of the Treasury to issue retirement and savings bonds, beginning July 1, 1969. Second, the interest rate for the bonds would be set at a mandatory 6 percent. Third, the maximum amount that could be purchased in a year would be set at \$2400, but the Secretary of the Treasury would be authorized to fix the maximum amount of these bonds that could be purchased in any quarter of the year.

**20 percent limitation on depletion allowance.**—The Internal Revenue Code permits specific percentage allowances for the depletion of mineral resources, ranging from 5 percent for gravel, sand and certain other minerals to 27½ percent in the case of oil and gas. Section — of the bill would set a limit of 20 percent on the depletion allowances by reducing all those allowances now higher than 20 percent down to 20 percent over a three-year period. The oil and gas depletion allowance would be reduced from the 27½ percent in present law to 25 percent in 1969, 22½ percent in 1970, and 20 percent beginning in 1971. The 23 percent depletion rate for sulfur, uranium, and certain other strategic minerals mined from deposits in this country would be reduced to 22½ percent in 1970, and to 20 percent beginning in 1971.

**Repeat of Capital Gain Treatment for Sales of Livestock.**—Under present law, the capital gains tax (instead of the higher ordinary income tax rates) may be applied to profits realized from the sale of livestock (other than poultry) held for draft, breeding, or dairy purposes for at least 12 months. From the Congressional Committee reports written when this provision of law was enacted, it is clear that the term livestock was meant to be given a broad interpretation. Treasury regulations have indeed given it a broad interpretation, including cattle, hogs, horses, mules, donkeys, sheep, goats, and fur-bearing animals. The courts have broadened the interpretation still further. As a result of court decisions, race horses, cattle used for show or exhibition, and even chinchillas have been considered livestock for purposes of capital gains treatment. The 12-month period specified in the law dates from the acquisition of the animal rather than from its first use for draft, breeding, or dairy purposes. In fact, the animals may never have been put to the prescribed use (or even be old enough to be capable of it), as long as it was being held for the purpose of being put to that use. Present law accords a different tax treatment to the expenses associated with

raising livestock compared with the tax treatment of the profits associated with their sale. While the costs of livestock husbandry may be deducted currently from income subject to ordinary tax rates, proceeds from the sale of this sort of livestock are subject to capital gains rates, which are at least 50 percent lower.

Section — of the bill would delete the provision of law specifying that sale of this kind of livestock is subject to capital gains taxation. In fact it would go further and clarify the law by stating specifically that livestock does not qualify for capital gains treatment. This clarification is desirable for the reason that before this special livestock provision was written into law in 1951, there was considerable confusion as to the extent to which livestock sales could receive capital gains tax treatment. This was due to conflicting legal interpretations by the courts and the Commissioner of Internal Revenue of the 1942 amendment allowing capital gains treatment of certain property used by the taxpayer in his trade or business. To avoid a return to this confusing situation, section — of the bill makes it explicitly clear that livestock may not be considered either a "property used in trade or business" for capital gains purposes or a "capital asset."

#### S. 2111—INTRODUCTION OF A BILL TO REQUIRE THE TERMINATION OF FEDERAL FINANCIAL ASSISTANCE TO COLLEGES AND UNIVERSITIES THAT FAIL TO PROPERLY SUPPORT RESERVE OFFICER TRAINING PROGRAMS

Mr. GURNEY. Mr. President, today I am introducing legislation which would cut off Federal assistance to any college or university that removes ROTC from its curriculum as a course for credit. This does not mean the schools would have to keep ROTC as a required course. It does mean that if students desire to take advantage of ROTC, and spend the many hours required that they should receive proper credit for graduation, as in any other course.

This bill will go a long way to discourage colleges and universities that traditionally have offered ROTC from knuckling under to the demands of the SDS or any other militant campus organization.

Hopefully, if passed, it would put some starch in the backbone of some of these college administrators who are caving in under the pressures of a tiny militant student minority and these leftwing college professors who are aiding and abetting them.

My bill would in no way cut off needed Federal assistance just because a university is under siege by college militants. I would not want this to happen. Federal aid would be denied only after the university authorities had made the decision to capitulate to militant demands to abolish ROTC on the campus.

The importance of the ROTC programs cannot be overemphasized. One-third of all our officers, and a third of those on active duty today, were trained under ROTC programs. ROTC contributed a vast majority of officers in World War II and sizable numbers in the Korean conflict and now in Vietnam. It provides military leadership opportunities to college students, and is invaluable to the defense of the country. In fact without ROTC it would be impossible to

meet the officer requirements of the Armed Services. This is precisely why the militant campus groups are shooting down ROTC. It is their goal to seriously cripple the defense capability of the United States.

The spectacle of our campuses disrupted and paralyzed by a handful of hoodlums is a disgrace to the Nation. Each morning the breakfast fare of the morning newspaper tells of a new insurgent takeover. Campus riots have become so commonplace that the totals are tallied daily like baseball boxscores.

The Nation and the Congress have patiently and uneasily waited with the hope that university officials would take the lead to restore order. Some have done so and they are to be highly commended. But unfortunately, too many have not. The running total of serious campus disorders now stands at 225, including a great many of our most prestigious universities. One after another have capitulated, most recently Harvard, MIT, and Cornell. Each surrender to militant demands, often so impossible they defy any reasonable explanation, has paved the way for the next submissive target. Recently the president of Cornell gathered funds to buy bongo drums for the militants of the great university. It would not surprise anyone if the next episode at Cornell will see and hear the bongo drums beat accompanying the next assault on that college administration.

Today's militant leader is no longer the misguided youth protesting for the sake of dissent without quite knowing why. His hostility, hatred and opposition to democratic values now has a definite and stated aim. The militants blatantly admit their desire to overthrow the entire governmental and social American system. The universities are being used as the most vulnerable target and most convenient vehicle. Using the guise of academic freedom and freedom of speech, they say they want a dialog. Actually they seek a confrontation to provoke chaos. Through these confrontations they expect to smash first our educational structure, then our economic system and finally our Government.

Their own manifesto is the best illustration of how they utilize phony issues and highly skilled methods to dupe the average concerned student. I quote one of the goals from an SDS document:

To create a mass movement throughout the country, to smash the military in the schools, especially ROTC and defense research, because this would severely hurt the military and thus bring down the establishment.

So far, they are succeeding beyond their most optimistic predictions and expectations.

I realize that many colleges and universities are in a difficult transitional stage attempting to adjust to rising student enrollment and constant social change. Yet, with the ill-advised concessions already made, it is not surprising that many universities now find themselves racked by student revolt.

The primary purpose of our educational institutions should be education. I do not see how intellectual freedom or society is served when universities allow

themselves to become a political breeding ground for anarchists. Nor does anyone benefit in the long run by lowering academic standards to accommodate social grievances. President Nixon recently warned against this when he aptly said intellectual freedom is in danger in America because the real objective of campus violence is to politicize not only the student body, but the institutions as well.

The major responsibility to preserve our educational institutions belongs to the universities themselves, as does the major blame for their disruption. University officials who have submitted to armed insurgents and guerrilla tactics have let themselves be intimidated by criminals. There is a misguided belief that these confrontations are not really serious and with a few concessions here and there, will cease. But I say rewarding violence is an open invitation to further violence.

Attorney General Mitchell, who is to be congratulated on his tough stance, summed it up most aptly in these words:

When people may be injured, when personal property may be destroyed, when chaos begins, the university officials only aid lawlessness by procrastination and negotiation.

Fear of forceful disciplinary action is an outright admission that a few hoodlums are stronger than the university president and his administration, the trustees, the faculty, and the student body combined.

The Congress has been as patient as possible. But when the responsible officials fail to act, then we must take measures to put an end to this mockery. When university authorities abdicate to militant revolutionaries then it is unfair to ask the taxpayer and the Federal Government to continue to finance them.

The Federal Government spends some \$5.1 billion annually to support colleges and universities. My bill would cut off this assistance to those universities and colleges who fail to meet their leadership responsibilities to the academic community and to the public in the matter of the vital, important ROTC programs. It is way past time for every resource to put a stop to military-like occupation of college buildings, manhandling and physical abuse of college authorities, vandalizing of property, red flag waving to mention just some of the anarchistic activities in process.

The vast majority of today's students represent the finest group of students ever produced by this country.

We have an obligation to protect their right to freely and peacefully pursue an education, including ROTC for credit. Campuses are reflections of our larger society. Orderly dissent is generally healthy, but we simply cannot allow the destruction of our universities to continue. It may be only 2 percent of the student body, and the actual physical damage may be small in an overall sense, but the psychological damage is immeasurable.

In the face of so much unrest everywhere, it is more important than ever before to instill in our young people respect for and faith in balance and the orderly process of law. The spectacle of

major universities cowed by a handful of criminals can hardly be conducive to this end.

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

The bill (S. 2111), to require the termination of Federal financial assistance to colleges and universities that fail to properly support Reserve officer training programs, introduced by Mr. GURNEY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

#### S. 2112—INTRODUCTION OF A BILL TO TREAT CERTAIN FOSTER CHILDREN OF AN INDIVIDUAL AS HIS NATURAL CHILDREN FOR PURPOSES OF THE DEPENDENCY EXEMPTION

Mr. GRIFFIN. Mr. President, in his recent message to Congress on tax reform, President Nixon stressed the need for meaningful tax reform. The President is concerned over special preferences in the law which permit far too many Americans to pay less than their fair share of taxes. Too many other Americans bear too much of the tax burden.

Mr. President, I am convinced that our present tax setup needs a thorough overhaul. Attempts to make changes in the past have left the Nation with a patchwork revenue system that needs restructuring from top to bottom.

In the course of this overhaul, there are certain basic inequities in our tax system which should be corrected.

One such basic inequity is the fact that our tax laws do not permit foster parents to claim an exemption for a foster child on the same basis afforded a natural or adopted child.

Section 151(e) of the Internal Revenue Code allows an exemption of \$600 for each dependent, defined in section 152 to include a legally adopted child or child placed in a taxpayer's household for adoption by an authorized adoption agency. This section also stipulates that a dependent's gross income not exceed \$600 per year.

However, section 151(e)(1)(B) provides an exception to the \$600 rule for a "child" of the taxpayer who has not attained the age of 19, or, if he has, is a student, regardless of the amount of income earned by him. Here again, "child" is defined to include a legally adopted child or a child placed in a taxpayer's household for adoption by an authorized adoption agency.

Ordinarily, foster parents obtain a dependency exemption for foster children by reason of section 152(a)(9). That section provides that the term "dependent" includes an individual who, for the taxpayer's taxable year, has as his principal place of abode the home of the taxpayer.

The committee reports indicate that this section was placed in the Internal Revenue Code for the specific purpose of affording to foster parents a dependency deduction to which they were not otherwise intended.

The net result of these statutory pro-

visions is that foster parents cannot claim an exemption for a foster child under section 151(e)(1)(B), even though they are providing their foster child with the same support which they provide to their natural children.

A recent tax case illustrates and underscores this present unwise and discriminatory policy. In *Reed* against Commissioner, Docket No. 4476-66, 1969 Term, the U.S. Tax Court allowed an exemption for the Reed's natural son, but not for their foster sons. Each son had earned \$800 and was attending college. But although the Reeds had been supporting the foster sons equally along with their natural son, the Court disallowed the exemption for the foster sons under section 151(e)(1)(B).

Mr. President, I strongly believe the present law is a totally irrational discrimination against foster children and foster parents. Accordingly, I am today introducing legislation which would correct this inequity by treating the foster children of an individual as his natural children for purposes of the dependency exemption.

Mr. Joseph H. Reid, executive director of the Child Welfare League of America, Inc., in a recent letter, persuasively stated why this legislation should be adopted. He observed:

Unfortunately many foster children are not legally available for adoption despite the greatest desire to adopt them on the part of the foster parents. This was, in fact, the case with the Reeds. Surely such technical disabilities should not cause differential tax treatment of foster children, who, for all other purposes are treated alike by the family. Nor should such technical disabilities further discriminate against a foster child's opportunity to win a college education.

Good foster parents, willing and able to help support foster children, (who are unlucky enough to lack good homes with their own parents) are in very short supply. Surely such generous citizens should be encouraged in every way possible, so that more children in need for good foster homes will find them, and more foster children will be able to achieve as much education as their potential will permit.

Mr. President, no better reasons could be offered for prompt passage of this legislation.

Mr. President, I ask unanimous consent that Mr. Reid's letter, as well as a letter from Assistant Secretary of the Treasury Edwin Cohen and the 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 and letters will be printed in the *RECORD*.

The bill (S. 2112), to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption, introduced by Mr. GRIFFIN, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the *RECORD*, as follows:

S. 2112

A bill to amend the Internal Revenue Code of 1954 to treat certain foster children of an individual as his natural children for purposes of the dependency exemption.

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That (a) section 152(b)(2) of the Internal Revenue Code of 1954 (relating to rules relating to definition of dependent) is amended to read as follows:

"(2) In determining whether any of the relationships specified in subsection (a) or paragraph (1) of this subsection exists—

"(A) a legally adopted child of an individual, and

"(B) a child who is a member of an individual's household, if placed with such individual—

"(i) by an authorized placement agency for legal adoption by such individual, or

"(ii) by an authorized placement agency for foster care by such individual, shall be treated as a child of such individual by blood."

(b) The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

The material, presented by Mr. GRIFFIN, follows.

CHILD WELFARE LEAGUE  
OF AMERICA, INC.,

New York, N.Y., February 7, 1969.

HON. ROBERT GRIFFIN,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR GRIFFIN: Mr. Edward Reed, foster father of two boys placed in his home by an accredited member agency of the Child Welfare League of America, has brought his recent tax case to our attention. We are deeply concerned about the unsound public policy which underlies the decisions made in this case, and the interpretation of the tax statute which denies certain tax exemptions for foster children in circumstances similar to Mr. Reed's. We believe an amendment to the tax law is essential to prevent further discrimination against foster children and foster parents in similar circumstances. The League has had a long time interest in the field of adoption and foster care, and we write to you in the hope that you may be helpful in effecting changes in the present tax law, as interpreted by the IRS and the U.S. Tax Court.

Mr. and Mrs. Reed had one natural son and two foster sons. All three were over 18, and attending college. Each one had earned \$800. The Tax Court allowed an exemption for the Reeds natural son, but not for the foster sons, although the Reeds had been supporting the foster sons, as well as their natural son, for many years.

As you know, parents of a full-time student can claim an exemption for him even though he is over 18 and earns \$600 or more, provided that the parents furnish more than over half of his support. However, the Tax Court held that the waiver of the \$600 income limit applies only for a natural child, stepchild, adopted child or foster child placed for adoption. It does not apply to a foster child who has not been adopted or placed for adoption.

This is an unwise and discriminatory policy which may discourage foster parents from encouraging and helping foster children to achieve a college education. It is a totally irrational discrimination against foster children and foster parents.

Unfortunately many foster children are not legally available for adoption despite the greatest desire to adopt them on the part of the foster parents. This was, in fact, the case with the Reeds. Surely such technical disabilities should not cause differential tax treatment of foster children, who for all other purposes are treated alike by the family. Nor should such technical disabilities further discriminate against a foster child's opportunity to win a college education.

Good foster parents, willing and able to help support foster children, (who are unlucky enough to lack good homes with their

own parents) are in very short supply. Surely such generous citizens should be encouraged in every way possible, so that more children in need of good foster homes will find them, and more foster children will be able to achieve as much education as their potential will permit.

The facts in the *Reed* case demonstrate the invalidity and unsoundness of the current tax law with respect to foster children. As a matter of sound policy we hope that Congress will see fit to amend the pertinent sections of the tax law as soon as possible. The number of such cases is not large, and the added cost to the government is likely to be insignificant in contrast to the services rendered to children who need good homes and education so that they may become productive members of society—and contribute even more to the country's future productivity and income.

We hope you will be in touch with us if we can be of assistance on this matter. We will appreciate whatever influence you can bring to bear in making legislative changes necessary to promote the welfare of children.

Sincerely yours,

JOSEPH H. REID,  
Executive Director.

TREASURY DEPARTMENT,

Washington, D.C., April 4, 1969.

HON. ROBERT P. GRIFFIN,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR GRIFFIN: This is in further reply to your request for the Treasury Department's comments concerning the letter from Mr. Joseph H. Reid, Child Welfare League of America, New York City. Mr. Reid is concerned about the denial of the dependency exemption to foster parents in cases where they are providing support to a child who is aged 19 or more and has income in excess of \$600 but is a student. He cites the *Reed* case where parents of one natural son and two foster sons were denied dependency exemptions for the foster sons, but allowed one for the natural son even though all three were over 18, attending college and each had earned \$800.

Section 151(e) of the Internal Revenue Code allows an exemption of \$600 for each dependent, as defined in section 152, whose gross income is less than \$600 per year. An exception to the \$600 rule is provided for in section 151(e)(1)(B) for a "child" of the taxpayer who has not attained the age of 19, or, if he has, is a student, regardless of the amount of income earned by him. A "child" is defined as "an individual who (within the meaning of section 152) is a son, stepson, daughter, or stepdaughter of the taxpayer."

Ordinarily foster parents obtain a dependency exemption for foster children by reason of section 152(a)(9). That section provides that the term "dependent" includes an individual who, for the taxable year of the taxpayer, has as his principal place of abode the home of the taxpayer. Since the Committee reports indicate that section 152(a)(9) was inserted into the Code for the specific purpose of affording to foster parents a dependency deduction to which they were not otherwise entitled, it cannot be argued that Congress intended to include foster children within the definition of "child" contained in section 152(a)(1) and (2). The net result of this omission is to prevent foster parents from claiming a dependency exemption under section 151(e)(1)(B) even though they are providing their foster child with the same support which they provide to their natural children.

In light of the clear Congressional intent as reflected in the Committee reports relating to sections 151 and 152, any change in the tax treatment accorded to parents of foster children would require enactment of new legislation. This administration is under-

taking a review of proposals to make our tax system more equitable. We will give the problem raised by Mr. Reid careful consideration in connection with this study.

We appreciate having this problem brought to our attention. I hope these comments provide adequate information for your consideration of the question raised by Mr. Reid. His communication to you is returned herewith.

Sincerely yours,

EDWIN S. COHEN,  
Assistant Secretary.

#### ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Montana (Mr. METCALF), 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. 746) to amend title XVIII of the Social Security Act so as to include chiropractors' services among the benefits provided by the insurance program established by part B of such title.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Louisiana (Mr. LONG) and the Senator from Michigan (Mr. GRIFFIN) be added as cosponsors of the bill (S. 1287) to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study.

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

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Alaska (Mr. GRAVEL), the Senator from Hawaii (Mr. FONG), the Senator from Maryland (Mr. MATHIAS), the Senator from Missouri (Mr. EAGLETON), and the Senator from Ohio (Mr. YOUNG) be added as cosponsors of the bill (S. 1400), to amend title I of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.

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

Mr. ANDERSON. 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. 1812) to amend title XVIII of the Social Security Act so as to include chiropractors' services among the benefits provided by the insurance program established by part B of such title.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut (Mr. DODD), I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of the bill (S. 1846) to revise the system of congressional nominations for appointments to the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy.

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

Mr. ANDERSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Mexico (Mr. MONTROYA) be added as a cosponsor of the bill (S. 1850) to provide for the free entry of certain tools and equipment imported for the use of Eastern New Mexico University in establishing a program of training in watch repairing.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. HARTKE), I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of the bill (S. 1896) to amend title XVIII of the Social Security Act to include dental care, eye care, dentures, eyeglasses, and hearing aids among the benefits provided by the insurance program established by part B of such title.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 2014) to amend the Food Stamp Act of 1964, and other acts, to provide adequate food and nutrition among low-income households, and for other purposes.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. BAYH) be added as a cosponsor of the bill (S. 2060) to provide for an expanded Headstart child development program within the Office of Economic Opportunity.

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 Delaware (Mr. BOGGS) be added as a cosponsor 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.

#### ADDITIONAL COSPONSORS OF AMENDMENT

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New York (Mr. JAVITS) and the Senator from Rhode Island (Mr. PELL) be added as cosponsors of amendment No. 9 to the copyright bill (S. 543) for the general revision of the copyright law, title 17 of the United States Code, and for other purposes.

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

#### SENATE CONCURRENT RESOLUTION 23—CONCURRENT RESOLUTION RELATING TO U.S. PARTICIPATION IN AN INTERNATIONAL DECADE OF OCEAN EXPLORATION

Mr. MAGNUSON (for himself, Mr. HATFIELD, Mr. FONG, and Mr. PELL) submitted a concurrent resolution (S. Con. Res. 23) to express the sense of the Congress with respect to an International Decade of Ocean Exploration during the 1970's, which was referred to the Committee on Commerce.

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

#### SENATE CONCURRENT RESOLUTION 24—SUBMISSION OF CONCURRENT RESOLUTION TO EXPRESS THE SENSE OF CONGRESS RELATING TO ENCOURAGEMENT IN RESEARCH AND TRAINING IN AGING

Mr. MURPHY. Mr. President, as a representative of the State having the largest senior citizen population in the United States, I submit on behalf of myself and Senators FONG, GURNEY, HANSEN, JAVITS, MILLER, and PROUTY a Senate concurrent resolution expressing the sense of the 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."

Medical science has made tremendous strides in conquering many of the diseases that have afflicted mankind through the years. The lifespan of Americans has been increased until today at birth the average life expectancy is 70. There are 19 million Americans over 65 in the United States and their number is increasing at a faster percentage than the total population. By 1971 the number of persons over 65 is expected to increase to over 21 million, and by 1985, to 25 million.

In California there are approximately 1.9 million senior Californians and this number is expected to increase to 2 million or more by 1970. Some scientists are predicting that disease and artificial organ research will substantially expand the longevity of future generations of Americans.

Despite the growing number of senior citizens and the lengthening of our lifespan, there is a dearth of knowledge in this country with respect to the aging process and its problems. The University of Southern California, which is one of the outstanding institutions in the State of California and in the entire world, hopes to establish the Ethel Percy Andrus Gerontology Center on its campus. Not only is the university of renown reputation, it is also located in the heart of Los Angeles, which incidentally has the highest concentration of senior citizens of any major city in the United States.

To construct such a center, the University of Southern California has already secured pledges of \$2 million from a private nonprofit organization, the

Ethel Percy Andrus Memorial Fund, which represents 1,600,000 older Americans. The university has applied for a matching grant from the Health Research Facilities Branch of the National Institutes of Health. I previously wrote to Secretary of Health, Education, and Welfare, Robert Finch, endorsing the request of USC for matching funds to construct this center.

The evidence is clear that we must learn more about the aging process and its problems. It is in the national interest that the unique proposal submitted by USC to bring together in one university the sciences and expertise for comprehensive research and training on the subject of aging be supported. I, therefore, was very pleased to have endorsed USC's application and to today introduce this resolution expressing the sense of the Congress that such a center be supported.

I ask unanimous consent that the text of the concurrent resolution might be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 24), which reads as follows, was referred to the Committee on Labor and Public Welfare:

S. CON. RES. 24

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, over 30 million persons 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 and the quality of their lives, said concern having been demonstrated by the establishment of the Administration on Aging (Public Law 89-73): Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the 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.

STRENGTHENING AND IMPROVEMENT OF THE OLDER AMERICANS ACT OF 1965—AMENDMENT

AMENDMENT NO. 91-19

Mr. WILLIAMS of New Jersey. Mr. President, I submit, for myself and the senior Senator from Massachusetts (Mr. KENNEDY), an amendment, intended to be proposed by us, jointly, to S. 268, a bill he and I introduced on January 15 in order to extend and improve the Older Americans Act of 1965.

For some years, the Senator from Massachusetts and I have advocated establishment of a Federal program to enlist older Americans in service programs within their own communities. In this way, those who need help of one kind or another could receive help from those,

the elderly, who are willing and pleased to provide that help.

To judge by the experience gathered in pilot service programs by older Americans, there are innumerable services which can be performed if a way can be found to provide them. The Department of Labor, for example, has established a senior aides program which is providing manpower for many essential functions, including: teachers aides, home service aides, recreation aides, and workers to provide nutrition services to other elderly persons.

We have also learned valuable lessons from the work of foster grandparents program, Operation Green Thumb, and several individual Administration on Aging projects—including Project SERVE, which enlists unpaid volunteers for work in Staten Island institutions.

There is a clear need for more than pilot programs in this area. For that reason, the Department of Health, Education, and Welfare last year advanced a "service roles in retirement" program as one of the proposed amendments to the Older Americans Act. This proposal, known as title VI, caused considerable concern and some controversy, however. Perhaps as a result of the dispute over title VI, the entire package of administration-supported Older Americans Act amendments failed to emerge for Senate action.

In an effort to find an acceptable substitute for title VI, Senator KENNEDY and I asked in November for suggestions for revision. We have considered many proposals, and we offer the following new version of title VI. We have received indications that this new approach has wide support, and we are heartened by the leadership that Representative JOHN BRADEMAS has taken in advancing this proposal in the House of Representatives.

The amendment we are offering today would authorize two types of service programs for the elderly. One would offer compensation for those who serve. This would be the foster grandparents program, a continuation of a program which has been conducted by the Administration on Aging for the past few years under a contract with the Office of Economic Opportunity. The other, to be known as retired service volunteer program, would provide reimbursement for transportation, meals, and other out-of-pocket expenses for volunteers. A wide variety of community needs could be met with the services of the elderly provided by this type of program.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Labor and Public Welfare.

CHANGES IN JOB CORPS PROGRAM—AMENDMENTS

AMENDMENT NOS. 91-20 AND 91-21

Mr. PROUTY (for Mr. JAVITS) submitted two amendments intended to be proposed by Mr. JAVITS to the resolution (S. Res. 194) expressing the sense of the Senate in regard to changes in the Job Corps program, which were ordered to lie on the table and to be printed.

OUTER SHELF BILL HEARING POSTPONED

Mr. JACKSON. Mr. President, on behalf of the chairman of the Subcommittee on Minerals, Materials, and Fuels of the Senate Interior Committee, Senator Moss, I announce that hearings on S. 1219, a bill to control oil drilling and production on the Outer Continental Shelf off the coast of California, have been postponed to the afternoons of May 19 and 20.

Previously, the hearings on this bill, which is sponsored by the able junior Senator from California (Mr. CRANSTON), had been scheduled for May 13. However, at the request of Department of the Interior officials they have been deferred until the following week, and will be held in the afternoon.

The subcommittee will of course be happy to hear any Member of the Senate who wishes to make a statement in connection with the proposed legislation. The hearing will open at 2 o'clock in room 3110 of the New Senate Office Building.

NOTICE OF HEARING

Mr. TYDINGS. I announce that on Monday, May 12, the Committee on the District of Columbia will hold a hearing on the nomination of Frank Q. Nebeker to be an associate judge of the District of Columbia Court of Appeals.

Anyone wishing to appear in regard to this nomination should notify the District of Columbia Committee.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. DODD. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Stewart O. H. Jones, of Connecticut, to be U.S. attorney for the district of Connecticut for the term of 4 years vice Jon O. Newman

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 Thursday, May 15, 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 CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. SCOTT. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Richard L. Thornburgh, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania for the term of 4 years vice Joseph S. Ammerman, 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 Thursday, May 15, 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 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:

Richard K. Burke, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years vice Edward E. Davis, resigning.

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 Thursday, May 15, 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 OIL BILLS

Mr. JACKSON. Mr. President, for the information of the Members of the Senate and other interested persons, I announce that hearings on two measures relating to oil leasing and production have been scheduled by the Subcommittee on Minerals, Materials, and Fuels of the Senate Interior Committee.

The measures are S. 1193, a bill authorizing the Secretary of the Interior to prevent termination of certain Federal oil and gas leases in particular circumstances, and Senate Joint Resolution 54, granting the consent of Congress to an extension of the interstate oil compact.

The subcommittee will be happy to hear from any Member of the Senate who wishes to make any observations on either measure.

#### NOTICE OF HEARINGS

Mr. BIBLE. Mr. President, I wish to announce that hearings have been scheduled before the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs on S. 855, sponsored by the Senators from Arkansas (Mr. McCLELLAN and Mr. FULBRIGHT), to provide for the establishment of the Buffalo National River in the State of Arkansas. The hearings will be held in room 3110, New Senate Office Building, at 10 a.m. on Tuesday, May 27, 1969.

Anyone wishing to testify should advise the committee staff.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

#### ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous unanimous-consent agreement, the distinguished Senator from Tennessee is recognized.

#### WITHDRAWAL OF U.S. TROOPS FROM VIETNAM

Mr. GORE. Mr. President, in recent weeks, there have been many news stories about phased withdrawal of U.S. troops from Vietnam. Some of the hints or trial balloons have emanated from the Pentagon, some from the White House, some from the State Department, and, significantly, some from Saigon.

Since early last fall, there have been unconfirmed "reports" that increments of U.S. troops would be withdrawn as the South Vietnamese troops improved their capabilities. The flow of such "reports" has been stepped up since the inauguration of President Nixon.

President Thieu was quoted on February 28 in the Washington Post as saying:

One and possibly two United States divisions can leave South Vietnam during the last 6 months of 1969.

He indicated that one more division might leave in 1970.

Upon his return from an inspection trip to South Vietnam in March, Secretary of Defense Laird spoke of implementing what he called phase II of a program to train and develop the South Vietnamese army to take over a larger role in the fighting. There were two clear implications in what Secretary Laird had to say: One, that the Johnson administration had not done very well with this phase of the "program"; and, two, that the Nixon administration had adopted the program but would do better with it.

In his press conference on April 7, Secretary of State Rogers was asked about reports of troop withdrawal. In his reply, he emphasized U.S. willingness to proceed with a plan for mutual withdrawal of troops, stating that this could be done "at once" if the "other side", a famous phrase of his predecessor, agreed to it. But the Secretary did not rule out the possibility of unilateral withdrawal, saying with respect thereto, "we are considering all possibilities."

Mr. President, the return of U.S. troops from Vietnam would surely be welcomed by the American people. The return of even a small segment of the more than 500,000 servicemen we have there would likely be widely interpreted as a de-escalation of U.S. efforts, and as offering hope of "withdrawal" of all our troops in due course.

Mr. President (Mr. ALLEN in the chair), the real issue is not the withdrawal of a few troops, but the making of a peace which will permit all U.S. troops to come home.

After more than a decade of deliberate and steady escalation of our misguided involvement in Vietnam, to the refrain of "We Seek No Wider War," the American people look eagerly for signs that there is, indeed, a light at the end of the tunnel.

But the mere scaling down of the level of our forces in Vietnam will not bring

about our extrication from this quagmire. The American people, the victims of so much deception about the Vietnam war, should be cautious about buying another pig in a poke labeled "Secret Negotiation."

If troop withdrawal is to herald the actual termination of this American land war in Asia, it must be a step that is taken in consequence of a negotiated political settlement that is plain for all, including the American people, to see, to read and to understand. Our experience with secrecy and credibility has been an unhappy experience. So much so that "open covenants openly arrived at" is deeply imbedded in American ideals.

If the Pentagon-Saigon axis has in mind the withdrawal of increments of U.S. troops over a period of years, leaving behind U.S. troops to back up the South Vietnamese Army, and to prop up a corrupt military dictatorship in Saigon, such withdrawals will but signify a prolonged war there and a long-term U.S. involvement. It is utterly unrealistic to think that the United States will be permitted, without a very long war, to establish in South Vietnam another South Korea-type client state. This, I must reluctantly conclude, is the goal of the Johnson-Nixon policy. I use the term "Johnson-Nixon" to describe the policy because I am unable to find any essential difference in the Johnson San Antonio formula and the Nixon policy, except, just perhaps, more reference to "secret" moves. Indeed, the same canards are accepted and broadcast, the same excuses given, sometimes even in identical words and phrases.

If we are to have peace in Vietnam, it can come only from a settlement of the political controversies that divide the Vietnamese people. In deciding what kind of settlement is obtainable, President Nixon must recognize that American interests and those of the South Vietnamese regime do not necessarily coincide. He must make it clear that this Government is not committed to hold out for a settlement which will insure continuation of the Thieu-Ky government. He must convince our adversaries that our repeated offer to withdraw U.S. forces from South Vietnam, if North Vietnam will also do so, which offer is as old as the Manila conference, is valid, and that we will be prepared to withdraw all of them if the North Vietnamese will do so under verifiable procedures, thus leaving the South Vietnamese people free to work out their own destiny without some outside interference.

The President must recognize, in my view, that this has been and is a political war which we and the South Vietnamese have been trying unsuccessfully to fight by military means. And finally, he must recognize and acknowledge—and the American people must acknowledge—that the influence of Americans in settling the political affairs of Asians is quite limited, whether we seek to do so directly by force of arms or indirectly by proxy.

In short, if we are to attain a political settlement in Vietnam, we shall have to make more credible our often repeated

allegiance to the principles of self-determination. We shall have to make clear that we are willing to accept self-determination even if it results in political, economic and social institutions not of our choosing, perhaps not even of our preference.

If there was any recognized mandate from the electorate in the withdrawal of former President Johnson and from the election last November, it was that the Vietnam war should be ended as quickly and as honorably as possible. That mandate is the most important issue facing President Nixon, and facing, too, the elected representatives of the people, during the President's term of office. The manner in which responsibility is exercised in this regard will have an inexorably great impact on the well being of our country at home and its fortunes and prestige abroad.

Largely unhampered by ties to past policy, as was President Johnson, President Nixon has had more room to maneuver in charting a new course for U.S. policy. It is imperative, however, that he act decisively before events foreclose his options. His options are being foreclosed rapidly by actions in South Vietnam, by inaction in Paris, and by reports of decisions in progress in Washington.

Credibility between belligerents is difficult to achieve; it is easily destroyed, and, once attained and then lost, it is even more difficult to reconstruct. If progress on a genuine settlement is to be made in Paris, the President must make more credible the willingness of the United States to accept a compromise of the political issues involved. Indeed, a political settlement must precede a military settlement.

There are many pressures at work which seek to avoid the kind of political settlement which would make possible the withdrawal of American forces from Vietnam. These pressures, if allowed to go uncountered, could soon destroy the delicate balance that brought the parties together in Paris and could dash any hopes for an early end to the war.

This is one reason why the senior Senator from Tennessee utters these views today, Mr. President.

Throughout the period of our direct military involvement our leaders have participated in a sad story of self-deception about the progress being made in the military effort.

Several years ago there were predictions that there would be a military victory and that U.S. troops would start coming home "by Christmas."

Just before last year's TET offensive, there were optimistic forecasts about having the enemy on the run—to be followed after that offensive by urgent requests from field commanders for massive additions to our troop strength.

Shortly before the current Vietcong offensive, Adm. John S. McCain, commander in chief, Pacific, stated in a Reader's Digest interview:

We have the enemy licked now. He is beaten. . . . He can not even mount another offensive.

And yet, Mr. President, the senior Senator from Virginia (Mr. BYRD) advised

the Senate only earlier today that during the first 3 weeks in March, American casualties were larger than in any 3-week period in the history of this war, and that during the past 2 weeks the helicopter losses were larger than in any other 2-week period in the history of the war.

The senior Senator from Tennessee would like to say that, to the credit of Secretary Laird, he did not indulge in this kind of rosy-tinted rhetoric upon his return from his recent inspection trip to Vietnam. Yet there are very disturbing signs that the Nixon administration has not yet grasped the very clear lesson learned in the past 5 years. Only this past weekend there was a spate of page 1 news stories from official sources identified by reporters only as "White House sources" that reeked with propaganda, albeit without even so much as any actual quotation even unattributed.

Incidentally, one wonders how long a free press will permit itself to be so used.

If these stories are accurate, the Nixon administration has not yet faced up to the hard decisions that have to be made. A revolutionary political war in Asia cannot be won by Westerners with acceptable risks and losses. Our military and economic power, as great as it is, has been unable to stop the tide of history which long ago ended the possibility of Western control under Asian political life.

Moreover, we shall be deluding ourselves if we believe that the military forces of the Thieu-Ky regime can be built up to the point where they will be able to carry on the struggle with American dollars only, and without American lives.

I cite the recent remarks of the junior Senator from Mississippi (Mr. STENNIS), chairman of the Senate Armed Services Committee, in this connection.

The truth is that too many of the South Vietnamese have no stomach for the fight and no sense of identity with the ruling clique. A regime which muzzles folk singers, which shuts down newspapers which dare suggest talks with the NLF, which locks up Buddhist priests and politicians who have the audacity to call for peace, does not and cannot command the support of the people of South Vietnam to the degree that would be sufficient to carry on the struggle successfully without a U.S. presence and the active participation of U.S. military forces.

No matter how pure our motives, the United States cannot master the revolutionary, nationalistic tide that is sweeping the world. It was a misguided notion of omnipotence of the power of force, and domestic political pressures and predilections that resulted in the sending of U.S. combat troops into the Vietnam war. There are still powerful elements in our society and a vast apparatus within our Government which believe that we have the power, if not the license, to develop institutions in our own image in any sector of the globe in which we choose to do so. This is a delusion. In the past both former President Johnson and President Nixon have been of this school of thought. It ensnared

President Johnson, and it will likewise surely ensnare President Nixon unless he is capable of perceiving its basic error and capable of resisting those who urge continuation of this disastrous course.

Undoubtedly, we would like to see a democratic republic in South Vietnam, and all Vietnam, the more nearly in our own image the more to our liking. This would surely be our ideological preference. But it does not necessarily follow that such is really essential to the security of the United States, even if attainable. Whether there be one Vietnam or two, whether the government of either or both be democratic or autocratic, communist or non-communist, no real threat to our national security is posed.

This is not to say that we are without an interest in what happens in Vietnam. Of course, we have an interest. As I have just said, we would prefer that the people of that area adopt as their pattern of life the type of government and the political institutions which we follow here in the United States, and in which we believe. But we must not confuse our ideological preferences, on the one hand, with our vital national security, on the other. We must distinguish between what is feasible and what is illusory—between fact and fancy.

Insofar as our strategic interests are concerned, they would be best served in Vietnam by a neutralist, nationalist order developed along patterns determined by the people who are indigenous to the area. A government so formed would have greater promise of independent survival in the long run than would any government that is dependent upon our patronage.

Our genuine national interest, then, Mr. President, should neither be equated with the fortunes of the present Saigon government, nor dictated by our ideological preferences in that area of the world.

If the "withdrawal" of American troops that is reportedly under consideration is a step contemplated in consequence of a firm decision to achieve and to accept a compromise political settlement that distinguishes between our preferences and our vital security interests, then there is basis for some hope that this conflict which has cost so many lives of our young men, so much damage to the moral fabric of our society, and so much damage to the prestige and standing of our country, may be terminated. But if this policy is adopted either from unwillingness to see or to face the facts and to make peace, or with a delusion that we can continue to fight a war by proxy in search of an unattainable goal, without prolonged American losses, then the administration and our people should realize that many years of fighting lie ahead. Suppose 50,000 or 60,000 troops—a number frequently used in the trial balloon stories in the press—are "withdrawn" per year. At this rate, it would take 10 years to bring our troops home.

For the moment, the political turmoil of the last 4 years, which was brought about by the steady escalation of a war which the Congress has not declared, has subsided. This is welcome. But this turmoil can, and without peace soon likely

will, return. The American people will not and should not be content to sacrifice indefinitely our young men and our treasure to fight a war which seemingly has neither success nor end, and which cannot clearly be related to the security of our country.

The senior Senator from Tennessee has thus spoken his views, Mr. President, solely out of deep concern for his country.

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

Mr. GORE. I yield.

Mr. PELL. Mr. President, I congratulate the senior Senator from Tennessee on an excellent speech, with which I find myself in full accord. Speaking as one Member of this body, I have the same thoughts. I have expressed them on the Senate floor in the past, and expect to do so in the future.

I think the country is coming to realize, and I only hope the administration is, that while there was a moratorium of criticism on the conduct and thrust of the Vietnam war, a moratorium which started with President Johnson's abdication speech and with the accompanying cessation of escalation in the fighting, that moratorium is now starting to end, and time is running out.

My understanding is that the operational orders for our troops in that unhappy war are very much what they were before: to search and destroy. I hope that will soon be changed, and that the thoughts expressed by the Senator from Tennessee will be realized.

Mr. GORE. I thank the able Senator.

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

Mr. GORE. I yield.

Mr. HUGHES. Mr. President, I should like to take this occasion, as actually my first utterance on the Senate floor, to compliment the Senator from Tennessee upon an excellent statement, which I think actually reflects almost totally my views, and in which I concur, and share the hopes that the Senator expresses that we can look at and consider in depth for the sake of the future of our country and the world, the things which the Senator has expressed so ably today.

Mr. GORE. Mr. President, I am very grateful for the Senator's remarks, particularly since they are the very first remarks the able Senator, who was such a progressive and popular governor of his great State, has uttered in the Senate. It is encouraging that men of his capacity and the widely recognized capacity of the junior Senator from Rhode Island would find concurrence with the views which I have expressed, with some reluctance, today.

I have been deeply disturbed, I might add, at the extent to which this rumored fast withdrawal has been accepted without question. To me, it would be a device to prop either the inability or the unwillingness to make a choice—the kind of choice which I think may now be possible. Such a choice, in my view, would be possible if we repaired to the Geneva Accords to which this Nation and other great powers agreed.

Mr. PELL. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. PELL. Is it not correct that if we expressed these views in South Vietnam—views that are shared by many respectable people in the United States—we would find ourselves reposing in jail for an indefinite period of time?

Mr. GORE. Many South Vietnamese are now in jail for advocating either peace or neutrality. Yet, Mr. President, a neutrality of the area, a coalition government in the area, the working of the processes of self-determination, just may be the only procedures by which a peace may be arrived at.

#### SHALL WE RUN UP THE WHITE FLAG IN VIETNAM?

Mr. DODD. Mr. President, I have not spoken on the subject of the Vietnam war since November of 1967. Because of recent developments, I now consider it my duty to take up the subject again. And I do so with the hope that many Senators who cannot be present will at least read what I have to say.

I have listened with great interest to the remarks of the Senator from Tennessee.

There is no question that the great majority of the American people feel weary and frustrated over the seeming endlessness of the Vietnam war and that they would like to see it concluded on acceptable terms at the earliest possible date.

It is clear, too, that this mood is reflected in Congress.

We would, of course, have peace tomorrow if we were prepared to throw in the sponge and withdraw on Vietcong terms. But the great majority of those who have been critical of our Vietnam involvement do not propose this. They would, on the contrary, strongly oppose the suggestion that we raise the white flag or that we scuttle and run in Vietnam.

Nor do they say that it should be none of our concern if the Communists take over in Vietnam and then proceed to massacre their opponents by the scores of thousands, as they have done in every country in which they have come to power.

Nor, do they go so far as saying that it is of no concern at all to our national security if the whole of Southeast Asia falls under Communist control.

Although there are countless nuances in the ranks of the opposition to this war, the majority of them convey the impression, although one could wish that they were more explicit on this point, that they, too, would like to see the war ended in an honorable manner, which protects the freedom of the South Vietnamese people to determine their own future and which does not undermine the security of free Asia and our own country.

The main thrust of their criticism is that the administration has not been doing enough to bring about a negotiated settlement in the Vietnam conflict.

No one can be blamed for being impatient over the Vietnam war. All of us want to see the killing stopped. Indeed, on the day President Johnson announced

that he had ordered the bombing of North Vietnam stopped, I made a statement calling for an immediate across-the-board cease-fire, including the cessation of terrorist activities.

It has been a source of deep regret to me that we have not made the call for a total cease-fire our official position, from the beginning, in the Paris peace talks. It is a position that would have the support of all those who are committed to peace; and if the Communist delegations refused to go along with our proposal for a cease-fire, the onus for the continuation of the killing would clearly be on their shoulders.

But while we all wish to see the killing stopped as soon as possible, we must also be concerned over the possibility that too many public manifestations of impatience may give Hanoi the impression that the American will to resist has been broken, and that we are about to raise the white flag in Vietnam.

Needless to say, surrender is not the intention of most of those who have spoken impatiently, and particularly in recent weeks.

But when prominent and respected members of both parties and important private organizations and retired Government officials warn the Nixon administration that it has only a few months at the most to settle the Vietnam war, or when the call is made for an immediate, or almost immediate, withdrawal of American forces, the hard fact is that this is like telling the North Vietnamese Communists that if they hold on for just another few months, they will have us in a position where they can settle the war on their own terms.

Imagine the position our negotiators in Paris would be in if they implored the Communists to reach an agreement with us in a hurry, because the American people are increasingly impatient with the war and the Nixon administration will be in serious trouble if it does not end the war in 2 or 3 months.

If they said this, then the Vietnamese Communist delegation in Paris would simply sit back and wait for the American home front to collapse.

#### THE REDUCTION OF AMERICAN FORCES IN VIETNAM

Some of our ablest Vietnam experts are convinced that, even in the absence of an agreement with Hanoi, we can begin to withdraw some of our forces from Vietnam this year without adversely affecting the conduct of the war or our position in the peace negotiations. They believe that we could only gain from a carefully phased de-Americanization of the war, geared to the improved combat capabilities of the South Vietnamese forces, the state of the battle, and progress in the Paris peace talks.

A point of crisis was reached in 1964 and 1965 which made a massive entry of American forces imperative in order to prevent a Communist victory. This was so for a number of reasons.

First, we did not do as well as we might have done in the early stages because we lacked understanding of the nature of Communist political warfare.

Second, we failed to train and equip

the South Vietnamese forces properly, so that until very recently they were at a serious disadvantage in competing with the superbly equipped Vietcong forces.

Third, we failed to use our influence to promote certain essential social and political reforms.

Finally, a massive American entry became essential when Hanoi decided to go for broke in South Vietnam by reinforcing the Vietcong with entire divisions of the North Vietnamese army.

The American buildup that took place after 1964 saved Vietnam from what appeared to be an almost certain Communist victory. This is its historic justification. But it inevitably had certain byproduct disadvantages.

It encouraged the Vietnamese people to regard the war more as an American conflict than as their own.

It produced widespread popular resentment, as the presence of large numbers of alien and affluent forces invariably does.

It played into the hands of the Vietcong propagandists by lending seeming authenticity to their charge that the Americans are imperialist invaders.

If we can now reverse the process and start de-Americanizing the war, most Vietnamese would welcome it, provided of course, that what is involved is an orderly and phased reduction in forces, and not a precipitate abandonment of the battlefield.

There are many reasons for believing that President Nixon has been thinking in terms of such an orderly reduction, even if there is no agreement with the Communists, and that there have already been discussions with our Vietnamese allies on the subject.

In an early press conference, President Nixon stated that he did not want to see a single American soldier in Vietnam for a day longer than was necessary. Since that time, President Thieu has announced that the expansion and improvement of the South Vietnamese forces will make it possible for them, at an early date, to take over a much larger share of the battle from their American allies.

But it does not help in this situation if President Nixon is publicly pushed and prodded to withdraw or reduce American forces.

The enemy could derive small comfort from a phased and orderly reduction of American forces, agreed upon with our Asian allies. The enemy, may however, become even more stubborn and inflexible if we give him the impression that the President has been compelled by mounting public criticism to embark on a complete pullout of American forces.

#### THE AMERICAN HOME FRONT

Actually, the picture of overwhelming popular opposition to our Vietnam commitment painted by the critics goes far beyond the facts.

The most recent Gallup Poll on the Vietnam war, published on March 22, 1969, showed that only 26 percent of the American people favored pulling out of Vietnam. A much larger group, 32 percent, said that they were in favor of going all out to win the war; 19 percent said that they favored a continuation of the present policy; while another 19 per-

cent said that they were in favor of an end to the war as soon as possible, but did not demand a pullout or criticize the conduct of the war.

What this adds up to is that the administration can count on the backing of 70 percent of the American people if it calls for further patience and perseverance in honoring our Vietnam commitment.

Significantly, the Gallup report said that up to this point the public had not blamed President Nixon for any lack of progress in the Vietnam situation.

Despite the clamor and confusion which the critics have generated, the basic good judgment of the American people is once again manifested in these figures.

Certainly, these figures do not suggest that the American people are ready to raise the white flag in Vietnam, or that the Nixon administration will be in deep trouble if it does not find a solution in 2 or 3 months, as some people have suggested. When the critics make such dire predictions, they are lapsing into the all-too-common error of identifying their own opinions with public opinion.

It has, of course, been Hanoi's belief for some time now that growing opposition in the United States to the Vietnam war would force us to withdraw on the Communist Vietnamese terms. Nor has Hanoi ever been bashful about stating this position publicly. Almost 4 years ago, when three Washington Post correspondents interviewed the Vietcong representative in Moscow, he made it clear to them that the National Liberation Front was counting on American public opinion rather than on military victory or on negotiations to force an American withdrawal.

In support of this contention, the Vietcong representatives flourished in front of the American correspondents a big batch of signed advertisements and appeals and speeches critical of American policy in Vietnam [see exhibit A].

In a recent article on "Vietcong Propaganda Abroad," Dr. Chester Bain, one of our foremost Vietnam scholars, said that the worldwide Communist propaganda effort on the Vietnam war is probably the largest and best coordinated campaign of its kind in history [see exhibit B].

Documents recently captured from the Vietcong show that, while they have been disappointed by the military failure of their recent offensive, the Communist leaders nevertheless believe that this offensive achieved its major purpose by encouraging the antiwar movement in the United States.

#### THE SEVERAL FACES OF THE VIETNAM CRITICS

There is a tiny minority in our country who have been particularly responsive to the Vietcong propaganda because their opposition to our Vietnam policy stems clearly from a commitment to the revolutionary overthrow of our Government. They do not oppose our involvement in Vietnam for pacifist or humanitarian reasons. They oppose our involvement because they frankly favor a Vietcong victory.

Some, but not all, of these extremist

critics have made no effort to conceal their motivation.

For example, Prof. Eugene Genovese, of Rutgers, created nationwide indignation when he said publicly in 1965 that he would welcome a Vietcong victory.

And, on the other side of the continent, at the University of California in Berkeley, Dr. Stefan Smale, one of the two chief organizers of the Vietnam Day Committee, told the press that he and his colleagues wanted the Vietcong to defeat the United States, because such a defeat would break American power elsewhere in the world and would also help to bring about revolutionary changes in the United States [see exhibit C].

As small as the group represented by Smale and Genovese may be, they have nevertheless, played a role out of all proportion to their numbers in organizing and in giving leadership to the anti-Vietnam agitation in this country.

The fact that many of the leaders of the anti-Vietnam agitation are motivated not by pacifism, or by high ideals, but by a revolutionary anti-Americanism has become increasingly obvious. Indeed, many of the old-line pacifists and liberals who cooperated with the anti-Vietnam movement in its earlier stages, are gravely concerned over this development.

Mr. Philip Altbach, a Ford Foundation fellow at the University of Chicago and president of the Student Peace Union from 1959 to 1964, said early last year in the Socialist Party organ that a large part of the Vietnam protest movement is not a peace movement at all, but, on the contrary, wants to see a Communist military victory in the conflict. He complained about the strident chorus of anti-Americanism in the Vietnam peace movement, and said that it had the effect of presenting a one-sided view of the situation [see exhibit D].

The revolutionary critics of our Vietnam policy have an unquestioned capacity for mischief and noisemaking, because they have all the zeal of the political fanatic.

To this revolutionary minority one cannot appeal for patience for the simple reason that they are ideologically committed both to a Vietcong victory and to the overthrow of our own Nation.

But the great majority of those who oppose the war have nothing in common with the revolutionary opponents of our Vietnam commitment. They would be unhappy about a Vietcong victory. But they nevertheless oppose our involvement in Vietnam either because they are pacifists, or because they believe we are overextended, or because they think that the Vietnam war is not the kind of war we should be involved in, or because they feel weary and frustrated and are disposed to regard the war as hopeless, or because they think it has not been properly managed or because they feel we are not moving fast enough to get the war concluded.

I can understand their position, and it is to these people that I am speaking today.

Since the honest critics of our Vietnam policy would unquestionably prefer

to see an honorable settlement to a surrender, it should be possible to appeal to them for a limited measure of patience.

One cannot and should not ask them to forgo their criticism. I do not do so.

But surely it is not too much to ask that they weigh their statements carefully so that what they say cannot be exploited to undercut the position of President Nixon or of his representatives in Paris.

POLITICAL FACTORS FAVORING AN EARLY SETTLEMENT

At this point, some of those who are impatient with the Vietnam war will ask how long we must be prepared to wait while the war drags on and on.

Under other circumstances, it might be more difficult to venture an estimate. But within the past 8 months there has been a dramatic shift in the world situation which, in my opinion, militates against the indefinite prolongation of the Vietnam conflict and in favor of an honorable settlement at a relatively early date.

The Vietnam war would not have been possible without the massive assistance that Hanoi has been receiving from both the Soviet Union and Red China.

In order to make itself eligible for assistance from both sides, Hanoi has been playing an exceedingly delicate balancing act between Moscow and Peking. As tightrope walkers, indeed, the North Vietnamese Communists have shown themselves to be second to none in the world of politics.

However, a situation has now developed which will make this balancing act increasingly difficult. And even if Hanoi should succeed in maintaining a neutral stance between Moscow and Peking, the chances are that Hanoi's two chief suppliers will both be compelled to deescalate the scale of their military support.

Moscow's occupation of Czechoslovakia in August of last year and the political clampdown which it imposed on the Czechoslovak Government last month have not by a long shot solved all of Moscow's problems in central Europe.

Despite the new controls, the Czechs continue to voice their defiance of the Soviet occupiers and the press continues to find ways of partially circumventing the censorship regulations.

The occupation, moreover, has resulted in widespread criticism and discontent throughout the world Communist movement, and the criticism has been particularly marked in the case of the European Communist Parties.

Elsewhere in central Europe, the cauldron of discontent continues to simmer despite the occupation of Czechoslovakia.

A press dispatch of March 4, for example, quoted a high-ranking Soviet Party official as saying that Moscow's great concern at the moment is the situation in Poland. This situation he described as roughly the same as the situation in Czechoslovakia at the end of 1966, that is, just before the overthrow of the conservative Novotny government [see exhibit E].

Apparently completely unintimidated

by the Brezhnev doctrine and the numerous threats that have been made against them, Yugoslavia, Rumania, and Albania continue to hurl defiance at Moscow and to reject the concept of "limited sovereignty" which the Kremlin now seeks to impose on all other Communist nations.

And while all this is going on in central Europe, the growing accumulation of differences and tensions between Moscow and Peking has now erupted in an almost explosive intensification of the Sino-Soviet dispute.

There have, of course, been clashes before this along the Sino-Soviet frontier. But this is the first time that both sides have pulled out all the stops and moved to full-fledged propaganda and political warfare against each other. As a result of this outpouring of hate propaganda on both sides, there can be no doubt that both the Russians and the Chinese now hate each other with a genuine passion.

There can be no doubt, too, that this all-out hate propaganda has produced a much more precarious political situation and increased the probability of military conflict. There have been a number of indications that Moscow is seriously worried that Red China will be able to exploit the discontent of the tribal minorities in the border regions to stir up a Vietcong type guerrilla insurgency.

The Sino-Soviet dispute, if anything, is bound to intensify over the coming period; the trend has gone too far to be reversed.

Both governments will be under pressure to increase the already very large forces they maintain along the Siberian frontier.

Simultaneously, Moscow must confront the probability that its political position in central Europe will continue to deteriorate and that the intellectual revolt in the Communist countries will continue to grow.

All the evidence points to the conclusion that, as great as our own difficulties may be, both the internal and external difficulties faced by Peking and Moscow far exceed our own.

This does not mean that we can afford to relax our own guard on the assumption that the intensification of the Sino-Soviet conflict, by itself, will safeguard the Western World. Desperation always has a quality of unpredictability about it; and for this reason, the desperation and frustration which both Moscow and Peking must now feel may actually increase instead of decrease the danger to the free world.

Nevertheless, there is no question but that Moscow and Peking, both, will have to devote more of their energies and more of their resources over the coming period to their internal problems and to their problems with each other. To this extent, it is reasonable to assume that Hanoi will not be able to count on the same degree of assistance from the Communist superpowers.

Besides, it is clear that North Vietnam is suffering desperately from the consequences of the war and that the North Vietnamese people are even more impatient and dissatisfied than the American people.

In a recent interview with an Italian journalist, General Giap, the North Vietnamese defense minister, conceded that the war had cost North Vietnam 500,000 dead. This is the equivalent of almost 7 million dead for a country the size of the United States.

On top of these incredible casualties, it is only reasonable to assume that Communist medical facilities have been utterly overwhelmed by the need to cope with the many hundreds of thousands of wounded, a large percentage of them maimed for life.

Remarkably enough, the figure of 500,000 dead, which was confirmed by General Giap, jibes almost exactly with our own estimates.

General Giap subsequently denied that he had made any such statement in the course of the interview. The Italian journalist replied that she had checked her notes carefully with the two friends, both Italian leftists, who accompanied her on her visit to Giap.

That General Giap subsequently denied the statement which he had made in an unguarded moment is not surprising. Hanoi's official position to this day is that there are no North Vietnamese forces serving in the South. In order to support this myth, Hanoi has had to organize one of the most remarkable campaigns of national deception in history.

Not merely does the North Vietnamese press make no mention of North Vietnamese activities and casualties in South Vietnam, but, to support this deception, the hundreds of thousands of servicemen who have been sent south have for all practical purposes become "non-people."

They are not permitted to write to their families.

They are not permitted any home leave.

And it is the ultimate inhumanity of this deception that even the tens of thousands of amputees and war-maimed are not permitted to return home, because this would give the lie away. What happens to these pitiful "non-people" is uncertain, but there are indications that they are detained in special centers in Laos and Cambodia and in secure areas of South Vietnam. They linger on in their awful suffering, cut off from their country and their families by a government that cannot admit their existence.

Those who are disposed to listen to the North Vietnamese Communists or to regard them as agrarian reformers, would do well to ponder the moral implications of the elaborate and inhuman facade that Hanoi has erected to support the lie that it has not intervened in South Vietnam.

Not very surprisingly, there have been many evidences of division and discontent in North Vietnam and the North Vietnamese Communist Party and the Vietcong movement itself. How deep this discontent goes may be gaged from the fact that among those arrested by Hanoi have been a number of important party functionaries.

In North Vietnam during 1968 the Ho Chi Minh regime, already as ruthless as the Stalinist regime at its worst, introduced still further Draconian measures to deal with discontent and attempted subversion and sabotage. These measures

were not kept secret. Their introduction was trumpeted aloud, by press and radio, in an obvious effort to terrorize would-be resisters.

And in South Vietnam, at the same time as the will to resist is perceptibly weakening in America, the rate of defection from the Vietcong forces has soared to record levels. During the months of March and April, an average of 1,000 Vietcong defectors, many of them officers and political cadres, have come over to the side of the government each week.

Recently captured documents reveal the grave concern of the Vietcong leaders over the growing defection rate. Vietcong unit commanders are warned that if any soldier shows himself particularly cooperative or willing to accept duties, he should be suspected of trying to set things up for his defection to the government side.

Captured documents also reveal concern over the general level of morale. They complain that too many Vietcong are keeping their eyes on the Paris negotiations instead of on the battlefield.

All of these facts strongly suggest that if we can show the stamina and courage to persist along the path of honor in Vietnam, Hanoi will in the not very distant future show a greater willingness than it does today to come to reasonable terms.

It is a situation that calls above all for patience, a situation which requires that all those who are impatient not only weigh the implications that will be read into their words but also weigh the consequences of an American defeat in Vietnam.

For let there be no mistake on this point: If we abandon Vietnam, or if we are defeated in Vietnam, or if we negotiate a settlement that paves the way for an early Communist takeover there, then it would mark the beginning of the end for American credibility and for America as a great nation.

I do not have much patience with those who say it does not make much difference who takes over there. I will say more about that later, but let me say right now that it makes a great deal of difference. If we have not learned that lesson from history, then we have a lot of catching up to do.

#### THE HIGH COST OF SURRENDER

President Johnson's historic announcement of March 31, 1968, led to widespread speculation that the American will to resist was nearing collapse. In the wake of the President's statement, Field Marshal Sir Gerald Templer, commander of the British Commonwealth forces that defeated the Communist insurgency in Malaya after World War II, warned of the consequences of an American pullout. He said:

If the Americans pull out of Vietnam, the Communists will take over the whole of Southeast Asia—and Burma, India, right up to the Caspian Sea, would go. An American withdrawal would have absolutely disastrous effects, not only in the Far East but further afield.

These words deserve the most serious consideration, especially on the part of our antiwar critics, because they come from an Englishman who has a profound

and intimate personal knowledge of Southeast Asia and of Communist guerrilla warfare.

Sir Gerald's words were echoed a few days later in a statement by Prime Minister Tunku Abdul Rahman of Malaysia, who is widely regarded as one of Asia's ablest democratic statesmen. Let me quote what the Malaysian Prime Minister said:

If the Americans for some reason decided to give up this war in Vietnam and the North decided to take over the South, then it will be the end of us all.

Very similar statements have in the past been made by Prime Minister Souvanna Phouma of Laos, by Prime Minister Lee Kuan Yew of Singapore, and even by Prince Norodom Sihanouk of Cambodia. Their statements all coincided with the statement of the Malaysian Prime Minister on the essential point that an American defeat in Vietnam, or an American withdrawal from Vietnam, would be absolutely disastrous for the whole of Southeast Asia.

Let me also quote again the bitter words written by the well-known Filipino commentator, Vincente Villamin. He said:

The abandonment of Vietnam, would be an indelible blemish on America's honor. It would reduce America in the estimation of mankind to a dismal third-rate power, despite her wealth, her culture, and her nuclear arsenal. It would make every American ashamed of his Government and would make every individual American distrusted everywhere on earth.

Similar opinions have been expressed by other Far Eastern anti-Communist leaders, ranging in their political views from conservative to neutralist to socialist [see exhibit F].

The high price of surrender has also been underscored by some of our best and wisest friends in Europe. The London Economist, which is generally regarded as free Europe's foremost political periodical, and which has also been staunchly pro-American through thick and thin, had this to say about the cost of a surrender in Vietnam, in words that should be noted and remembered:

It is arguable that the cost of victory, in terms of bloodshed, is proving to be too great; but the cost of betrayal could be even greater. In the last analysis it is for Mr. Nixon to decide; it may yet become Nixon's war. The Americans have made considerable headway in the military field, and a modest degree of headway with their pacification program. If they have the endurance, they can still win the war, in the sense of definitely preventing a Communist takeover. After backing so many rickety regimes through thick and thin, it would be tragic if they were to ditch this much better government to let the Liberation Front in. It is an illusion to imagine that the United States can agree to a compromise peace that would amount to a sell-out and retain any credibility in Asia. Nor in Asia alone; for in this shrunken world credibility is indivisible.

The cost of defeat has also been underscored by American experts who are sensitive to the realities of international politics. Shortly before he became President, Mr. Nixon's principal foreign policy adviser, Dr. Henry M. Kissinger put the matter in these terms:

The commitment of 500,000 Americans has settled the issue of the importance of Vietnam. For what is involved now is confidence in American promises. However fashionable it is to ridicule the terms "credibility" or "prestige," they are not empty phrases; other nations can gear their actions to ours only if they can count on our steadiness. The collapse of the American effort in Vietnam would not mollify many critics; most of them would simply add the charge of unreliability to the accusation of bad judgment. Those whose safety or national goals depend on American commitments could only be dismayed. In many parts of the world—the Middle East, Europe, Latin America, even Japan—stability depends on confidence in American promises. Unilateral withdrawal, or a settlement which unintentionally amounts to the same thing, could therefore lead to the erosion of restraints and to an even more dangerous international situation.

So, let there be no illusion about the heavy price America will have to pay, in prestige and respect and credibility and world power, if it should seek to extricate itself from the Vietnam conflict under anything less than honorable conditions which assure the independence of South Vietnam.

#### THE TERMS OF PEACE

There are those who say that to talk in these terms is equivalent to demanding unconditional surrender by Hanoi.

My reply to this is that to talk in anything less than these terms should be equivalent to offering our own unconditional surrender to Hanoi.

The fact is that we do not demand an unconditional surrender.

We are already on record as favoring the inclusion of North Vietnam among the beneficiaries of the vast Mekong River plan. The experts who have worked on this plan tell us that it has a far greater potential for the entire region; that is, for Thailand, Laos, Cambodia, South Vietnam, and North Vietnam, than the TVA had for our Southern States. And the point has further been made that, economically, North Vietnam would gain far more from the peaceful cooperation with the rest of Southeast Asia within the framework of the Mekong River plan than it could ever hope to gain from the conquest of South Vietnam.

If Ho Chi Minh is really a Titoist, as some of the critics of the war pretend, the best way he could prove this would be to terminate the war, thus extricating himself from both the Red Chinese and the Soviet embrace, and to take his country into the Mekong River plan.

Moreover, the South Vietnamese Government has already made it abundantly clear that, while it opposes a coalition government, it is willing to promise a general amnesty when hostilities cease, to agree to free elections under international supervision, to assure the National Liberation Front of the right to participate openly in these elections on a non-Communist program, and even to enter into negotiations with the Vietcong in the interest of achieving a settlement.

This is conceding a good deal. In fact I do not know where people get the idea that our side is the inflexible one, and that we have refused to make any concessions to bring an end to the war.

Hanoi, therefore, can have peace in

Vietnam on terms that do not represent an unconditional surrender for its side and which, indeed, would bring substantial benefits to it.

AGAIN THE NEED FOR PATIENCE

It is my judgment and prayer that this tragic and costly war will come to a close soon. It may not end in 3 months or 4 months; but then neither will it take 3 or 4 years.

But whether the war is terminated honorably or dishonorably depends in the final analysis on the patience and fortitude and unity we can display on the home front over the coming critical months.

Writing in the Washington Star on January 23, 1969, foreign editor Crosby S. Noyes said that "a demand in this country for quick results in the negotiations is a sure prescription for disaster." Mr. Noyes appealed for an abatement in the clamor for quick results. My own appeal for patience and solidarity is directed in the first place to those critics who until recently agreed that it was essential to the security of the free world to stop Communist aggression in Vietnam, but who now urge that we extricate ourselves on any conditions because the war is proving to be longer and more costly than they anticipated.

This is a position which is difficult to understand.

THE MORALITY OF OUR VIETNAM COMMITMENT

If it was morally and politically right to come to the defense of South Vietnam to prevent a Communist takeover, then it does not cease to be right simply because the going has become tougher, or because the war is more costly.

Whether the cost of the Vietnam war is justifiable or unjustifiable depends in the final analysis, on one's estimate of the enemy.

If one believes that the Vietcong Communists are simple agrarian reformers, as many people believed about the Chinese Communists before they came to power, the Vietnam war would be difficult to justify.

The scales of justification give another reading, however, if one believes that the Communist system is just as totalitarian as the Nazi system; that it is equally contemptuous of human rights and human life; that the total volume of human suffering produced by this system even surpasses the volume of suffering under the Nazis; and that it is just as fanatically committed to the expansion of its empire, to the destruction of freedom, and, above all, to the destruction of the United States of America as the chief bastion of freedom.

That is the reading I get, and I think history is on my side in this estimate.

There are those who will reply to this that some Communist regimes today are less oppressive and some more oppressive, and that it is a mistake to lump them all together.

I have never lumped them altogether; my critics have sometimes thrown that bale of hay at me, but they will have trouble finding it in the record because it is not there.

While all Communist regimes are tyrannical, it has been true, historically,

that some have been more bloody than others.

In the spectrum of bloodiness, however, the tyranny of Ho Chi Minh does not belong with the Dubcek regime in Czechoslovakia; it belongs, rather, with the bloodiest of all Communist regimes, the regimes of Stalin and Mao Tse Tung. That this is so should not be surprising in view of the fact that Ho Chi Minh himself is one of the small surviving band of original unreconstructed Bolsheviks.

Hanoi's aggression against South Vietnam must be resisted because it poses basically the same kind of danger to the freedom and security of the nations in the area, and ultimately to our own security, as did the Nazi regime. The only serious difference is that the Communists have refined the means of subversion and aggression to a point never dreamed of by the Nazis.

A Communist victory must also be resisted because, as Hanoi has repeatedly pointed out, such a victory would demonstrate America's complete inability to cope with "wars of national liberation" and would pave the way to more "wars of national liberation" in other parts of the world, especially in Latin America.

Finally, a Communist victory must be resisted on simple moral and humanitarian grounds.

Hoang Van Chi, a former North Vietnamese Government official, has estimated that more than 500,000 North Vietnamese were executed or killed in one way or another during the period when the Ho Chi Minh regime was consolidating its rule over North Vietnam. And this figure would unquestionably have been very much higher if it had not been for the fact that some 1 million North Vietnamese, out of their hatred of communism, took advantage of the Geneva Agreement to flee to South Vietnam.

There are many reasons for believing that the massacre that would take place in South Vietnam if the Vietcong were to come to power there would far exceed, in scale and ferocity, the massacre that characterized the establishment of Communist rule in the north.

It is common knowledge, for example, that the Vietcong have prepared long lists of political opponents whom they plan to massacre as soon as they take over. These lists include Government officials at every level, officers and noncommissioned officers in the army, religious leaders, labor leaders, and countless thousands of those who escaped from the north.

There are some who say that the number slated for execution by the Vietcong may run as high as several million. This estimate may be on the high side. But that the Vietcong execution lists are intended in earnest was demonstrated in the most gruesome manner during the Tet offensive of last year, when the Vietcong briefly occupied the city of Hue.

In Hue proper, when it was liberated from Communist control, the allies dug up from mass graves the bodies of more than 1,000 Vietnamese civilians who had been executed by the Vietcong. Many of

them had been buried alive, with their hands tied behind their backs.

More mass graves containing the bodies of civilians executed by the Vietcong are being discovered all the time in the general vicinity of Hue. For example, a mass grave discovered about 12 miles southeast of Hue toward the end of March has thus far disgorged 134 bodies. Again, many of these had been buried alive. And this last April 7, another press report said that South Vietnamese soldiers had discovered a new mass grave about 3 miles north of the first one [see exhibit G].

Moreover, if the Vietcong should ever take power, the victims of their terror would not be limited to those who hold leadership positions and whose names appear on their execution lists. The incredible bestiality with which the Vietcong have fought the war makes it certain that a Communist victory would also be followed by mass killings of men, women, and children in areas that are considered unfriendly to them.

There could be no more dramatic evidence of the Vietcong capacity for indiscriminate massacre than what happened to the simple Montagnard people of the village of Dak Son in December, 1967.

Attacking the village by night, the Vietcong went with flame throwers from house to house, killing indiscriminately, at point-blank range, men, women, and children. When they were through with their flame throwers, 250 unarmed Montagnards, mostly women and children, had been killed; another 500 were missing, some of them dead, some of them kidnaped, some of them escaped; and scores more were suffering from ghastly burn wounds over much of their bodies.

Let no one, therefore, who now demands our immediate withdrawal from Vietnam plead innocence or ignorance if this agitation should in fact compel our withdrawal, and if, in consequence of this withdrawal, there takes place the frightful massacre of the innocents which has attended the establishment of Communist rule in every country.

In the accounting of history they will not be able to escape their responsibility for helping to make this massacre possible.

Nor will they be able to escape responsibility for the subjugation of other Southeast Asian countries by communism which would be bound to follow in the wake of an American capitulation in Vietnam. As the highly esteemed Institute for Strategic Affairs pointed out in a study last week, the validity of the domino theory can no longer be challenged.

When some of us talked about the domino theory a year or two or three ago, we were told, "That is old fashioned; that is a lot of bunk." Mr. President, it was not bunk then and it is not now. All you have to do to realize this is study history, look at the map, and think about the matter.

Referring to the Hanoi-backed Communist insurgencies in Laos and Cambodia, the institute's report said that these dominos were already ripe for tumbling, and that even Thailand's position was precarious.

The Vietnam war has been long and costly, in my judgment longer and costlier than it should have been because it has been so tragically mishandled.

The recognition that we have made errors, moreover, does not mean that we should now cut and run; it simply means that we must move as rapidly as possible to eliminate the errors, at the same time as we move to reduce and terminate the scale of hostilities.

To many people it no doubt appears that we have achieved nothing through our sacrifices. But despite the errors we have made, our efforts in Vietnam have served the cause of freedom well.

Through our sacrifices we have purchased precious time for the free nations of the Far East; and, with few exceptions, these nations have made good use of this time to strengthen their institutions and build up their economies.

Indonesia was saved from going Communist by a hair's breath; and it is probably no exaggeration to say that our Vietnam commitment made the difference between victory and defeat in this case, because, had another half dozen senior officers sided with the rebels, the Communists would almost certainly have emerged triumphant.

In the balance of history, therefore, our intervention in Vietnam has been anything but fruitless.

The American people have always carried themselves with exemplary fortitude in difficulties and crises.

By history and by temperament, they are not a people disposed to accept humiliation or to raise the white flag of surrender.

If the full facts on Vietnam were now put before the American people, the administration would have the backing of the overwhelming majority for a policy of continued firmness.

President Nixon must be given credit for doing everything in his power, for walking the extra mile and more, in an effort to put an end to the Vietnam war.

In this effort he needs and deserves the understanding and support of the American people. He deserves it all the more because no American President ever inherited a more difficult situation.

We are now closer to a settlement than we have ever been before.

As I have been speaking, the Communist-run National Liberation Front has issued in Paris a 10-point peace program of their own as a basis for a settlement in Vietnam. There has been no chance to analyze this proposal as yet. But it may signal the beginning of serious movement in the negotiations.

So I ask the honest critics of our Vietnam policy, the congressional critics in particular, to withhold their criticism for a while and let President Nixon and his representatives do the speaking for the United States, so that they can bring an end to this awful war.

I ask for patience because it is a fact that the President's position is undercut by calls for an immediate pull-out or by arbitrary deadlines for getting out of Vietnam.

Now, I am sure that the administration will not be misled by the clamor which comes from the misguided and from

those who have lost hope and are now impatient.

Nor will the administration permit this clamor to reduce it to a suppliant posture in the Paris negotiations, because nothing could be more fatal to the outcome of the Vietnam war.

And, let us hope that the administration will not allow this clamor to silence its voice at home or prevent it from reaffirming, in positive terms which every American can understand, the importance of Vietnam to the cause of freedom and the overwhelming moral and political justification for our presence there.

This is something, to my great regret, which the Johnson administration failed to do; and for this, it paid a very heavy penalty.

So let us all work to achieve a just and honorable settlement of the Vietnam conflict.

Let us constantly and repeatedly test the sincerity of the Communist negotiators by urging their acceptance of a total ceasefire.

Let us not say anything which might lead the enemy to believe that we are ready to surrender or put up the white flag.

And let us never repeat the folly of base appeasement because this will, as surely as day follows night, inevitably result in new aggression and new bloodshed under far more terrible circumstances.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks several exhibits relating to what I have said today.

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

#### EXHIBIT A

Stephen R. Rosenfeld, Washington Post, May 28, 1965: "Flourishing a batch of American cartoons, signed advertisements, and speeches critical of American policy in Vietnam, the Front's new representative in Moscow made clear his reliance on American public opinion rather than on military victory or negotiations, to compel American withdrawal."

#### EXHIBIT B

Dr. Chester A. Bain, Foreign Service Journal, October, 1968: "The communists' worldwide propaganda effort on the Vietnam war is probably greater and better coordinated than any other propaganda campaign in history."

"Viet Cong and Hanoi propaganda directives point to groups upon whom to concentrate—pacifists, families of servicemen with the allies in Vietnam, student groups, church organizations. And they suggest means of encouraging dissent with American policy—anti-war demonstrations, military desertions, and alienation of European countries from the United States. The echoes reverberate worldwide, produced and directed by an elaborate and sophisticated propaganda mechanism."

#### EXHIBIT C

Dr. Stefan Smale, the Oakland Tribune, October 29, 1965: "We want the Vietcong to defeat the United States for international reasons. If the U.S. is defeated in Southeast Asia, this will help break American power elsewhere in the world. This would give new impetus to revolutionary social change (wars of liberation) in such places as Africa and

Latin America. And if surrounded by revolutionary changes, it will in turn make it easier to achieve radical change in the United States."

#### EXHIBIT D

Mr. Philip Altbach, New America, November 24, 1965: "There is a strong undercurrent in the protest movement which tends to view a Vietcong victory as a positive aim . . . The strident chorus of anti-Americanism has had the effect of presenting a one-sided view of the situation . . . A substantial part of the Vietnam protest movement is not a peace movement at all but rather supports the Communist side in the conflict."

#### EXHIBIT E

The New York Times, March 4, 1969: "An East European source asserted tonight that the apparent shifting in Communist tactics on Berlin in the last week reflected a division in the Politburo of the Soviet Communist party."

"The source, who said he was quoting an official of the Soviet party Secretariat who recently visited his capital, said it was significant that the Soviet leaders who had favored a conciliatory policy on Berlin in Presidium meetings were the ones who pleaded against an invasion of Czechoslovakia last year."

"The Soviet official was reported to have said that among Moscow's greatest concerns at the moment is the situation in Poland. The country is 'roughly the same as Czechoslovakia at the end of 1966,' the official was quoted as having said. That period was a year before President Antonin Novotny was ousted by the Czechoslovakia Politburo and replaced as party leader by Alexander Dubcek, an advocate of reform."

#### EXHIBIT F

##### STATEMENTS ON VIETNAM BY ASIAN LEADERS

Philippine President Ferdinand E. Marcos, Manila, 1966: "It is established beyond dispute that the war in Viet-Nam is not a civil war. It is a war on an international scale involving massive aggression from Communist North Viet-Nam with the active encouragement of Communist China."

Korean President Pak Chung Hui, Korea, 1966: "The forces which support and control the Viet Cong in Free Viet-Nam today are the same forces which 16 years ago supported and controlled the southward aggression of the Communist troops in Korea . . . the situation in Viet-Nam is more than a simple domestic problem of that country. It represents rather a confrontation of the free world with Communist tyranny."

Prince Norodom Sihanouk of Cambodia, May 9, 1967: "They launched these attacks because they want to create civil war. . . ."

"If we fall in our operations against them and if the Khmer [Cambodian] Viet Minh emerge victorious, they can transform the nation into a Communist country. If not they must continue to accept independence and neutrality. . . ."

"The masters of the Khmer Viet Minh are the Viet Minh and the Viet Cong."

Eisaku Sato, Premier of Japan, November 14, 1967: "I wish to express my deep respect to you, Mr. President [Johnson], for the great efforts being made by the United States under your able leadership to bring peace and stability to the world, particularly in Asia in this moment."

Rajmohan Gandhi, editor of *Himmat* magazine, February 1965: "There is dangerous thinking in the West . . . progressives of the West believe that Communism will win and the best that they can do is surrender peacefully to it . . . they are free to expound their ideas from remote positions. But there are millions of people in Southeast Asia and 450 million people of India who, in spite of the

basic defects in the structure of their society, will not permit themselves to be traded in the drawing rooms and cabinets of the Western world. . . .

"If America compromises on this vital issue of freedom in Asia, she will have to pay the price dearly. . . . It is alarming that [responsible commentators] of the West should talk so lightheartedly about leaving India's eastern flank open to the dangers of Chinese invasion.

"[The] counsel of retreat to the West is certainly not what Asians want. We want and need the presence of the West on Asia's land and sea. The West can provide the power of balance to Communist China until such a time as democratic nations like India and Japan can provide it."

Singapore Premier Lee Kuan Yew, May 6, 1965: "If the Communists are able to advance their frontiers to envelop South Vietnam it will be only a matter of time before the same process of emasculation by military and political techniques will overtake the neighboring countries."

Prime Minister of Laos, Prince Souvanna Phouma, November 2, 1967: "We were fully satisfied with the [1962] Geneva accords. We thought that the nightmare of internal subversion and foreign aggression was over. But, alas, our people were grievously deceived. The accords were immediately and shamelessly violated. . . . the Pathet Lao . . . valet of the Hanoi Government, continued its sabotage. War, instead of stopping, grew more intense. Today, five years after the signature of the Geneva accords, we can count about 40,000 North Vietnamese soldiers in our territory. They are fighting beside 15,000 Pathet Lao, armed, paid, trained and encadred by North Viet-Nam. Development of our country is paralyzed. Thousands of refugees stream into Governmental zones. Hundreds of villages are abandoned. Only half of the soil is cultivated. The Ho Chi Minh trail has become an active transit route for North Vietnamese forces. . . . But, the most distressing aspect is to think that this useless, bloody, tragedy could not have occurred if some ideological, greedy nations had not come and interfered directly or indirectly in our internal affairs. By what right, what moral, do they assume the right to 'liberate' us?"

The late Prime Minister Harold Holt of Australia: "It is in Vietnam that aggressive communist pressure—the greatest political danger in Asia today—is most severe and direct, and it is in this area that we must, for the time being, concentrate much of our defense effort and resources. . . .

"Let me repeat, in simple terms, why we are in Vietnam:

"We are there because we believe in the right of people to be free.

"We are there because we responded to an appeal for aid against aggression.

"We are there because security and stability in South East Asia are vital to our own security and stability.

"We are there because we want peace, not war, and independence, not serfdom, to be the lot of the peoples of Asia.

"We are there because we do not believe that our great Pacific partner, the United States, should stand alone for freedom.

"We will continue to be there while the aggression persists because, as a free and independent nation, we cannot honourably do otherwise."

Prince Norodom Sihanouk of Cambodia: "The fact is that as long as the Americans are there, China cannot yet swallow Cambodia. And what prevents the Americans from swallowing Cambodia is precisely the fact that China is there."

New Zealand Foreign Minister, Keith Holyoke: "Nothing is more essential to the maintenance of peace than a recognition that so-called wars of national 'liberation' must be successfully challenged. . . . Vietnam is a

small nation, New Zealand is much smaller. And we have a particular interest to protect the right of all nations, however small, to work out their future free from the threat of aggression and conquest."

Armed Forces Daily, October 24, 1967: "Regardless of one's views on the war, it is evident that U.S. forces in Vietnam are both a deterrent to communist attack and a shield against communist expansion in Southeast Asia. If U.S. forces are withdrawn to Australia, it would be very easy for the Chinese communists to continue their aggression and expansion to the south."

Foreign Minister Thanat Khoman of Thailand: "Let us smaller and weaker nations candidly face the facts and realize that the imminent dangers which may descend upon our nations are less likely to come from nuclear deployment—although that can never be ruled out—than from combinations of military and political ventures which their proponents euphemistically call 'wars of national liberation,' and which, for all intents and purposes, are hardly different from the one which Adolf Hitler launched against the Sudetenland nearly thirty years ago. Such undertakings nowadays may be more insidious but no less lethal to our free and healthy existence. . . .

"North Vietnam and its supporters in the communist world, as well as its Vietcong agents in South Vietnam, wanted the outside world to believe that the war of conquest they have been waging for many years against the small and independent country of South Vietnam is a genuine national uprising or, to use their current terminology, a 'war of national liberation.'"

"This travesty of the truth has convinced neither the South Vietnamese people nor those who live near the scene of the crime and who are directly or otherwise suffering from its nefarious consequences. Only those who are farther away whose minds are less perceptive of the existing realities, and those who are always liberal with other people's freedom or are prompted by less than altruistic reasons, allow themselves to fall victims of this crude propaganda.

"But if questions as to what they think of the conflict in Vietnam are directed to those Asians who have their feet firmly on the ground and whose vision has not been clouded by the outlandish ideology of the frustrated author of 'Das Kapital,' they would reply in unison that it is in effect an old-styled colonial conquest with only a few renovated outward trimmings. . . .

Mr. K. K. Sinha, director, Political and Social Studies Institute, Calcutta: "You cannot help being involved; you are involved, whether you like it or not. Your present indifference is a factor favoring one side in the battle. So don't imagine that by your silence you can escape.

"I have gone through much of the literature on Vietnam and more is coming out. One thing I am already convinced of and that is that this struggle is local as well as universal. Its final result will be crucial both for that small country—flapping like a small side-pocket for coins in the jacket of a continent—as well as for the continent and the world. Vietnam is a world issue indeed."

#### EXHIBIT G

#### A SECOND GRAVE OF DEAD CIVILIANS FOUND NEAR HUE

The Evening Star, Washington, D.C., Monday, April 7, 1969:

"DA NANG, SOUTH VIETNAM (AP).—A second mass grave containing bodies of men and women executed by Communist troops during the 1968 Tet offensive was found near Hue today.

"Workers exhumed 20 bodies and are continuing to open the grave 10 miles east of Hue during the remainder of the week.

"Twelve days ago, a Vietnamese soldier on

patrol tripped across a wire binding the hands of a buried man. As they uncovered that body, the authorities found the first mass grave and in the following days removed 134 bodies.

"That area was about 12 miles southeast of Hue. The new gravesite is three miles north of the first one.

"We have no idea how many bodies we will find in this new gravesite," said one U.S. advisor. He added that Vietnamese soldiers patrolling the area also are checking reports of additional gravesites."

(The following colloquy, which occurred during the delivery of Mr. Dobb's address, is printed at this point by unanimous consent.)

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

Mr. DODD. I yield.

Mr. LONG. It seems to the Senator from Louisiana that we really have available to us one of two basic courses. Something can be said for both.

For the advocates of withdrawal, it would appear that the best argument that can be made for their side is that if we disengage—keeping in mind what loss of face means in Asia—the American people would not be willing to support our fighting anywhere over there, be it Thailand or Burma or Pakistan or South Korea or Taiwan or even Japan.

Conceivably, this country could back off behind the big, deep oceans and take the attitude that we are going to pursue the old Fortress America theory advocated by President Herbert Hoover. If we did that, one could anticipate that it would be only a period of years, perhaps 10 years, before the Communists would be in complete control of Africa and Asia, and, in all probability, would dominate Western Europe as well. They would have at least 2 billion of the world's 3 billion people well under their control. This Nation would be the only military power standing in their way of dominating the entire planet.

One might say, well, if we did that, we could still hold the New World; we could hold the Western Hemisphere. Conceivably, those who argue that might do well to keep in mind that the Communist do not seem to change their mind about these things, and we could anticipate that they would be pressing in Latin America and Central America, in addition to having the beachhead they have in Cuba, and would do everything they could do to get their military forces into Latin America and elsewhere. We might then well see the Communist powers in control of first one Latin country and then another.

It might be said, "Well, we could still protect our own country." It should be borne in mind that if we were to look at the Communists across the Rio Grande, they would have almost 3 billion people under their domination and control, leaving this Nation only 200 million people to resist the kind of insidious maneuver witnessed through the so-called wars of liberation.

That is one approach. It would perhaps be popular for a few years. I suspect it might well prove to be utterly disastrous in the long run.

The other approach would be to take the attitude that where threats against

nations are being made by the Communist powers, we are going to help those countries and give them the kind of help that is necessary for those countries to prevail. In that event, if we had run out on people we had encouraged to stand up and fight in South Vietnam, we would cause people throughout the entire area to say, "You cannot trust the United States. You cannot depend on the United States." And we would begin to see those people shape their policies to conform to the demands of the Communist powers—China and the Soviet Union.

While one recognizes that it is a tragedy every time an American boy is lost on the battlefield, does not the Senator recognize that the cost would be far, far greater if we found ourselves in a situation where we had to take on the Communist movement when we were about the only country to do it and the Communists had a large part of the world under their control?

Mr. DODD. The Senator is correct in analyzing the situation and in suggesting the conclusion that he does.

Although I have not devoted much space to this matter in my previous remarks it is a subject which ought to be gone into thoroughly. I do deal with the matter later on in my remarks, and I hope the Senator will be present to hear what I have to say.

It seems to me that the conclusion the Senator draws is inescapable; I do not see how anyone could reach any other conclusion.

Mr. LONG. It seems to me that those who say, "Withdraw. Get out under any terms whatever, dishonorable though that might be," simply do not tell us where all this is going to lead. They would like to assume that the Communist powers will fall out among themselves and destroy each other. That is not the way it has happened, has it?

Mr. DODD. No; that has not happened anywhere. I do not think it will happen. There is no sign of it, anyway.

I may say to the Senator from Louisiana that my plea today is a special one for what I have described as patience for a little while. I would not attempt to stifle anybody's criticism. But I am fearful that at this hour a lot of the criticism in this country is misunderstood by our enemies and that it serves to stiffen the backbones of the Communist negotiators in Paris and make it harder for us to get the war over with.

We are all anxious to get it over with, but there are differences of opinion as to how it should be done.

The President inherited this mess. He is trying to get it cleaned up. I say, give him a chance to settle it and leave him alone.

Someone may say, "How long?" I say give him a reasonable, sensible period of time, while they are negotiating in Paris.

That is all I am trying to say.

I do not say this in idleness. I mentioned conditions in the Soviet Union and in China and in Central Europe and in Asia. We have many problems, but the Communists have problems, too, in their own countries and in the countries around them. In fact, they have them in spades.

We ought to strive for a balanced viewpoint on this matter instead of focusing too closely on our own difficulties. I guess that is what I am trying to say.

Because we do not seem to know how to win our wars, we just get bled white by them; and I think it is about time we put an end to this.

But we cannot put an end to this situation when we have all this clamor and confusion, and when the Communists in North Vietnam are able to tell the Washington Post correspondents:

We don't expect to win on the battlefield. But look at the speeches, statements, and advertisements going on in your own country: this is going to cause you to give in.

That is why I say, wait a little bit; give the new Administration a chance, and see if they cannot put an end to it. That is the point of my speech.

(This concludes the colloquy which occurred during the delivery of Mr. DONN's address and which was ordered to be printed at this point by unanimous consent.)

#### PROPOSED JOB CORPS CAMP CLOSURE

Mr. BIBLE. Mr. President, I have been advised that debate on the resolution relating to the closure of Job Corps camps is now, at least tentatively, set for the coming Monday, May 12. I had previously been advised that it would be called up on Wednesday, May 7, which was yesterday, or, at the latest, today. Because of committee schedules and other problems, I am advised that the leadership now says that the resolution cannot be taken up until next Monday or Tuesday.

Because of previous assurances I had received, I made arrangements for hearings in the field concerning problems which relate to the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, a subcommittee of which I am chairman. Therefore, it will be impossible for me to be present at the time the resolution is considered by the Senate.

Many of my constituents have written to me of their interest in this particular program, so I should like to say that I would have voted for the resolution sponsored, in chief at least, by the distinguished Senator from California (Mr. CRANSTON). But because I shall be away from Washington at the time the resolution is considered, I have asked that I be paired with a live pair, if possible; but if not, that, at least, my vote be announced accordingly.

My position is based primarily on the fact that the announcement of the proposed closure was made without consultation with Congress or without any notice to or discussion with Members of Congress who represent States in which the various Job Corps camps are located. I think that is not the way to handle a problem of this magnitude.

Accordingly, I desire to have the Record show that if I were present, I would vote "yea" on the resolution of the Senator from California (Mr. CRANSTON). As I have stated, I have asked for a live pair.

#### APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The Chair, on behalf of the Vice President, appoints the following Senators to attend the United States-Canada Interparliamentary Conference to be held at Ottawa, Canada, June 3 to 8, 1969: The Senator from Idaho (Mr. CHURCH), chairman; the Senator from Alaska (Mr. GRAVEL), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Virginia (Mr. SPONG), the Senator from Montana (Mr. MANSFIELD), the Senator from North Carolina (Mr. ERVIN), the Senator from Vermont (Mr. AIKEN), the Senator from Michigan (Mr. GRIFFIN), the Senator from Wyoming (Mr. HANSEN), the Senator from Idaho (Mr. JORDAN), and the Senator from New York (Mr. JAVITS).

Mr. MANSFIELD. Mr. President, I hope very much that the Senators who have been appointed as delegates representing the Senate to this 12th Canada-United States Interparliamentary Conference will find it possible to participate in this important annual meeting which has done so much since its establishment in 1959 to foster good relations between the United States and our neighbor to the north. It is an important responsibility representing the U.S. Senate and representing the country at this international conference.

The conference, which was established in 1959 by acts of the U.S. Congress and the Canadian Parliament, consists of 24 delegates from each of the two countries, divided between the two chambers. The purpose of the conference as set forth in the U.S. authorizing legislation, is for a "discussion of common problems in the interests of relations between the United States and Canada."

The agenda items which the delegates to this year's conference will discuss run the entire gamut of the mutual problems of concern to our two countries, from defense to trade.

The dialog that transpires at these conferences has far-reaching ramifications in furthering the understanding between countries and its peoples.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The Chair, on behalf of the Vice President, appoints the following Senators to attend the 53d session of the International Labor Conference to be held at Geneva, Switzerland, on June 4 to 26, 1969: The Senator from New Jersey (Mr. WILLIAMS) and the Senator from Pennsylvania (Mr. SCOTT).

Mr. MANSFIELD. Mr. President, in like manner, our delegates to the ILO are there as the representatives of the U.S. Senate.

The International Labor Organization is the international organization which contains representatives of both management and labor from each of the countries in the United Nations. It has traditionally been a meeting ground for the exchange of information and possible legislative ideas applicable to the labor problems of the individual countries. Traditionally the Congress has sent representatives from each body to take part in these deliberations and the meetings have

fostered greater understanding between the governments and brought greater insight to the mutual interests of all concerned.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. STEVENS in the chair). Without objection, it is so ordered.

#### RELEASE OF LEAD FROM NATIONAL STOCKPILE

Mr. LONG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1647, Calendar No. 125.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 1647) to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, as I understand, there is no objection to the bill, except that the Senator from Delaware (Mr. WILLIAMS) feels that this lead, which is in the stockpile, should be sold on a competitive bidding basis. And he has an amendment which would accomplish that.

Mr. WILLIAMS of Delaware. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 1, line 4, strike out "by negotiation or otherwise" and insert in lieu thereof "for sale to the highest responsible bidder".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was 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 the Administrator of General Services is hereby authorized to dispose of, for sale to the highest responsible bidder, approximately one hundred thousand short tons of lead now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat 456, as amended by 73 Stat. 607). The disposals authorized by this section may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: Pro-

vided, That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Mr. LONG. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of Delaware. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### DELINQUENT TAXPAYERS' ACCOUNTS

Mr. WILLIAMS of Delaware. Mr. President, on April 18, 1969, as appear-I presented my 15th annual report on the ing in the RECORD, pages 9538 to 9547, inventory of delinquent taxpayers' accounts.

In that statement I called attention to the fact that \$2,149,842,000 in past-due taxes remained uncollected as of December 31, 1968. Included in that \$2 billion unpaid taxes were \$236,444,000 which had been abated during calendar year 1968.

An abatement represents a tax assessment written off on the basis: First, that as the result of decisions by tax courts or as the result of later examinations of the taxpayer's records it was found to have been an overassessment, and accordingly the amount overassessed was written down to the actual amount determined to be owed; or, second, that the tax claim as assessed was settled by compromise—that is, settled for a percentage of what was actually determined to have been owed.

Today I am incorporating in the RECORD a list of the 100 largest compromise settlements that were included in the 1968 abatements as furnished by Commissioner Thrower.

It should be remembered that to the extent one taxpayer escapes paying his tax obligation, other taxpayers must bear the additional burden.

In my opinion, too much leniency has been shown to some of those owing these large amounts of taxes; we need more rigid enforcement.

I ask unanimous consent that Commissioner Thrower's letter of April 23, 1969, along with the list of the 100 largest compromise settlements, be printed at this point in the RECORD.

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

U.S. TREASURY DEPARTMENT,  
INTERNAL REVENUE SERVICE,  
Washington, D.C., April 23, 1969.

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

DEAR SENATOR WILLIAMS: This is in further response to your letter of December 4, 1968, which requested, among other items, a list of the one hundred largest compromise settlements.

I am enclosing copies of the Abstracts and Statement of each of the one hundred largest accepted Offers in Compromise. Copies of the Abstracts are being furnished because we believe that they will be more informative than a mere listing of the taxpayers' names. You will recall that we used this approach last year.

If I can be of further assistance, please let me know.

With kind regards,  
Sincerely,

RANDOLPH W. THROWER,  
Commissioner.

#### ABSTRACTS AND STATEMENTS

Approval date: 6-13-68; Ralph J. and Iva Abbey, 5630 Loring Dr., Apt. 154, Dallas, Texas; tax due, \$43,713.11; compromise settlement, \*10,000.00; years involved, 1961-1962.

\* The total sum of \$10,000 to be paid in full within 30 days after Notice of Acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until date that payment is made in full, and Waiver of Refunds, Default Agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1968 to 1973 inclusive, and will pay in addition to the \$10,000 offered, any monies collected from a \$3936.91 suspense fund being held by Permian Corporation, Midland, Texas, as indicated in Item #9 of the Collateral Agreement Form 2261.

Approval date: 12-19-67; Thomas F. Abbott, Jr., 11611 Chenault Street, Los Angeles, Calif. 90049; tax due, \$23,619.66; compromise settlement, \*12,000.00; year involved, 1959.

\* \$12,000 with \$3,200 already paid in, the balance to be paid at the rate of \$150 per month, on the 15th of each month, commencing on the 15th of the first month after notification of acceptance, together with other provisions on form 656 (Revised July 1957). In addition, taxpayer has signed a collateral agreement wherein he has agreed to pay a graduated percentage of his future income in excess of \$7500 per year for the years 1968 to 1974 inclusive. In paragraph 9 of the collateral agreement, taxpayer has waived the privilege of carrying forward any unused portion of any net capital losses sustained by him for any year prior to Dec. 31, 1966. He has also signed a joint liability statement wherein it is stated that the offer is made to compromise his liability only and not that of his co-obligor.

Approval date: 2-9-68; James A. Amatulli, A/K/A Vincent Amatulli, 421 Second Avenue, Pelham, New York 10803; tax due, \$60,861.59; compromise settlement \*\$5,000.00; years involved, 1943-1944.

\* The amount of the offer is \$5000 payable as follows: \$2500 upon notice of acceptance; \$500 one year thereafter; \$500 two years thereafter; \$700 three years thereafter and \$300 four years thereafter with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions of F-656 (Rev.) 7-57. In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 to 1973, inclusive.

Approval date: 5-8-68; Gaerold G. Antene, 615 N. W. 25th Street, Oklahoma City, Oklahoma 73103; tax due, \$49,576.78; compromise settlement, \*\$2,500.00; years involved, 1945-1959.

\* \$2500 to be paid within 30 days from date of notification of acceptance and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7/57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1968 to 1969, inclusive.

Approval date: 3-1-68; F. Leroy & Roberta A. August, 2 Maple Place, North Warren, Pennsylvania 16365; tax due, \$48,016.27; compromise settlement, \*\$4,350.00; years involved, 1960-1965.

\* \$4350 cash, together with waiver of refunds and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future

income in excess of \$7500 for the years 1968 to 1967, (sic.) inclusive.

Approval date: 6-7-67; Chester O. Bacon, South Haven, Kansas; tax due, \$34,509.40; compromise settlement, \*5,000.00; years involved, 1957-1963.

\*\$5000 payable upon acceptance, together with waiver of refunds and other provisions on Form 656. In addition, the Taxpayer has agreed to pay a graduated percentage of his future income in excess of \$4500 for the years 1968 to 1975 inclusive.

Approval date: 7-23-68; Sterling H. & Pauline Bagby, Stockton, Kansas, tax due, \$145,237.13; compromise settlement, \*5,400.00; years involved, 1960-1962.

\*\$5400, \$90 deposited with amended offer of Pauline E. Bagby dated November 20, 1967, and \$90 deposited with amended offer of Sterling H. Bagby, Jr. dated November 20, 1967, \$1440 to be paid within 15 days after notice of acceptance. Balance to be paid at the rate of \$63 per month commencing on the 20th day of the month following receipt of notice of acceptance, together with interest at the rate of 6 per cent per annum from the date of the offer is accepted until the payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years of 1968 to 1977, inclusive. It was also agreed that the term annual income shall include the combined annual income of both taxpayers.

Approval date: 11-24-67; Estate of Margaret (Peggy) Baker and John G. Baker, 177 East Elm Street, Greenwich, Connecticut 06830; tax due, \$400,970.87; compromise settlement, \*\$200.00; years involved, 1948-1949.

\*Cash payment of \$200. In addition, John G. Baker has agreed to pay a graduated percentage of future income in excess of \$12,000 for the years 1967 to 1971, inclusive and has assigned to the United States 50 per cent of his recovery, if any, after payment of taxes thereon, from a suit now pending in New York State against Allis Chalmers Manufacturing Company; together with waiver of refunds and other provisions on Form 656 (Rev. 7-57).

Approval date: 3-25-68; Deo V. Beckwith (Grasmoen), 8865 East 20th Street, Tucson, Arizona 85710; tax due, \$67,538.35; compromise settlement, \*2,500.00; years involved, 1956-1959.

\*\$2,500, payable \$50 with the submission of the offer and \$50 on the tenth day of each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57).

Approval date: 11-17-67; Martin Berdy, 470 Fourth Avenue, New York, N.Y., 1580 East 18th Street (New address), Brooklyn, New York 11230; tax due, \$922,475.80; compromise settlement, \*75,000.00; years involved, 1944-1956.

\*\$75,000, payable \$1000 with the offer; \$4000 to be paid within 30 days after notice of acceptance, and the balance of \$70,000 in monthly installments of \$1000 each beginning within 60 days after notice of acceptance for 5 years with a final payment in the amount of \$11,000, together with interest from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$6,000 for the years 1967 to 1976, inclusive, and to a reduction in the "tax basis" of certain assets for Federal income tax purposes.

Approval date: 8-4-67; Thomas D. Berry, Jr., 207 Pinewood Circle, Gulfport, Mississippi 39501; tax due \$24,310.54; compromise

settlement, \*14,435.42; years involved, 1961-1965.

\*\$250 per month commencing 30 days after notice of acceptance and \$250 on the same day of every month thereafter, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions of Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 to 1976, inclusive.

Approval date: 6-18-68; John Block, Apt. 3, County Town Apartments, B.R. Building, Bellmawr, New Jersey 08030; tax due, \$20,299.06; compromise settlement, \*1,200.00; years involved, 1960-1963.

\*\$1200 payable as follows: \$600 to be paid on or before 30 days following acceptance of the offer, and \$300 on the first day of every third month thereafter, until paid in full together with interest at 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$8500 for the years 1968 to 1977, inclusive.

Approval date: 9-20-67; William O. Bridge, 3999 E. South Boulevard, Pontiac, Michigan 48057; tax due, \$594,398.76; compromise settlement, \*110,000.00; years involved, 1949-1954.

\*\$110,000 to be paid as follows: \$26,000 on deposit, \$11,000 to be paid upon acceptance and \$73,000 in six annual installments with the first installment due one year after the acceptance of the offer. Each annual installment is to include  $\frac{1}{6}$  of the \$73,000 balance plus 6 per cent interest on the unpaid balance of the \$73,000. The offer provides for payment of interest at the rate of 6 per cent per annum on all referred payments from the date of the offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions on Form 656 (Revised July, 1957).

Approval date: 9-30-68; Joseph E. & Effie Lee Brock, Star Route, Vernon, Florida 32462; tax due, \$282,638.47; compromise settlement, \*\$108,640.81; years involved, 1959-1965.

\*\$108,640.81 payable \$2,500 with original offer, \$57,500 payable in cash upon acceptance of this offer in compromise and balance of \$48,640.81 payable \$806.14 monthly until balance is fully paid including interest in 6 years together with interest at the rate of 6 per cent per annum, from the date this offer is accepted until the respective payments are made in full, and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$6,000 for the years 1968 to 1977, inclusive, and to a reduction in the "tax basis" of certain assets for Federal Income Tax purposes.

Approval date: 7-23-68; Raymond & Eloise Brown, 640 Vernon Street, Oakland, Calif.; tax due, \$45,473.35; compromise settlement, \*\$4,000.00; years involved 1959-1962.

\*The total sum of \$4,000 payable in full within 90 days of acceptance of offer and a waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed in a collateral agreement, to pay a graduated percentage of his future income in excess of \$7,500 for the years 1969 through 1975 inclusive.

Approval date: 12-5-67; Alfred E. Cepaluni, 8840 Debra Avenue, Sepulveda, California; tax due, \$68,219.31; compromise settlement, \*45,300.00; years involved, 1951-1959.

\*\$45,300.00 payable on the deferred pay-

ment basis as follows: \$12,500 already paid, plus \$555 to be paid on November 1, 1967, and \$555 to be paid on the first day of each month thereafter, together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full, with waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1968 through 1977, inclusive.

Approval date: 9-23-68; R M and Myrtice Coleman, Warrenton, Georgia 30828; tax due, \$397,528.51; compromise settlement, \*65,000.00; years involved 1941-1952.

\*\$65,000 payable \$30,000 with the offer, the balance payable within 30 days after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted and waiver of refunds, default agreement and other provisions on Form 656 (Rev. July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1968 to 1977, inclusive.

Approval date: 1-8-68; Gay Y. and Esther H. Copeland, P.O. Box 232, Rockport, Texas 78382; tax due, \$234,955.35; compromise settlement, \*60,000.00; years involved, 1956-1962.

\*\$60,000, payable in 72 equal monthly installments of \$994.40 each, including interest at the rate of 6 per cent from the date the offer is accepted, with the first installment due the first day of the month following notice of acceptance, until the total amount shall be paid in full, together with a waiver of refunds and other provisions on form 656 (Rev. 7-57). Under the waiver of refunds provision, overpayments of tax and penalty, as stipulated by the Commissioner and the taxpayers with the Tax Court of the United States, in the years 1955 and 1957, totalling \$10,836.83, are to be applied to the liability shown above. In addition, the taxpayers have also signed a collateral agreement agreeing to pay out of annual income for the years 1967 through 1976, inclusive, additional sums of money as provided therein should their annual income exceed \$7,500 and have also signed a collateral agreement in which the amounts of alleged losses sustained in the years 1963, 1964, and 1965 have been waived as additional consideration for the acceptance of the offer in compromise.

Approval date: 6-10-68; Roy B. and Nettie P. Davis, 509 Washington Street, West Point, Mississippi 39773; tax due, \$29,159.87; compromise settlement, \*20,000.00; years involved, 1950-1965.

\*\$20,000 payable upon acceptance of offer together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7,500 for the years 1968 to 1975, inclusive.

Approval date: 1-15-68; R. L. and Lola C. Duckworth, 2335 Eastover Drive, Jackson, Mississippi 39211; tax due, \$31,478.09; compromise settlement, \*4,000.00; years involved, 1959-1961.

\*\$4,000 to be paid upon notification of acceptance of offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57).

Approval date: 4-17-68; Albert L. and Josephine M. Dulin, Rt. 1, Box 291, Waynesville, N.C.; tax due, \$32,883.54; compromise settlement, \*12,000.00; years involved, 1961-1962.

\*\$12,000 payable as follows: \$3500 to be paid on or before the 30th day after the date of the letter of acceptance; \$1500 to be paid one year following the date of the previous payment; \$1000 to be paid two years following the date of the first payment; \$100 to be paid on the last day of each month for 60 months, beginning on the

last day of the month following the month in which the letter of acceptance is dated; with interest at the rate of 6 per cent per annum on deferred payments from the date this offer is accepted until paid in full, together with waiver of refunds, default agreements, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have submitted a collateral agreement providing for payment of a graduated percentage of their future income in excess of \$7500 for the years 1968 to 1975, inclusive.

Approval date: 9-20-67; E. L. Bruce Company, Transferee, 1648 North Thomas, Memphis, Tennessee; tax due, \$67,095.80; compromise settlement, \*\$26,000.00; year involved, 1958.

\*\$26,000 cash submitted with the offer, together with other provisions on Form 656 (Rev. 5-57).

Approval date: 6-18-68; E. Di Clemente & Sons, Inc., 551 60th Street, West New York, New Jersey; tax due, \$28,698.78; compromise settlement, \*10,000.00; years involved, 1959-1960.

\*10,000 payable \$1,500 within 30 days upon formal notice of acceptance and \$800 quarterly thereafter until balance of \$8,500 is paid in full, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer corporation has agreed to pay a graduated percentage of its future income in excess of \$10,000 for the years 1968 to 1974, inclusive, and to waive future tax benefits in conjunction with net operating loss deductions for net operating losses incurred prior to January 1, 1968.

Approval date: 4-4-67; Milton & Lynne Ebbins, 2884 McConnel Drive, Los Angeles, California 90064; tax due, \$85,052.39; compromise settlement, \*21,600.00; years involved, 1953-1963.

\*\$21,600, payable at the rate of \$300 per month commencing on January 15, 1967 and continuing on the 15th day of each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full. The offer contains the waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$10,000 for the years 1968 to 1977, inclusive.

Approval date: 7-16-68; Harry Engelman, 20 Hammond Pond Parkway, Newton, Mass.; tax due, \$106,015.88; compromise settlement, \*5,000.00; years involved, 1944-1945.

\*\$5,000, payable \$1050 within 30 days after notice of acceptance of 2nd amended offer and the balance at the rate of \$165 per month commencing 60 days after notice of acceptance and each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656. In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1968 to 1977 inclusive, to a reduction in the "tax basis" of certain assets and waiver of claiming a Capital Loss deduction for Federal income tax purposes.

Approval date: 12-11-67; J. W. Eubanks, Jr. and Julia Eubanks, Ackerman, Mississippi; tax due, \$18,510.22; compromise settlement, \*9,000.00; years involved, 1960-1964.

\*\$5400 to be paid on receipt of notice of acceptance, plus \$100 monthly thereafter for three years until a total of \$9000 has been paid in this manner together with waiver of refunds, interest, default agreement and other provisions of Form 656. In addition,

the taxpayers have executed a collateral agreement providing for graduated payments for a period of five years, 1967 through 1971 on income in excess of \$10,000.

Approval date: 11-8-67; Melvin W. and Opal Fox, 2010 Meadow Lake Court, Norfolk, Virginia 23518; tax due, \$63,152.60; compromise settlement, \*14,000.00; years involved, 1960-1962.

\*\$14,000—Payable \$100 deposited with the offer; \$100 to be paid on 4-3-67; \$100 on 5-3-67; \$100 on 6-3-67; \$100 on 7-3-67; \$100 on 8-3-67; \$100.18 on 9-3-67. The monthly payments beginning 10-3-67 will be increased to \$250.94 and this amount will be paid on the 3rd day of each month thereafter together with interest at the rate of 6 per cent per annum on the deferred payments from the date this offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7,500 for the years 1967 through 1977 inclusive.

Approval date: 5-6-68; Thomas R. & Rose Garcia, 815 West Beverly Place, Tracy, California; tax due \$82,017.41; compromise settlement, \*\$42,000.00; years involved, 1959-1964.

\*The sum of \$42,000, payable as follows: \$10,000 to be paid with offer; \$10,000 to be paid on refinancing of property transferred by taxpayers to their children for no consideration; \$11,000, plus 6 per cent interest per annum, to be paid 1 year from date offer is accepted; \$11,000, plus 6 per cent interest per annum, to be paid two years from date offer is accepted. The payments are secured by five deeds of trust on four parcels of property, which property is in the name of the taxpayers' children.

Approval date: 11-3-67; Nathan W. & Rose K. Gennes, 1245 50th Street, Brooklyn, New York; tax due, \$34,957.56; compromise settlement, \*7,618.00; years involved, 1959-1964.

\*\$7618, payable \$6017.58 on deposit and the balance at the rate of \$50 per month commencing with the first day of the month following notice of acceptance, and the first day of the following 31 months with the last payment in the amount of \$50.42, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1967 to 1973, inclusive.

Approval date: 12-20-67; Bernard & Julia Gerson, 19330 Parkside, Detroit, Michigan 48221; tax due, \$108,557.77; compromise settlement, \*35,000.00; years involved, 1958-1962.

\*\$35,000 to be paid as follows: \$500 previously submitted and the balance of \$34,500 to be paid within 90 days after date of notice of acceptance with simultaneous release of liens, together with interest at the rate of 6 per cent per annum on all deferred payments from the date the offer is accepted until the respective payments are made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Revised July, 1957). In addition the taxpayers have agreed to a reduction in the "tax basis" of certain assets for Federal income tax purposes.

Approval date: 9-20-68; Peter C. Giambalvo (dec'd), 334 Clement Avenue, Elmont, New York; tax due, \$21,771.10; compromise settlement, \*4,340.99; years involved, 1958-1962.

\*\$4340.99 Cash, together with waiver of refunds and other provisions on Form 656. The original Form 656, submitted with a cash offer of \$1,146.29 has been amended and increased to \$4,340.00.

Approval date: 8-29-67; Daniel Gilden,

Daniel & Pauline Gilden, 73-42 182 Street, Flushing, New York, tax due, \$96,695.20; compromise settlement, \*26,000.00; years involved, 1953-1957.

\*The amount of the offer is \$26,000 payable as follows: \$8600 within 30 days after Notice of Acceptance of the offer; \$150 per month for the first 12 months; \$250 per month for the second 12 months and \$350 for the last 36 months, said monthly payments to commence on or about the 15th day of the month following the \$8600 payment, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$6000 for the years 1967 to 1976 inclusive.

Approval date: 4-16-68; Abe C. Gould, Route No. 6, Mahopac, New York, 150 West Lake Boulevard, Mahopac, New York 10541; tax due, \$177,082.75; compromise settlement, \*25,000.00; years involved, 1944-1948.

\*\$25,000 consisting of \$22,500 paid with the offer, the balance of \$2500 to be paid on acceptance of offer and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1968 to 1977, inclusive, and to a reduction in the tax basis of certain assets for Federal income tax purposes.

Approval date: 3-12-68; Gladys A. Greenhill, 2200 Sacramento Street, San Francisco, California; tax due, \$81,314.56; compromise settlement, \*5,000.00; years involved, 1953-1954.

\*\$5000 of which \$1000 is to be paid 120 days after acceptance of the offer and the balance of \$4000 in 4 equal annual installments commencing 18 months after acceptance of the offer together with interest at the rate of 6 per cent per annum from the date of this offer is accepted until the respective payments are made in full together with waiver of refunds default agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayer has agreed to pay a graduated percentage of her future income in excess of \$7500 for the years 1968 to 1977 inclusive. Taxpayer has signed Collateral Agreement—Taxpayer involved in joint assessments.

Approval date: 8-16-67; Pasquale and Angelina Guariglia, 50 North Eighth Street, Kenilworth, New Jersey; tax due, \$22,141.33; compromise settlement, \*\$7,500.00; years involved 1955-1958.

\*\$7500 payable in full 30 days after notice of acceptance of the offer together with interest at the rate of 6 per cent per annum from date of acceptance until date of payment and waiver of refunds, default agreement and other provisions on Form 656. In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7,500 for the years 1967 to 1971, inclusive.

Approval date: 12-19-67; Marvin Hawkins, 219 Bonita Drive, Birmingham, Alabama 35209; tax due \$26,637.25; compromise settlement, \*1,100.00; years involved 1960-1965.

\*\$1100 cash, together with waiver of refunds and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$6,500 for the years 1968 to 1973 inclusive.

Approval date: 4-18-68; Gerald P. & Eileen M. Hayes, 1869 North 68 Street, Wauwatosa, Wisconsin 53213; tax due \$56,378.14; compromise settlement, \*10,000.00; years involved, 1954-1965.

\*\$10,000, payable \$1000 deposited with the offer and the balance of \$9000 payable within 48 hours after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the payment is made and waiver of refunds, default agreement and other provisions of Form 656 (Rev. 7-57). In addition

the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1969 to 1973 inclusive.

Approval date: 9-29-67; Horace E. and Sue Seitz Henry, Post Office Box 702, Greenville, Mississippi; tax due, \$73,311.21; compromise settlement, \*\$10,000.00; years involved, 1957-1961.

\*\$10,000 payable upon acceptance of offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$12,500 for the years 1967 to 1976, inclusive.

Approval date: 11-2-67; Lester L. Hiatt, 127 Seale Road, San Antonio, Texas, tax due, \$14,556.66; compromise settlement, \*\$1,000.00; years involved, 1953-1962.

\*\$1,000 together with waiver of refunds and other provisions on Form 656 (Rev. 7-57), payable \$100 upon notification of acceptance of the offer and the balance at \$25 on the first day of each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full. In addition, Mr. Hiatt has agreed to pay a graduated percentage of his future income in excess of \$6,000 per annum for the years 1968 to 1977, inclusive.

Approval date: 2-8-68; W. Harry (dec'd) and Almada Hooper, Route 3, Mill Creek, Pennsylvania 17060; tax due, \$40,781.32; compromise settlement, \*\$5,000.00; years involved, 1957-1962.

\*\$5,000 payable within 30 days after notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provision on Form 656 (Rev. 7-57).

Approval date: 5-21-68; Lorenzo D. & Norma Howorth, 604 Pool Drive, Norton, Kansas; tax due, \$54,035.48; compromise settlement, \*5,080.00; years involved, 1956-1958.

\*\$5080 payable within ten days after notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, Lorenzo D. Howorth has agreed to pay a graduated percentage of his future annual income in excess of \$5,000 for the years of 1969 to 1978 inclusive. In addition, Norma Howorth has agreed to pay a graduated percentage of annual income in excess of \$4000 for the years 1969 to 1978 inclusive. It was further agreed with Norma Howorth, that in event that Lorenzo D. Howorth defaults upon the terms and conditions of the amended offer and collateral agreement, reinstatement of the tax liability will be limited to Lorenzo D. Howorth, so long as Norma Howorth meets the terms and conditions of the amended offer and collateral agreement.

Approval date: 10-30-67; Robert A. and Patricia H. Hutchinson, c/o American Embassy (Visitors Mail), Counselors Section, Tehran, Iran; tax due \$38,828.93; compromise settlement, \*10,500.00; years involved, 1958-1960.

\*\$10,500 payable \$5250 upon acceptance of the offer, and the balance of \$5250 to be paid in 25 installments of \$201.92 and 1 installment of \$202 beginning November 15, 1967 and the last installment December 15, 1969 together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the \$10,500 is paid in full together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$12,000 to the District Director for the years 1967 to 1971, inclusive. The taxpayers have also agreed to

waive the capital loss carryover resulting from bad debts sustained in 1960 and 1961 for the purpose of computing income taxes for all years beginning after 1966.

Approval date: 6-20-68; Jackson & Highley Funeral Home, Inc., West Helena, Arkansas; tax due, \$43,331.42; compromise settlement, \*15,000.00; years involved, 1955-1959.

\*\$15,000 paid with the offer, together with waiver of refunds and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer corporation has agreed to pay a graduated percentage of its future income in excess of \$10,000 for the years 1967 to 1976, inclusive.

Approval date: 10-30-67; Robert S. Johnson, 7315 5th Ave. N.E., Seattle, Washington 98115; tax due, \$5,773.74; compromise settlement, \*3,600.00; years involved 1963-1964.

\*\$3600 payable \$100 per month commencing May 15, 1967 and on the 15th day of each month thereafter, in addition to interest at the rate of 6 per cent per annum from the date this offer is accepted until the payment is made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (7/57).

Approval date: 10-11-67; C. Murray and Grace K. Jones, 13 Churchill Road, Pittsburgh, Pennsylvania 15235; tax due, \$25,105.02; compromise settlement, \*9,000.00; years involved, 1960-1964.

\*\$9000 to be paid within 90 days after notice of acceptance of the offer with interest at the rate of 6 per cent per annum on the deferred payment from the date of notice of acceptance of the offer until the deferred payment is made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 5-57).

Approval date: 3-26-68; E. V. Jones, 9822 Oasis Drive, Garden Grove, California 92641; tax due, \$44,176.22; compromise settlement, \*\$5,100.00; years involved, 1959-1961.

\*The total sum of \$5100 payable on the deferred payment basis as follows: \$500 paid with the offer, plus the sum of \$1000 to be paid on the 15th day of the first month following the month in which the offer is accepted, and \$60 on the 15th day of each successive month, together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full, with waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1968 to 1977, inclusive.

Approval date: 7-29-68; Kamen Soap Products Co., Inc., 7 Fairview Avenue, Barberton, Ohio; tax due, \$61,656.59; compromise settlement, \*\$2,500.00; year involved, 1947.

\*\$2,000 cash, together with waiver of refunds and other provisions on Form 656.

Approval date: 3-21-68; Sidney & Selma Kaufman, 1493 East 49th Street, Brooklyn, N.Y.; tax due, \$58,593.07; compromise settlement, \*\$16,500.00; years involved, 1952-1960.

\*\$16,500, \$1000 within 3 months after acceptance of offer and balance of \$15,500 within six months after acceptance of offer or when property 1493 East 49th Street, Brooklyn, N.Y. is sold whichever occurs first. Interest at the rate of 6 per cent per annum from date of offer is accepted until full payment is made; and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition the taxpayer has agreed to a collateral agreement to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 thru 1973 inclusive.

Approval date: 6-21-67; Aaron Klein, Transferee, 5610 Caruth Blvd., Dallas, Texas; tax due, \$16,754.65; compromise settlement, \*2,500.00; years involved, 1950-1953.

\*The total sum of \$2500 cash paid with offer together with waiver of refunds and other provisions of Form 656 (Rev. 7-57). In

addition, the taxpayer agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 to 1971, inclusive.

Approval date: 8-5-68; Sidney and Hannah Klein, 1369 Hudson Road, West Englewood, New Jersey; tax due, \$32,332.25; compromise settlement, \*19,100.00; years involved, 1956-1965.

\*\$19,100 payable \$785 deposited with the offer; \$13,000 within 60 days after notification of acceptance, and the balance at the rate of \$275 quarterly on or before the fifteenth day of each third calendar month thereafter, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 to 1976, inclusive.

Approval date: 8-14-67; Beatrice H. (Lerner) Levenson, 4723 Pershing Ave., San Bernardino, Calif.; tax due, \$29,487.95; compromise settlement, \*1,000.00; year involved, 1960.

\*\$1,000 payable \$500 with the offer and \$500 upon acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full, and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, taxpayer has agreed to pay a graduated percentage of her future income in excess of \$7500 for the years 1967 to 1971 inclusive.

Approval date: 6-5-68; Lyman L. and Delta Lippincott, 52 First Street, North Hampton, Ohio 45349; tax due, \$38,036.54; compromise settlement, \*\$28,000.00.

\*\$28,000 payable \$8000 with the offer, \$1000 upon receipt of notification of acceptance of the offer, and the balance at \$1000 each quarter for 5 years, specifically on August 1, November 1, February 1, and May 1 of each year thereafter, until fully paid, together with waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1968 to 1976, inclusive.

Approval date: 8-1-67; Lincoln S. and Marion S. Love, 4520 Cherry Street, Erie, Pennsylvania; tax due, \$26,515.73; compromise settlement, \*\$14,000.00; years involved, 1959-1962.

\*\$14,000 payable as follows: \$6260 payable within thirty days after notice of acceptance of offer and \$215 to be paid on the 15th day of the month following notice of acceptance of offer, and \$215 on the 15th of each month thereafter until the balance is paid in full together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1967 to 1976, inclusive.

Approval date: 4-26-68; Martin and Beatrice (dec'd) Luff, 1608 East Washington Lane, Philadelphia, Pennsylvania 19119; tax due, \$28,734.20; compromise settlement, \*1,700.00; years involved, 1954-1959.

\*\$250 cash, \$250 upon notice of acceptance and the balance in consecutive monthly payments of \$50 each, with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition, the taxpayer has agreed to pay a graduated percent-

age of his future income in excess of \$7500 for the years 1968 to 1977, inclusive.

Approval date: 11-2-67; M. N. & Opal McDonnell, P.O. Box 10237, Fort Worth, Texas; tax due, \$16,809.60; compromise settlement, \$5,000.00; years involved, 1959-1962.

\*\$5,000 payable upon acceptance of offer, with waiver of refunds, default agreement, and other provisions as set out in form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future annual income in excess of \$7500 for the years 1967 to 1974 inclusive as follows: 20 per cent of annual income in excess of \$7500 and not in excess of \$10,000; 30 per cent of annual income in excess of \$10,000 and not in excess of \$15,000; 50 per cent of annual income in excess of \$15,000.

Approval date: 2-28-68; Hiram J. and Ruby Marks, 701 North 16th Street, Phoenix, Arizona 85006; tax due, \$44,780.91; compromise settlement, \$7,400.00; years involved, 1958-1966.

\*\$7,400 payable \$5,000 within 30 days after notification of acceptance of the offer, and the balance of \$2400 payable at the rate of \$50 each month, commencing on the 30th day of the month following notification of acceptance of the offer, and on the 30th day of each month thereafter. Also, waiver of refunds and other provisions on Form 656 (Rev. 7-57). In addition the taxpayer has executed a collateral agreement to pay a graduated percentage of future income in excess of \$7500 for the years 1968 to 1972 inclusive.

Approval date: 10-10-67; W. C. and Marjorie P. Masee, Box 311, Milledgeville, Georgia 31061; tax due, \$76,834.83; compromise settlement, \$25,000.00; years involved, 1956-1958.

\*\$25,000 payable \$10,000 at the time of acceptance of the offer, the balance of \$15,000 payable in 84 equal monthly installments of \$219.13 per month beginning the tenth day of the first calendar month following the month in which the offer is accepted and on the tenth day of each month thereafter for a total of 84 such payments, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Revised July 1957). All payments to date to be deducted from the initial \$10,000 payment.

Approval date: 6-20-67; William E. and Marion C. Mathies, Jr., 206 Oak Street, Butler, Pa. 16001; tax due, \$26,713.28; compromise settlement, \$7,500.00; years involved, 1959-1961.

\*\$100 deposited on the offer and \$125 payable within 30 days after date of notice of acceptance of the offer, and \$125 each month thereafter together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on form 656 (Rev. 7/57). In addition, as additional consideration for the acceptance of the offer, the taxpayers have executed a collateral agreement whereunder they agree to pay a graduated percentage of their future income in excess of \$7500 to the District Director for the years 1967 to 1976, inclusive.

Approval date: 4-3-68; B. B. & Josephine Morgan, 1760 Forest Hill, Houston, Texas 77023; tax due, \$22,781.25; compromise settlement, \$7,500.00; years involved, 1954-1956.

\*\$7500 paid in full on the deferred basis of \$125 per month for a period of 60 months, beginning January 25, 1968, and payable on the 25th of each month following, with waiver of refunds, default agreement, and other provisions on Form 656 (Revised July 1957). In addition, taxpayer executed a collateral agreement for payment of a graduated percentage of future income in excess of \$10,000 for years 1968 to 1974.

Approval date: 3-4-68; Victor & Aileen Nativio, 701 Rose Stop Road, New Castle, Pennsylvania 16101; tax due, \$25,916.18; compromise settlement, \$15,000.00; years involved, 1957-1961.

\*\$15,000 payable on the deferred payment basis as follows: \$10,650 deposited on the offer; \$4,350 to be paid within 30 days after notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1968 to 1977, inclusive.

Approval date: 4-16-68; Louis Nierenberg, 239 West 30th Street, New York N.Y. 10001; tax due, \$102,143.06; compromise settlement, \$15,000.00; years involved, 1943-1961.

\*The amount of the offer is \$15,000 payable as follows: \$1500 within one month of notification of acceptance and \$400 on the 15th day of each succeeding month for a period of 33 months and the balance of \$300 one month thereafter, together with interest at 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition to the foregoing, the taxpayer has agreed to pay a graduated percentage of his future annual income in excess of \$7500 to the District Director for the years 1967-1976, inclusive, and to a reduction in the "Tax Basis" of certain assets for federal income tax purposes.

Approval date: 9-28-67; Thomas M. and Gertrude Norton (aka Gypsey Norton), 2987 Kalakaua Avenue, Apt. 105, Honolulu, Hawaii 96815; tax due, \$193,997.93; compromise settlement, \$35,000.00; year involved, 1960.

\*\$35,000 payable \$4330 cash with the offer and the balance payable at the rate of \$511.16 or more per month beginning on the 15th day of the 3rd month following notice of acceptance and on the 15th day of each month thereafter for 59 months with a final payment of \$511.56 due on the 15th day of the 60th month with interest at the rate of 6 per cent per annum on the deferred payments from the date this offer is accepted until the respective payments are made in full together with waiver of refunds, default agreement and other provisions on Form 656 (Revised July, 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1967 to 1974, inclusive and to the reduction in the "tax basis" of certain assets for Federal income tax purposes.

Approval date: 4-8-68; Estate of Jose Maria Nouel, Deceased, c/o Aquilles Recio, Pago Enriquez, Urena #6, Santo Domingo, Dominican Republic; tax due, \$151,389.11; compromise settlement, \$17,152.60; year involved, 1958.

\*Cash, paid in full with offer.

Approval date: 6-6-8; Edward T. J. and Marie Parkinson, 1545 Saragossa Avenue, Coral Gables, Florida; tax due, \$84,943.69; compromise settlement, \$17,000.00; years involved, 1960-1962.

\*\$17,000, \$2,000 paid on December 8, 1967, and the balance of \$15,000 to be paid within 60 days from the date of notice of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions on Form 656. In addition, the taxpayers have agreed to pay a graduated percentage on their future income in excess of \$7500 for the years 1968 to 1972. Also the taxpayers have executed collateral agreements waiving net operating carry-back or carry-over losses sustained for the years 1968 to 1972, inclusive, and waiving bad debts or other losses due from certain receivables for any year.

Approval date: 1-22-68; Edward & Cele Paul, 4901 South Ridge Terrace, Fort Worth, Texas; tax due, \$71,631.56; compromise settlement, \$16,500.00; years involved, 1957-1962.

\*\$16,000 paid in full, 10 days after notice of acceptance of offer, with waiver of refunds, default agreement and other provisions as set out in form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future annual income in excess of \$7,500 for the years 1967 to 1975 inclusive as follows: 20 per cent of annual income in excess of \$7,500 and not in excess of \$10,000; 30 per cent of annual income in excess of \$10,000 and not in excess of \$15,000; 50 per cent of annual income in excess of \$15,000. Taxpayers have also agreed to Waiver of Net Operating Carry-back or Carry-over losses for the 1967 to 1975 inclusive. Form 2261-C.

Approval date: 8-23-68; Henry N. Price, 239 Hector Street, Ithaca, New York; tax due, \$39,164.00; compromise settlement, \$5,000.00; year involved, 1961.

\*\$5,000 payable \$570 upon acceptance of the offer and \$130 payable on the 15th of the month following acceptance of offer and \$100 payable on the 15th of each month thereafter until the full payment together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer agreed to pay a graduated percentage of his future income in excess of \$6,000 for the years 1969 to 1978 inclusive per amended collateral agreement secured on 4-12-68.

Approval date: 7-10-68; Willard A. & Evelyn Rhodes, 1099 Fourth Avenue, Freedom, Pennsylvania 15042; tax due, \$62,525.93; compromise settlement, \$20,000.00.

\*\$20,000 payable on the deferred payment basis as follows: \$16,000 deposited on offer; balance to be paid at the rate of \$75 monthly starting January 1, 1968, together with interest at the rate of 6 per cent per annum on the deferred payments from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57).

Approval date: 2-15-68; Dominick R. & Genevieve B. Rinaldi, 939 Washington Street, Hoboken, New Jersey; tax due, \$142,533.06; compromise settlement, \$3,500.00; years involved, 1958-1962.

\*\$3,500 payable \$1,000 within 30 days after notice of acceptance of the offer and the balance payable in installments of \$500 on July 1, 1968, July 1, 1969, July 1, 1970, July 1, 1971 and July 1, 1972, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7,500 for the years 1968 to 1977, inclusive.

Approval date: 9-26-68; Karl E. and Evelyn Y. Rothrock, 2179 Millvale Road, Louisville, Kentucky 40205; tax due, \$122,746.79; compromise settlement, \$6,000.00; years involved, 1957-1960.

\*\$6,000 cash with offer, together with waiver of refunds and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$8,500 for the years 1968 to 1974, inclusive and to a limitation of tax benefits as to the repayment of certain funds for Federal income tax purposes.

Approval date: 1-19-68; Jack E. Schauer, 296 Tauber Dr., Centerville, Ohio 45459; tax due, \$41,106.46; compromise settlement, \$1,000.00; years involved, 1956-1962.

\*\$1000 payable 30 days after date of notice of acceptance of the offer and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1968 to 1973, inclusive.

Approval date: 10-23-68; Ben and Janet Schleifer, 2102 West Luke Avenue, Phoenix, Arizona 85015; tax due, \$365,358.82; compromise settlement, \*3,300.00; years involved, 1956-1963.

\*\$3300 payable \$2000 with the offer and the balance of \$1300 on about June 15, 1967 together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1969 to 1978 inclusive, and have agreed that any net operating losses sustained for the years 1963 to 1971, inclusive shall not be claimed as net operating carry-backs or carry-overs, under the provisions of Section 172 of the Internal Revenue Code. Also that in the event of a future sale of note receivable and stock, with cost or book value of \$210,000 and \$85,000 respectively, the basis of each for income tax purposes will be considered as "zero".

Approval date: 8-3-67, Leroy and Elayne Schwartz, 320 East 46th Street, Savannah, Georgia 31405, tax due, \$33,277.84; compromise settlement, \*5,000.00; years involved 1961-1965.

\*\$5000 payable within 30 days after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date the offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions on Form 656 (Revised July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1967 to 1973, inclusive, and to a reduction in the "tax base" of certain assets for Federal income tax purposes.

Approval date: 4-5-68; John Shimberg, Route 3, Dunn, N.C., tax due, \$39,564.94; compromise settlement, \*5,000.00; years involved, 1960.

\*\$500 paid on amended offer dated 7-31-67. \$200 is submitted with this amended offer dated 3-6-68. The remaining amount will be paid in monthly installments of \$100 beginning one month from the date of acceptance of the offer, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions of Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his income in excess of \$7500 for a seven year period beginning with the year 1968. In addition, the taxpayer has agreed to waiver of net operating carry-back or carry-over losses for the years 1964 and 1965.

Approval date: 10-6-67; Thomas H. and Frances L. Shugart, 1642 Van Dyke Avenue, Raleigh, North Carolina; tax due \$75,596.99; compromise settlement, \*700.00; years involved, 1961-1962.

\*\$700 consisting of \$100 deposited with the offer, and the balance of \$600 to be paid within 40 days from the date of acceptance of the offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7,500 for the years 1967 to 1972 inclusive.

Approval date: 3-29-68; Harry and Esther Simmons, 98-09 64th Road, Rego Park, New York 11374, tax due, \$97,255.95; compromise settlement, \*7,500.00; years involved, 1956-1959.

\*\$7,500 payable \$4700 paid with the origi-

nal offer, and the balance of \$2,800 to be paid in 19 quarterly installments; the first 18 quarterly installments at \$150 per quarter and the last installment at \$100 commencing on the 15th day of the second month following date of notice of acceptance and quarterly thereafter until paid in full, together with waiver of refunds, default agreement, interest and other provisions on Form 656 (Rev. 7-57). The taxpayers have also executed a collateral agreement with respect to additional payments from future income.

Approval date: 11-30-67; Albert L. and Edell P. Smith, 204 Roundup Avenue, Newcastle, Wyoming 82701; tax due, \$41,889.21; compromise settlement, \*2,000.00; years involved, 1949-1952.

\*Total (\$2000) to be paid within 45 days of acceptance of the offer in compromise by Internal Revenue Service.

Approval date: 4-1-68; Harris K. and Gertrude Smith, o/a 55 Tonnele Avenue, Jersey City, N.J., n/a c/o Mrs. Gertrude Smith, RR 1, Box 56D Orleans, Massachusetts 02653; tax due, \$38,570.79; compromise settlement, \*825.12; years involved, 1956-1963.

\*\$825.12 plus the excess over \$1200 realized on the sale of ten shares of Eastman Kodak stock, to be paid within 60 days after receipt of notice of acceptance of the offer.

Approval Date: 7-23-68; Alice S. Somermeyer, 9599 Sunset Boulevard, Beverly Hills, California 90210; tax due, \$102,067.83; compromise settlement, \*2,500.00; years involved, 1950-1954.

\*\$2,500 paid with the offer, and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of her future income in excess of \$2500 for the years 1968 to 1974, inclusive.

Approval date: 2-28-68; Julian R. and Mamie W. Stevens, P. O. Box 3626, Lafayette Louisiana 70504; tax due \$148,831.10; compromise settlement, \*4,800.00; years involved 1959-1961.

\*\$4800 payable one-third or \$1600 within 90 days after offer is accepted, one third or \$1600 one year from acceptance date and the balance of \$1600 two years from acceptance date together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1968 to 1973, inclusive, also a waiver of net operating losses and reduction in basis of an asset.

Approval date: 6-13-68; William S. & Lelia F. Stewart, 2502 McGrath Street, Apartment 5, Baton Rouge, Louisiana; tax due, \$25,981.02; compromise settlement, \*19,307.61; years involved, 1954-1960.

\*\$19,307.61 representing total amount; with \$100 previously submitted and balance payable in full within 30 days upon acceptance of offer.

Approval date: 10-10-67; Adele Hazan Stuart aka A. Stuart aka Adele Hazan, 600 North Kings Road, Los Angeles, California; tax due, \$26,757.20; compromise settlement, \*5,000.00; years involved, 1960-1965.

\*\$5000 to be paid within fifteen days after notice of acceptance of this offer, together with interest at the rate of 6 per cent per annum from date of acceptance until payment is made in full, and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of her future income in excess of \$7500 for the years 1968 through 1972 inclusive.

Approval date: 7-31-68; Bernard A. Sykes, Jr., 2030 E. 86th Street, Cleveland, Ohio 44106 tax due, \$23,583.42; compromise settlement, \*3,000.00; years involved, 1959-1964.

\*\$3000 payable in 60 consecutive monthly

installments of \$50. Installment payments to begin 30 days following notice of acceptance, together with interest at the rate of 6 per cent per annum from the date this offer is accepted, until respective payments are made in full, and waiver of refunds, default agreement, and other provisions on Form 656 (Rev. 7-57). In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1968 to 1977 inclusive and to waive, for Federal income tax purposes, his right to the deduction of certain losses allowed under Section 165 of the Internal Revenue Code of 1954.

Approval date: 11-29-67; Arthur C. Tebb, 3024 S.W. Florida Court, Apt. D, Portland, Oregon 97219; tax due, \$32,361.34; compromise settlement, \*\$3,000.00; years involved, 1957-1964.

\*\$3000 to be paid upon acceptance together with interest at the rate of 6 per cent per annum on the deferred payments from the date of acceptance until the full amount is paid. The offer includes waiver of refunds, default agreement and other provisions of form 656 (Rev. July 1957). In addition the taxpayer has agreed to pay a graduated percentage of future annual income in excess of \$7500 for the years 1967 to 1971, inclusive.

Approval date: 11-2-67; Willene Tucker, 213 Monticello Drive, Odessa, Texas; tax due, \$91,846.26; compromise settlement, \*35,362.88; years involved, 1955-1961.

\*The total sum of \$35,362.88 will be paid within 30 days after notice of acceptance of the Offer in Compromise by the District Director of Internal Revenue, Dallas, Texas, together with waiver of refunds, interest, default agreement, and other provisions on Form 656 (Rev. 7-57).

Approval date: 8-30-67; James T. & Helen C. Valentine, 10335 Hedgeway, Dallas, Texas; tax due, \$33,523.46; compromise settlement, \*1,500.00; years involved, 1955-1956.

\*\$1500 payable on a deferred payment basis as follows: \$250 to be paid within 30 days from date of notice of acceptance of the offer, \$250 to be paid on the 15th day of Oct. and Dec. 1967, and \$250 to be paid on the 31st day of March, May & July 1968, together with 6 per cent accrued interest. Waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57) in addition the taxpayers agreed to pay a graduated percentage on their future income in excess of \$7500 for the years 1967 through 1976 inclusive.

Approval date: 2-8-68; Dr. Stephen F. Verges, c/o Vasil Polysois, 7504 Alaska Avenue, N.W., Washington, D.C. 20012, tax due, \$38,257.75; compromise settlement, \*\$7,200.00; years involved, 1957-1961.

\*\$7200 payable within 30 days after the acceptance of the offer, together with waiver of refunds and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 to 1976, inclusive. This is a second amended offer submitted by the taxpayer.

Approval date: 10-3-67; Louis J. Van Orden, c/o Eric Pusinelli & Co., 19 West 44th Street, New York, New York 10036; formerly, 122 East 37th St., New York, N.Y.; tax due, \$20,565.49; compromise settlement, \*8,500.00; years involved, 1955-1959.

\*\$8500 payable \$200 with the original offer, and the balance of \$8300 to be paid within 30 days after notice of acceptance, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until paid in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57).

Approval date: 4-25-67; Carl X. Volpenhein, 1027 Ann Street, Newport, Kentucky; tax due, \$26,810.99; compromise settlement, \*4,956.90; years involved, 1960-1965.

\*\$4,956.90, payable by certified check on or before 90 days from date of acceptance of

this offer, together with interest at the rate of six per cent per annum from the date the offer is accepted until the respective payment is made in full, with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$6000 for the years 1967 to 1976, inclusive, and has agreed to file and pay future tax on time.

Approval date: 9-1-67; Richard and Evan Wagner, R.D. #2, Masonville, New York; tax due, \$14,569.01; compromise settlement, \*\$8,300.00; years involved, 1952-1960.

\*\$8,300 payable within 60 days after date of notice of acceptance of the offer together with waiver of refunds and other provisions of Form 656 (Rev. 7/57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1967 to 1972, inclusive.

Approval date: 3-14-68; Marlon W. (deceased) & Minnie H. Watson, 920 Culbertson Avenue, Worland, Wyoming 82601; tax due, \$24,567.37; compromise settlement, \*\$13,500.00; years involved, 1955-1957.

\*\$13,500 payable in full within thirty days after date of acceptance of the offer.

Approval date: 3-7-68; Harry F. & Kathleen Weaver, 1450 Lake Avenue, Colusa, California 95932; tax due, \$27,098.73; compromise settlement, \*\$2,356.27; years involved, 1958-1960; 1963-1966.

\*\$2,356.27 payable at the rate of \$100 on the first day of each month, plus interest at 6 per cent per annum, until the sum offered is paid, and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1969 through 1978.

Approval date: 5-23-68; Herman R. and Rosalie Weiss, 3270 East Camelback Road, Phoenix, Arizona 85018; tax due, \$119,441.16; compromise settlement, \*\$10,000.00; years involved, 1955-1959.

\*\$10,000 payable \$1500 paid August 2, 1967; assignment of promissory note due from Hiron and Glenna Tabor dated March 27, 1965 in the amount of \$3825 with interest at the rate of 7 per cent per year payable in monthly installments of \$25 or more in accordance with the terms of the note to the District Director of Internal Revenue beginning August 1, 1967 to and including March 1, 1973; assignment of promissory note due from Kenneth E. and Zola M. Meek dated April 17, 1967 in the amount of \$1069 with interest at the rate of 6 per cent per year payable in monthly installments of \$25 or more in accordance with the terms of the note to the District Director of Internal Revenue beginning August 1, 1967; the balance at the rate of \$70 per month.

Approval date: 9-27-67; C. I. and Gussie Whitaker, Hartwell, Georgia 30643; tax due, \$31,111.76; compromise settlement, \*\$3,000.00; years involved, 1953-1964.

\*\$3000 cash paid with the offer, together with waiver of refunds, default agreement and other provisions on Form 656 (Revised July 1957). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1967 to 1976, inclusive.

Approval date: 6-20-67; Besfred R. & Catherine Williams, 2407 Paddock Lane, Louisville, Kentucky; tax due \$20,097.81; compromise settlement, \*\$2,800.00; years involved 1954-1955, 1964.

\*\$2,800 payable at the rate of \$50 a month, first payment to be made on March 15, 1967, and thereafter on the 15th of each month until paid in full together with interest at the rate of six percent per annum from the date the offer is accepted until the respective payments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the

taxpayers have agreed to pay a graduated percentage of their future income in excess of \$7500 for the years 1967 to 1974, inclusive. Form 900 was executed on August 17, 1965 extending the statute to December 31, 1966.

Approval date: 3-15-68; David L. Williams, 7507 N.W. 84th Street Terrace, Kansas City, Missouri 64153; tax due, \$21,916.70; compromise settlement, \*\$5,000.00; years involved, 1957-1962.

\*\$8500 cash together with waiver of refunds, interest and default agreement and other provisions of Form 656 (Rev. 7-57). As additional consideration for acceptance of this offer, taxpayer has agreed to pay a graduated percentage of future income in excess of \$7500 gross annual income for the years 1968 to 1977, inclusive.

Approval date: 1-9-68; Charles Wilson, 6030 West Coolidge Street, Phoenix, Arizona; tax due, \$69,089.35; compromise settlement, \*\$1,000.00; years involved, 1963-1965.

\*The amount of the offer is \$1000 payable in monthly installments of \$25 with the first payment on the 30th day of the month following acceptance of the offer and \$25 on the 30th day of each month thereafter together with waiver of refunds, default agreement and other provisions on Form 656. In addition the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 to 1976 inclusive. This appears to be the first offer submitted by the taxpayer.

Approval date: 4-18-68; Matthew J. & Virginia R. Wojciechowski, 3005 South 37th Street, Milwaukee, Wisconsin 53215; tax due, \$32,288.00; compromise settlement, \*\$3,500.00; year involved, 1954.

\*\$3500 to be paid within 30 days after notice of acceptance of the offer together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payment is made in full and waiver of refunds, default agreement and other provisions in Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$6000 for the years 1967 to 1973 inclusive and have waived net operating loss carrybacks and carry-forwards for Federal income tax purposes.

Approval date: 3-7-68; John E. and Virginia Yahraes, 2318 Coles Boulevard, Norristown, Pa. 19401; tax due, \$59,077.97; compromise settlement, \*\$44,000.00; years involved, 1955-1960.

\*\$44,000 payable: \$8000 tendered with the offer and \$36,000 in 60 equal monthly installments of \$600 each payable on the 15th day of each month, the first payment due on the 15th day of the month following the month in which notice of acceptance is received, with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective payments are made in full, together with waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future income in excess of \$15,000 for the years 1967 to 1976, inclusive and further have assigned four life insurance policies as collateral security in the event of the Insured's death prior to full payments under the terms of the offer and collateral agreement.

Approval date: 11-24-67; Albert Yalof, transferee, 166 East 35th Street, New York, New York; tax due, \$105,700.91; compromise settlement, \*\$10,000.00; years involved, 1944-1945.

\*\$10,000 payable \$2200 deposit, \$1800 within 30 days after notification of acceptance and the balance at the rate of \$100 per month starting the first day of the second month after date of acceptance and each month thereafter, together with interest at the rate of 6 per cent per annum from the date this offer is accepted until the respective pay-

ments are made in full and waiver of refunds, default agreement and other provisions on Form 656 (Rev. 7/57). In addition, the taxpayer has agreed to pay a graduated percentage of his future income in excess of \$7500 for the years 1967 to 1973, inclusive.

Approval date: 8-12-68; Ralph W. and Miriam D. Young, 244 South El Molina Avenue, Apt. 5, Pasadena, California 91106; tax due, \$22,251.50; compromise settlement, \*\$4,500.00; years involved, 1960-1962.

\*\$4,500 of which \$4000 was submitted with the offer and \$500 will be paid upon acceptance of the offer, together with waiver of refund, default agreement, and other applicable provisions of Form 656 (Rev. 7-57). In addition, the taxpayers have agreed to pay a graduated percentage of their future annual income in excess of \$7500 for the years 1968 to 1972, inclusive.

#### SENATE JOINT RESOLUTION 108— INTRODUCTION OF A JOINT RESOLUTION TO PROVIDE FOR A STUDY AND EVALUATION BETWEEN UNDERGROUND NUCLEAR DETONATIONS AND SEISMIC DISTURBANCES

Mr. GRAVEL. Mr. President, the Atomic Energy Commission next fall is planning a series of underground nuclear tests in Alaska, on Amchitka Island, at the western end of the Aleutian chain. This is one of the earth's most seismically active regions.

Many Alaskans have expressed to me their concern that the forthcoming nuclear detonations could disturb the subsurface area in such a way as to cause devastating earthquakes and tsunami waves. Alaskans are all too familiar with the horror of earthquakes and giant sea waves. In 1964 the south-central region of Alaska was torn apart by the most powerful earthquake to strike North America in modern times. The cost in lives was 115 men, women, and children. The damage to public and private property was over a half billion dollars.

So we in Alaska are understandably earthquake-conscious. Two events last month related that concern to the forthcoming nuclear tests at Amchitka. Most ominous was a statement by Dr. Kenneth S. Pitzer, president of Stanford University, a former research director for the Atomic Energy Commission, and, until January, Chairman of the President's Scientific Advisory Committee.

On April 14, with full access to all classified AEC studies on safety, Dr. Pitzer urged that large underground nuclear tests in central Nevada and on the Aleutians be delayed pending an independent inquiry by qualified scientists not now under contract to the Atomic Energy Commission or its contract agencies. Dr. Pitzer particularly singled out potential earthquake hazards as being a matter of immediate concern.

Dr. Pitzer said:

I believe the risk that a damaging earthquake might be triggered deserves a much more substantial public hearing, before large tests are held at the new sites in Central Nevada and the Aleutian Islands, which are seismically active areas. Then Congressmen, Governors, and other responsible officials as well as the interested public can form their own judgment, balancing this and any other risks against the need for tests or the extra costs of moving to a non-seismic location.

Also in recent weeks, Mr. President, the Atomic Energy Commission released a report entitled "Safety of Underground Nuclear Testing." This report is an attempt to analyze concerns raised over the safety of the program. But with respect to Amchitka, the report contains this startling comment:

The Amchitka test area merits special mention because it is located near one of the earth's most seismically active regions. Inasmuch as earthquake mechanisms are not completely understood, no absolute statements can be made about the possibility of triggering an earthquake of large magnitude in this area.

The report goes on to temper this statement by forecasting that even if a large earthquake were to result from an underground nuclear explosion, the remoteness of the location would spare populated areas.

This may be so, but I can only add that the earthquake in 1964, which had an epicenter in the Prince William Sound area, had a devastating effect upon the community of Carson City, in California, to the number of 12 deaths and 400 families made homeless. Carson City, of course, is over 2,000 miles from that earthquake center.

I have been assured by the AEC that Amchitka is seismologically one of the most isolated areas in the world. However, that assurance, shrouded in secrecy, does not satisfy the broad concern of the Alaskan public.

If we have learned anything from our bout with earthquakes, it is that the science of forecasting the movement of the earth is in its infancy. We know too little of the mechanics of earthquakes, we know too much about their impact on people and cities.

So, Mr. President, Dr. Pitzer's statement and the AEC's own report about the Amchitka site leave Alaskans very apprehensive. Recently, former Alaskan Gov. William A. Egan expressed his concern publicly regarding the possible dangers involved. Mr. Egan was Governor at the time of our gigantic earthquake in 1964, and was also Governor when the State of Alaska allowed AEC to begin activity on Amchitka.

We read in the AEC's own material that earthquakes always follow nuclear detonation. Let me emphasize that earthquakes always follow nuclear detonation. We read that nuclear explosions near earth faults are particularly sensitive. The AEC says that nuclear detonations move the ground perceptibly and can produce "superficial damage" to nearby structures.

But the Atomic Energy Commission concludes that none of this is serious and that where danger exists it is negligible. The AEC may indeed be correct. But those making that judgment are those most committed to the program.

The inescapable fact, from a reading of the literature involved, is that very much is unknown about these tests and what the tests do to earth faults. That being so, I would think that if we are to err it should be on the side of prudence, not risk.

I have personally met a great many AEC people. To a man they impress me

as a competent, dedicated crew. I have been to the Nevada test area in recent weeks and was given review of their program. I have no doubt that the AEC people are just as concerned with the success of their efforts and the safety of all those who live in Nevada and Alaska as we are. In fact, they are to be commended for their outstanding safety record.

But I question the system that permits them to be the exclusive judge of their own assessments. One serious misjudgment could retard our entire nuclear program for both defense and peaceful purposes.

As Dr. Pitzer said last month, and I am quoting him:

The problem in this case is not that the risk is completely ignored; rather, that it has been examined primarily in closed circles with the effective judgment rendered by officials committed to the test program. To be sure, the President makes the final decision on a nuclear test, but by that time all preparations have been made and there is enormous pressure on him to go ahead. This sort of problem should be considered at an earlier date by an impartial judge and jury.

Mr. President, I propose that the Congress follow that wise advice. I submit for appropriate reference, a joint resolution calling for the creation of a National Commission on Nuclear and Seismic Safety.

Under the provisions of this resolution, no Commission member could be a Federal employee or a person working under a Federal contract that relates to the subject matter of the Commission. Its purpose would be to investigate the implications of underground nuclear detonations for effects including but not limited to subterranean or submarine seismic disturbances, or for ecological waste or contamination. The Commission would issue its report within a year and would have full power to hold hearings and subpoena witnesses.

Mr. President, many Alaskans, many residents of Nevada, California, and Utah are earthquake conscious. And lately the link between underground nuclear testing and earthquakes has raised a specter that may or may not be valid.

An independent inquiry would certainly be a modest, yet responsible answer to the legitimate questions that have been raised. I, therefore, propose such an independent inquiry to this body.

Mr. President, I ask unanimous consent to have printed in the RECORD the full text of the joint resolution, Dr. Pitzer's address heading his views of the problem, and an article entitled "Stanford Head Urges Delay in Large Nevada Nuclear Test," which was published in the Los Angeles Times of April 15, 1969.

The PRESIDING OFFICER (Mr. SAXBE in the chair). The joint resolution will be received and appropriately referred; and, without objection, the joint resolution, the address, and the article will be printed in the RECORD.

The joint resolution (S.J. Res. 108) to provide for a study and evaluation of the relationship between underground nuclear detonations and seismic disturbances, introduced by Mr. GRAVEL (for

himself and others), was received, read twice by its title, referred to the Joint Committee on Atomic Energy, and ordered to be printed in the RECORD, as follows:

S.J. RES. 108

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "National Commission on Nuclear and Seismic Safety."*

#### ESTABLISHMENT OF COMMISSION

SEC. 2. There is hereby established a National Commission on Nuclear and Seismic Safety (hereinafter referred to as the "Commission").

#### MEMBERSHIP

SEC. 3. (a) The Commission shall be composed of fifteen members to be appointed by the President from among representatives of nuclear physics, geophysics, seismology, hydrology, oceanography, structural engineering, architecture, urban planning, economics, biology, and medicine.

(b) No member of the Commission at the time of his appointment shall be in the employ of the Government, or under contract with the Government, or otherwise engaged in research or consultation for the Government as the employee of a private business organization under contract with the Government, provided, however, that this subsection shall not operate as a bar to the appointment of a person, not a Government employee, whose work under such contract is not directly related to the functions of the Commission as set forth below.

(c) Any vacancy in the Commission shall not affect its powers.

(d) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

(e) Eight members of the Commission shall constitute a quorum.

#### DUTIES OF THE COMMISSION

SEC. 4. (a) The Commission shall undertake a comprehensive investigation and study of the implications of underground and other nuclear detonations including but not limited to the following: implications for earthquakes, other seismic disturbances both subterranean and submarine, ecological contamination and waste, and damage to existing structure.

(b) The Commission shall transmit to the President and to the Congress such interim reports of its findings as it deems necessary or advisable.

(c) The Commission shall transmit to the President and to the Congress not later than one year after the first meeting of the Commission a final report containing a detailed statement of the findings and conclusions of the Commission, together with its recommendations, including such recommendations for legislation and administrative action as it deems advisable.

#### POWERS OF THE COMMISSION

SEC. 5. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this joint resolution.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title, and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed \$50 a day for individuals.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

#### COMPENSATION OF MEMBERS

SEC. 6. Members of the Commission shall receive compensation at the rate of \$100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

#### APPROPRIATIONS AUTHORIZED

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

#### TERMINATION

SEC. 8. On the ninetieth day after the date of submission of its final report to the President, the Commission shall cease to exist.

The material, furnished by Mr. GRAVEL, follows:

#### EFFECTIVE NATIONAL PRIORITIES FOR SCIENCE

(By Kenneth S. Pitzer)

For 20 years after the close of the Second World War, science received unprecedented and in some respects unquestioned support in this country. Annual increases of 25% in science budgets were not uncommon. The Federal Government encouraged and financed a major expansion of graduate education and research in science in the universities. The Government expended even larger sums for research and the development of new technologies in industry and in nonprofit research institutes.

The growth of federal research and development expenditures contributed significantly to our national economic progress and prosperity in the postwar period. Its benefits to mankind may be seen in telecommunication satellites, heart transplants, and higher crop yields, to cite but a few examples. The flight of Apollo 8 is symbolic of the international leadership America has achieved through these expenditures.

This period of increasing and largely unquestioning support has ended; some of you have received this message with particular vividness by having your research grants reduced or not renewed. Also, the net effect of the results of science and technology on the quality of human life is being questioned—sometimes irrationally but nevertheless actively.

Don Price in his address as the retiring president of the American Association for the Advancement of Science describes this as a two-front attack—"a political reaction and a new kind of rebellion." I will return to discussion of the rebellion later.

The reaction was to be expected. Budgets for any program, no matter how worthwhile, cannot increase by 25% per year indefinitely. The war in Vietnam undoubtedly accentuated the suddenness of the change, but it would be wishful thinking to assume that the trend of the decade 1955-65 could have continued much longer. In the future, growth in support of science cannot be expected to be much greater than the growth in our total national productivity.

In leveling off appropriations for research, business leaders and Congressmen are now evaluating science more critically than previously by the same criteria they use in making decisions about other matters. They see a level of research and development beyond which there is a diminishing return for additional expenditures, and they ask whether we are not at that level now. The businessmen must justify industrial research in terms of new and profitable processes and products and, while the record is reasonably good, it apparently fails to justify large additions to the present level of research activity. Congressmen must consider not only the national interest as they can best judge it, but also the views of their constituents; and they, too, are asking sharper questions and voting smaller increases in appropriations.

We must be more explicit about the contributions of scientific research to particular national goals. We must discuss recent research which has been valuable as well as the degree of relevance of various basic fields to particular practical problems. I do not mean that we should abandon the more esoteric subjects. But the desire of more and more able people to work in a given field is no longer an adequate reason for indefinite expansion of federal support; more convincing criteria must be devised to justify the magnitude of effort in each discipline.

Furthermore, these improved and more specific justifications of scientific research should be discussed widely. In the end, Congress will make the major decisions; consequently, your arguments should be addressed to your own Congressman.

This halt in the growth of funding for science threatens to undermine an important program initiated a few years ago to add new centers of excellence in research. There is now a blatant contradiction between the federal programs encouraging the development of additional major centers of academic science and the absence of additional funds to finance these centers on a continuing basis. I refer particularly to the University Science Development Program of the National Science Foundation. Thirty grants in the range of \$4 million each have been made to enable universities with promising programs to expand and improve these activities in the hope of joining the 15 or 20 leading centers of academic science. The continued support and improvement of these 30 centers will require an increase of at least \$50 million in the federal grants to universities each year. This is not an enormous sum, but it is an increase. And in many science appropriations for this year there was no increase at all, while in other cases the increase was less than the rise in price level.

We should recognize what lay behind the Science Development Program. First was the assumption that more science was unquestionably desirable; indeed that we were far below the optimum level. The second idea arose from the remarkable development of innovative industry around certain major university centers of advanced scientific and engineering research—particularly the complex around MIT and Harvard and that around Stanford.

The substantial flow of federal funds into these two complexes and the economic prosperity of their immediate environs have attracted many imitators and excited the pork barrel instincts of Congressmen. Contrary to

widespread popular belief, federal research grants do not automatically trigger local economic growth. Neither does the presence of a strong, graduate-level university program. What counts most is the presence of both scientific and financial entrepreneurs—men who are willing to take new ideas, work on their practical development, and other men who will provide enough seed money to bring these innovations to the production stage.

Now we are faced with the collapse of the assumption that more science is unquestionably desirable, and we must face the problem of how broadly to distribute a limited amount of financial support for research in universities. If it is spread too thinly, we will destroy the excellence of our present centers of real distinction and great productivity. But I do not believe it will be politically acceptable to "pull the rug" from under those new centers that have really made great progress under their NSF Science Development grants.

In my opinion, we should make it abundantly clear that we now have enough or more than enough centers for doctoral study and research and that no encouragement will be given from federal sources to new centers or to those presently of marginal quality. The states should be urged, through their individual coordinating mechanisms, to control the number of state colleges and universities that are authorized to offer the Ph.D. degree. Such federal-state cooperation should make possible a compromise pattern of distribution of federal support for academic research which will both maintain the quality of our best universities and allow a reasonable number of additional universities to continue their progress toward comparable excellence.

In addition to the particular problem I have just discussed, active consideration is being given to new mechanisms for federal support to universities. Congressional debate on these proposals should generate a more cogent policy and a firmer commitment concerning the federal role in higher education. It will be an improvement if somewhat more of the federal support of universities comes under the banner of graduate education and somewhat less under research. Furthermore, many decisions allocating support among programs within a single department which are now being made in Washington might better be made locally. Thus, I favor an appropriate program of institutional grants. It is not clear at this point whether this type of new program will be limited to science or will relate to higher education generally.

Now I want to turn to a different type of attack on science which Price has called "a new kind of rebellion." This attack comes, not from the leaders of business and government, but rather from student activists and literary and philosophical spokesmen. It is worldwide in scope. The attack is primarily directed against the impersonality of our technological society and the power of the so-called military-industrial complex.

André Malraux says that "the most basic problem of our civilization is that it is a civilization of machines."

The housewife shares this feeling when she is unable to get human attention to the error in a computer-prepared bill. There are now probably fewer errors than with precomputer methods, but there is more frustration when errors do occur.

Most people limit their opposition to the particular application of technology which has annoyed them, but certain intellectuals charge that science is the cause of it all. Thus Malraux writes: "We, for the first time, have a knowledge of matter and a knowledge of the universe which . . . suppresses man."

These charges are echoed by students and faculty on the campuses and have had more effect so far in making scientists re-examine their own philosophy than on general public attitudes. But it is well for scientists to take the lead in this study. The convocations held

last March 4 on many campuses demonstrated the great interest of many scientists in a new evaluation of the effects of science on society.

The area of defense-related government activities is one of particular importance, both because of their destructive nature and because of the secrecy of their administration. Many examples are familiar. Concern about the safety of large underground nuclear tests has recently intensified and for good reason, in my opinion. The Atomic Energy Commission had considered carefully various hazards, but there was little release of information and, therefore, little public discussion. Then it was discovered that numerous small earthquakes followed closely after one or more of the larger tests. There arose a new concern that even larger test explosions might trigger damaging earthquakes. Since AEC plans still larger tests in the future and expects to fire them at new sites located in areas with a history of damaging earthquakes, this hazard cannot be ignored.

I am not a geophysicist and cannot estimate this earthquake hazard as well as those expert in that science. But when I was asked to look into this situation a few months ago, I was struck by the fact that there was no real need for secrecy in discussing this problem. The details of the explosive devices were irrelevant. All of the essential information was unclassified, or ought to be. Hence I urged, as did others, that this problem be discussed openly. It has now received some attention at a recent AEC-sponsored conference on Off-Site Safety Programs for Underground Nuclear Detonations held at Las Vegas. This initial report, while desirable in opening the subject for public discussion, is inadequate. In particular, this subject should be studied by scientists who have no affiliation with AEC. This is a matter of judgment as well as expertise; consequently, conflict of interest is an appropriate consideration.

I believe the risk that a damaging earthquake might be triggered deserves a much more substantial public hearing before large tests are held at the new sites in central Nevada and the Aleutian Islands, which are seismically active areas. Then Congressmen, governors, and other responsible officials as well as the interested public can form their own judgment, balancing this and any other risks against the need for the tests or the extra costs of moving to a non-seismic location.

The problem in this case is not that the risk is completely ignored; rather that it has been examined primarily in closed circles with the effective judgment rendered by officials committed to the test program. To be sure, the President makes the final decision on a nuclear test, but by that time all preparations have been made and there is enormous pressure on him to go ahead. This sort of problem should be considered at an earlier date by an impartial judge and jury.

Let us turn now from military to civilian applications. Ever since the time of Francis Bacon we have held a sort of *laissez-faire* theory that scientific knowledge would automatically yield economic and social progress. In contrast to economic *laissez-faire*, there must be a source of financial support for the basic scientific research. But after the basic discoveries were made it was assumed that practical inventions would ensue and that economic forces would lead to the implementation of the useful and desirable developments. To a considerable extent this theory has been confirmed, and we do enjoy many benefits indirectly arising from scientific discoveries.

But economic *laissez-faire* was found to be unsatisfactory, in particular because of the boom-bust instability. Businessmen came to recognize the desirability of government in-

tervention to stabilize the economy at a prosperous level. Likewise, scientists are coming to realize more fully that some practical applications of science can be extremely dangerous to the world. The atomic bomb constituted a shattering example, but we are now observing that the cumulative degradation of our environment from many less spectacular causes can, in the end, be very serious.

Furthermore, it is important to note that most major new technologies are influenced or regulated by the Government in some way. For example, television, air transportation, drugs, pesticides, and offshore oil drilling are all regulated in one way or another. Thus, it would not necessarily extend the range of government control to ask that this influence on, or regulation of, new technologies be more sensitive to humanistic factors.

Consider, for example, the proposed supersonic transport airplane, which is a government-financed project. It has been well known that a highly annoying sonic boom will necessarily accompany each plane in supersonic flight. But much of the earlier planning for this project assumed that our people would acquiesce in this annoyance, and only economic and technical feasibility factors were considered. In my view, however, the top priority should be given to the desires of the majority of people, who do not want to be annoyed by sonic booms. The convenience of faster travel for a few people should be strictly secondary. This should have been recognized before a major project was undertaken with thousands of people employed. Now there are political and economic pressures to continue the project, and there will be human hardships if it is terminated. My point is that we should have had a more humanistically oriented set of priorities for the early decisions.

A supersonic transport is more acceptable for transoceanic flights, and I would see no objection if it were economical on that basis. But I do not find a relatively small saving in time for a few people to be sufficient justification for very large public expenditures when in competition with our other needs today.

It will not be easy to foresee all of the possibly damaging effects of a new product or machine, but we should try to do so. In the past we have usually assumed that deleterious side effects of a new technology would be negligible or could be remedied by subsequent action. In many cases that was correct. But when it was not correct, the problems became severe. Once the new technology is established there is a strong pressure for its continued operation. It is far harder to stop an operation than not to start it at all. Also, a modified technology may be possible which accomplishes the purpose and avoids the damage, but the change is a lot easier at the design stage than after the plant is built.

How can we effectuate a more humanistic set of priorities? The extremists say to stop all scientific work, but I doubt that they really mean it. I am sure that most people want to retain the advantages of science and technology. In that case basic science must move ahead substantially as at present. It is impossible to predict the practical consequences of truly basic research. But as soon as applications can be visualized, the process of judging their desirability should begin. From that point onward in any proposed practical development, one should ask not only, "Is it possible?" but also, "Is it desirable?" And the desirability should be judged from a humanistic as well as an economic basis. The market place is a good measure of the usefulness of a new product to the users, but it gives no measure of the damage it does to others and to our environment. We need to assess that damage in advance, if possible, in order to invoke the

proper corrections or even to stop the entire development when necessary.

Since scientists are peculiarly able to visualize possible applications of new scientific knowledge and their effects, scientists must play a major role in this judgment process. But other citizens who are sensitive to individual and community attitudes should also participate and help apply the humanistic value test.

In most cases the decision should not be to stop the development of a potentially useful technology; rather the new feature in decision-making would be a much more active study from the very beginning of all possible damaging side-effects and the means to avoid them.

How is this broader judgment of desirability to be made? Do we need a new technology review council somewhat like the Council of Economic Advisors? Probably some central group close to the President is needed to deal with special cases and to promote this viewpoint throughout the government. But primarily we need greater sensitivity and more active attention to these questions in all government agencies. The problem is especially critical in agencies such as the Atomic Energy Commission and the Department of Transportation which are the promoters of new technology as well as regulators of it. Unless some higher authority keeps emphasizing questions of risk and damage, the promotional side of the agency is likely to dominate.

Much of the study of the desirability of new technologies in this broader sense can be done outside of government. Professional organizations such as the American Chemical Society could provide a forum for anticipating the environmental problems likely to arise from new processes and products. Universities include the various types of people, scientists, engineers, lawyers, and humanists, needed for fruitful attack on this general problem. I believe one or more university groups should propose and analyze new decision-making mechanisms which could better deal with these problems.

In summary, there is now both a reaction—a more critical questioning of support for science by leaders in government and industry, and a rebellion—an outright attack by some students and writers on science because in their view it allows machines to dominate people. Furthermore, the dangers and difficulties arising from new technologies, ranging from possible nuclear war to major pollution of water and air, are forcing us to abandon the *laissez-faire* viewpoint that the natural result of scientific discoveries will be desirable improvements in our conditions of life. A new approach is urgently needed. We must adopt a more active role in (1) justifying specific areas of research deserving increased support; (2) developing a better pattern for federal support of graduate education, and (3) judging the desirability of possible new technologies on a broad humanistic basis. Each of us must accept these obligations, either as a scientist or as a citizen.

#### STANFORD HEAD URGES DELAY IN LARGE, NEVADA NUCLEAR TESTS: FORMER AEC OFFICIAL PROPOSES INDEPENDENT STUDY OF BLAST HAZARDS

A former research director for the Atomic Energy Commission urged Monday that large underground nuclear tests in central Nevada and the Aleutians be delayed pending an independent inquiry.

A study of potential hazards should be made, declared Stanford University President Kenneth S. Pitzer, by scientists with no AEC affiliation to avoid possible conflict of interest.

Pitzer also observed that findings involving the testing sites, both of which have a history of earthquakes, would represent "a matter of judgment as well as expertise."

## WANTS PUBLIC HEARING

The Stanford president suggested the inquiry be in the form of a "substantial public hearing" after which, he said:

"Congressmen, governors and other responsible officials, as well as the interested public, can form their own judgment, balancing this and any other risks against the need for tests or the extra costs of moving to a non-seismic location.

"The problem in this case is not that the risk is completely ignored, rather that it has been examined primarily in closed circles with the effective judgment rendered by officials committed to the test program.

"To be sure, the President makes the final decision on nuclear tests, but by that time all preparations have been made and there is enormous pressure on him to go ahead."

Pitzer's remarks came as he accepted the 1969 Priestly gold medal for "distinguished services to chemistry" from the American Chemical Society at a meeting in Minneapolis.

Until last January the Stanford president was a member of the President's Scientific Advisory Committee, and he recalled Monday:

"When I was advised to look into this situation (selection of the Nevada and Aleutian sites) a few months ago, I was struck by the fact that there was no real need for secrecy in discussing this problem.

"The details of the explosive devices were irrelevant. All of the essential information was unclassified, or ought to be.

"Hence, I urged, as did others, that this problem be discussed openly. It has now received some attention at a recent AEC-sponsored conference on off-site safety programs for underground nuclear detonations, held at Las Vegas.

"This initial report, while desirable in opening the subject for public discussion, is inadequate."

## TALKS OF DANGERS

That, said Pitzer, indicates the need for the independent public inquiry.

He emphasized the issue is but one example of a broader problem explaining:

"The dangers and difficulties arising from new technologies, ranging from possible nuclear war to major pollution of water and air, are forcing us to abandon the laissez faire viewpoint that the natural result of scientific discoveries will be desirable improvements in our conditions of life."

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

Mr. GRAVEL. I am happy to yield to my colleague.

Mr. STEVENS. Mr. President, I wish to commend my colleague for raising this issue. I am sure the people of our State will heed his warning.

I, too, have been involved in this matter. I have asked the Joint Committee on Atomic Energy to look into the matter and to give us a report as to the impact of the proposed tests in our State.

Again, I commend the Senator for raising the issue at this time, and I urge him to continue to make public the response he gets from the Atomic Energy Commission and those in the scientific disciplines who know what is going on as far as the impact of the proposed tests in our State may be. My only sorrow is that the warning was not raised some years ago when the Amchitka site was commenced because I feel that the Federal Government placed millions and millions of dollars in this remote island with the hope it could conduct these tests with relative impunity. It would be unfortunate if we found that that was an

error and that the investment there could not be utilized for the purpose intended.

I commend my colleague for his efforts. Regardless of whether the investment is enormous it should not be used if further Amchitka tests are going to create serious risk of another earthquake near the magnitude of our 1964 disaster.

I thank the Senator for yielding to me.

Mr. GRAVEL. Mr. President, I thank my distinguished colleague from Alaska for his comments and for his support. A tremendous investment has been made in Alaska by the Federal Government. This is not an attempt to do away with that investment, but I do think we need this modest effort by eminent scientists in this country.

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

Mr. GRAVEL. I am happy to yield to the Senator from California.

Mr. CRANSTON. Mr. President, on behalf of the people of California I thank the Senator for rendering this service in connection with a matter that is of vital importance to the people of my State. For that reason I am a cosponsor of the Senator's measure.

As the Senator and others are well aware, there has been considerable fear in California for a variety of reasons that there might be a disastrous earthquake there. We have a fault that periodically leads to large-scale earthquakes. In the area of Santa Barbara, where we had the oil problem, 66 tremors occurred in a 6-week period last June, which led to fear in that area that there might be a major earthquake there. There was an earthquake in the San Diego area the other day. Until it was discovered that it was not serious, it confirmed the fear of those persons who wondered if a major earthquake were possible.

The people of the State of California would be grateful to the Senator if he would spell out how this measure, if it were enacted swiftly, would affect the tests in Nevada that could lead to earthquakes in California that could be a catastrophe.

Mr. GRAVEL. Mr. President, I thank the Senator from California for joining in the sponsorship of the measure.

I personally am not qualified to determine whether or not the tests should or should not proceed. I think few Senators would have that qualification. That is why I call upon a commission to be brought into being. Their first act would be to determine the severity involved and if the tests should be held up until they could go into the matter further. That would be the first decision to be made by the commission of competent scientists.

Certainly, California has a fear because they reaped the harvest of the destruction from the Alaskan earthquake, which was more than 2,000 miles away. I think that if people are killed in California as the result of an earthquake in the Prince William Sound area, there is room for concern of people far away from these test centers.

I thank the Senator.

(At this point, Mr. STEVENS assumed the chair.)

## NATIONAL COMMISSION ON NUCLEAR AND SEISMIC SAFETY

Mr. MUSKIE. Mr. President, I am pleased to join with the junior Senator from Alaska (Mr. GRAVEL) in cosponsoring his resolution to create a National Commission on Nuclear and Seismic Safety.

If we were not aware before, the recent oil spill in the Santa Barbara Channel has taught us the dangers of tampering with the San Andreas fault. Yet the Atomic Energy Commission continues to claim that continued underground nuclear testing in Anchitka, Alaska, presents no danger. The State of Alaska has suffered two major earthquakes in recent years, and the State of California has been assured that it will suffer a major disturbance in the near future. Nature can cause enough trouble along the San Andreas fault without our helping it along. We cannot afford to tamper blindly with the environment.

If we do not break our habit of basing our decisions concerning environmental risk on what we do not know, rather than on what we do know, disaster will follow upon disaster. I urge the Senate to take quick and favorable action on this resolution.

## S. 2108—INTRODUCTION OF A BILL ON FAMILY PLANNING SERVICES AND RESEARCH

Mr. TYDINGS. Mr. President, on behalf of myself and 21 of my colleagues, I wish to introduce a bill today to increase the scope and effectiveness of our family-planning services and research in this country. Those Senators who are joining me in the cosponsorship of this legislation are Senators YARBOROUGH, BAYH, BYRD of West Virginia, CASE, CHURCH, COOPER, CRANSTON, HANSEN, HART, HUGHES, INOUE, JACKSON, MCGOVERN, METCALF, MONDALE, MOSS, PACKWOOD, PERCY, RANDOLPH, SAXBE, and YOUNG of Ohio.

This is unprecedented sponsorship support for a family-planning bill, a sign that the Senate recognizes the urgent need for increased Federal support for voluntary family planning programs.

## ONE OF MAN'S GREATEST PROBLEMS

The population explosion on this planet represents one of the greatest crises currently confronting mankind. The survival of much of the earth's populace, as well as the realization of man's hopes for peace and the elimination of human misery, will be largely determined by our ability to curb our burgeoning birth rate.

Excessive population growth is a problem which finally has transcended the threshold of public awareness in this country. However, the population explosion has been perceived by Americans primarily as a foreign phenomenon, threatening the survival of millions in the developing nations of Africa, Asia, and Latin America.

This is not surprising. To begin with, the Malthusian prediction of famine and mass starvation is not imminent in this country as it is in much of the world.

Furthermore, the tendency in all na-

tions to regard excessive population as someone else's problem rather than their own is reinforced by the paradoxical character of the issue. As Robert McNamara, former Secretary of Defense and current President of the World Bank, noted in an address on population at the University of Notre Dame last week:

It is at one and the same time an issue that is intimately private—and yet inescapably public.

It is an issue characterized by reticence and circumspection—and yet in desperate need of realism and candor.

It is an issue intolerant of government pressure—and yet endangered by government procrastination.

It is an issue, finally, that is so hypersensitive—giving rise to such diverse opinion—that there is an understandable tendency simply to avoid argument, turn one's attention to less complicated matters, and hope that the problem will somehow disappear.

The fact is, the United States does have a population problem that will not disappear. What will disappear is the means for a rational, humane solution if we fail to act now.

#### A PROBLEM OF SOCIETY

Much of the confusion surrounding the population problem in this country results from the failure to distinguish the aggregate from the structural aspects of the problem. In aggregate terms, the issue is the number of people that can be supported without compromising the quality of American life.

In 1950, there were 151 million Americans. Today there are 202 million. By the year 2000—31 years from now—that number will swell to 300 million, a 50-percent increase. In short, the population of the United States will have doubled in the last half of the 20th century.

The likely impact of this increase on the Nation was described by David Lilienthal, the former Chairman of the Tennessee Valley Authority and the Atomic Energy Commission:

An additional 100 million people will undermine our most cherished traditions, erode our public services and impose a rate of taxation that will make current taxes seem tame. . . . (Eventually) there comes a point at which a change in quantity becomes a change in quality—when we can no longer speak of "more of the same." And another 100 million people will, I fear, make just that change in the joy of life in America.

The problem of aggregate population growth is even more graphically grasped when viewed in terms of density. In 1776, there were 4.5 people per square mile in the newly formed Republic. By the year 2000, there will be more than 120 Americans per square mile.

This development is exacerbated by the fact that 70 percent of our population is presently concentrated in cities of over 50,000 people—which is precisely where most of the projected population growth will occur. It takes little imagination to comprehend what this portends for our already overtaxed metropolitan highways, schools, recreation facilities, and other public services. Ponder it as you inch your way home on a commuter-clogged expressway tonight.

Aggregate growth represents the most serious long-term aspect of the population problem. But it is not the most

pressing aspect—for U.S. birth rates as a whole have been declining by about one-tenth of 1 percent over the last 10 years.

#### A PROBLEM OF INDIVIDUALS

The most immediate and pressing aspect of the U.S. problem is structural, affecting that segment of the population which has not followed the national pattern of reduced fertility but rather has continued with high birth rates and has therefore not shared to the full extent in the national prosperity and opportunity.

Social scientists have long recognized a strong correlation between poverty and family size in the United States, Chicago's poor, for example, have a birth rate which equals that of India. Our national fertility rate—the number of children born per 1,000 women in the 15 to 44 age group—is 55-percent greater among the poor than among the nonpoor.

As a result, the poor boast a much higher proportion of large families. According to a recent Census Bureau report, 38 percent of all poor families have four or more children as contrasted with only 17 percent of all nonpoor families.

Mr. LONG. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. The Senator from Maryland is rendering a valuable service to the country by highlighting this problem. Some of us who have to struggle with the laws regarding public welfare and the support of families with dependent children have become very much aware of some of these problems as they acutely affect the Federal Government.

Can the Senator give me an estimate, for example, of how much it costs the Federal Government to support the child of a single woman who is unable to support that child from the time it is born until it is able to go to work?

Mr. TYDINGS. I cannot give the Senator the exact figure, but I believe it would be in excess of \$10,000.

Mr. LONG. I think it is less than that. I believe it would be, for one child, between \$5,000 and \$10,000. But, as the Senator knows, that is not the end of the cost.

Many of those young people, due to lack of proper guidance, tend to become delinquent later on, which also contributes to the high crime rate; which is another heavy burden on society. So we have a situation where the mother is denied the information that she needs, and denied whatever assistance she needs to avoid unwanted pregnancies, with the result that she must bring into society, in some instances, a large number of illegitimate children who must then be supported by society. Many of these children are poorly adjusted, and because of those circumstances, a pitiful situation develops that the mother does not want, and a circumstance that is a very considerable burden upon State and local governments, all because someone thinks they know better than that mother knows whether she should have that child or not.

Sooner or later I believe someone would have to insist that is the right of

the mother to decide for herself whether she wants to have a child or more children.

Mr. TYDINGS. I think the Senator's point is extremely well made. It is the right of the mother to determine the size of the family and whether she wants a child. I think it is fundamental that the poor mother should have as much right to plan her family as the rich mother.

#### FAMILY SIZE AS A CAUSE OF POVERTY

However, it is only in the past several years that family size has been perceived as a cause of poverty as well as an effect.

Popular wisdom to the contrary, surveys have revealed that poor families desire less children on an average than their wealthier counterparts. They end up with larger families due to the general unavailability of family-planning information, services, and materials to low-income women.

The Natality Statistics Branch of the U.S. Public Health Service calculated that in 1966 the 8.2 million poor and near poor women of reproductive age had 451,000 unwanted births; that is, births that would have been avoided if the mothers had possessed the information and means.

By "unwanted," I do not wish to imply that a child is loved any less than his desired brothers and sisters. He is unwanted in the sense that his birth necessitates an overextension of already scarce family resources, including parental attention. Herein lies the causal link between family size and poverty.

As the National Advisory Commission on Rural Poverty explained it:

A vicious circle of poverty and fertility is at work. . . . Because they [the poor] do not limit the size of their families, the expense of raising unwanted children on inadequate incomes drives them deeper into poverty. The results are families without hope and children without future.

Lacking the parental supervision and support they would likely receive in smaller families, the children of the poor tend to underachieve in school. A higher percentage of them become school dropouts and delinquency problems, all of which reduces the child's chances for economic betterment in later life. And so the poor stay poor.

It cannot be overemphasized that the objective of family planning is not simply to limit the number of births. It is with the quality of life of our citizens that family planning is concerned.

It is with the amount of parental attention and supervision and love and affection that each child can receive that it is concerned. It is with the opportunity for a decent meal three times a day that each child can receive that it is concerned. It is with the opportunity to go to school and have parental guidance and interest in that child's achievement in class that it is concerned. It is with the opportunity of that child to have decent clothes and an opportunity to get a better job in later life that it is concerned.

The ability to determine family size and the spacing of children profoundly affects the economic, educational, and

health prospects of parents and their children.

Government figures reveal that the birth of children too early or late in a mother's child-bearing years can have adverse physiological and emotional effects on both mother and child. A child born at the wrong time in a family's economic development often constitutes a burden on his parents and loses benefits he would have received if his coming had been planned.

#### FAMILY PLANNING: A FUNDAMENTAL INDIVIDUAL RIGHT

It should be clear by now that any effective campaign to eliminate poverty in this country must include programs which make family-planning information and contraceptive devices available on a voluntary basis to all who desire them. It is imperative that we give all our citizens, regardless of income, the right to plan the size of their families—a right which the affluent now enjoy. It is essential if the poor are to possess the opportunity to defeat the poverty that oppresses them.

For the right to be able to plan one's family is as essential a part of full freedom of opportunity as the right to a decent home, the right to an education fully commensurate with ability, and the right to a good job. Indeed, the denial of the right to plan the number and spacing of children denies equal opportunity in housing, education, and employment.

#### MILLIONS DENIED THIS RIGHT

Unfortunately, many parents do not have this basic right. Despite the fact that the Federal Government and many of the States and cities finally have begun to finance family-planning services and population research, it is estimated that only 700,000 of the 5 million women who want family-planning help actually receive such assistance through public and private sources.

Providing satisfactory voluntary services to this group constitutes a principal purpose of the legislation I am introducing today. It is disgraceful that to this day, despite the increasing discussion of family planning, all too few publicly supported health facilities offer family planning as a matter of routine maternal and postdelivery care.

Where better could a poor, young mother with an illegitimate child receive instruction and the opportunity to prevent another unwanted child than in the hospital after the baby is delivered? The very least we should do is provide these young mothers the opportunity to receive the benefit of the knowledge that we have and the contraceptive devices that science has perfected to protect her and her future unborn children.

Less than one-fifth of U.S. hospitals with large maternity services reported family-planning programs in 1966, according to a planned parenthood estimate. In fact, the United States was described in a recent article as "an underdeveloped land in family planning" because of our failure so far to meet the need for services in this field. Hospitals that have added family-planning services report a great increase in patients, often a doubling of the volume, when

family planning was included with other services. Doctors associated with family-planning programs, whether run by hospitals, medical schools, or local health departments, comment on the enthusiastic response of their patients.

#### SERVICES MUST BE VOLUNTARY

However, let me make it perfectly clear that these services are offered on a strictly voluntary basis. No one must ever be forced to practice birth control. There must be no doubt on this point. It must be crystal clear.

Nor does the provision of family-planning services to low-income mothers mask any racist designs. As the late Martin Luther King eloquently explained:

The Negro constitutes half the poor of the nation. Like all poor, Negro and white, they have many unwanted children. This is a cruel evil they urgently need to control . . . For the Negro, therefore, intelligent guides of family planning are a profoundly important ingredient in his quest for security and a decent life . . . They do not welcome any solution which involves population breeding as a weapon. They have instinctive sympathy to all who offer them fair opportunity to develop and advance as all other people in our society.

#### WHAT THE BILL WILL DO

The proposed legislation would improve and expand current public family-planning services and population research in a number of ways.

First, many of the family-planning and population-related activities presently administered by various agencies within the Department of Health, Education, and Welfare would be consolidated in a National Center for Population and Family Planning under the direct supervision of the Assistant Secretary for Health and Scientific Affairs.

These diverse family planning activities are currently carried out in various parts of HEW with varying degrees of effectiveness, with fragmented supervision, and with no primary focus of action and responsibility within the Department. The Office of the Deputy Assistant Secretary for Family Planning and Population has no direct responsibility for any of these programs and is staffed by only three professionals.

Transferring most of these activities to a national center within HEW would permit the coordination and comprehensive planning needed to make our population programs more efficient and effective.

The functions of the center would be to administer all special project grants related to population and family planning which presently are the administrative responsibility of the Secretary of HEW; to administer all population and family planning research carried on or financed by HEW; to act as a clearinghouse for information pertaining to domestic and international population and family planning programs; to provide a liaison with population activities carried on by other agencies in the Federal Government; to provide training for the manpower needed to staff domestic and foreign population and family planning services and research; and, to be responsible for the evaluation of all population programs in HEW.

Second, the bill would require the Secretary of HEW to submit a 5-year plan to the Congress, not later than 6 months after the bill's enactment, setting forth guidelines and goals regarding the extension of family-planning services to all who desire them, needed research, and manpower training programs. This would provide us with the kind of comprehensive family-planning policy we now lack and desperately need.

Third, in order to make voluntary family planning services immediately available to more Americans, the Center would be authorized to provide \$30 million in grants in fiscal year 1971 to public and private nonprofit organizations for the establishment and operation of such services. Expanding the actual delivery of services constitutes the top priority in family planning today.

Fourth, to stimulate the creation of State and local family-planning programs, \$10 million in formula grants to State health agencies would be authorized for fiscal year 1971.

Fifth, \$2 million would be provided for the purpose of training the personnel required to staff our domestic and foreign population activities.

Sixth, we are not conducting nearly enough research in this vital area. Out of a total budget of nearly \$1 billion, the National Institutes of Health are spending less than \$10 million a year for population-related research. As Robert McNamara put it:

Hundreds of millions of dollars for death control. Scarcely 1% of that amount for fertility control.

This bill would authorize \$35 million in fiscal year 1971 to expand our program of population-related biomedical and social science research. In addition, \$12 million would be made available for the construction of population research centers in universities and medical schools.

Finally, the Secretary of Health, Education, and Welfare would be required to establish a systematic reporting system capable of yielding comprehensive data on which service figures, cost estimates, and program evaluations can be based. Each year, the Secretary would submit a report to the Congress measuring performance in the previous fiscal year against the objectives for that year, and indicating what steps were being taken to achieve these objectives in the coming year.

I believe this section of the bill is particularly important. Too many Federal programs stumble along blindly without established procedures for periodic evaluation. The agency administering such a program has no systematic means of determining its effectiveness. The Congress has no means of determining whether the problem attacked is actually being solved without the waste of scarce tax dollars.

#### AN INVESTMENT TO SAVE TAX DOLLARS

Mr. President, in cost-benefit terms, the \$89 million in first-year appropriations requested by this legislation represents an extraordinary investment of the taxpayers' money. It has been estimated by experts, both in and out of Government, that \$1 spent providing family-

planning services produces a reduction of \$25 to \$70 in the costs of welfare, education, health, and housing programs.

This is no "giveaway" program. On the contrary, it is an investment that will yield greater dividends, dollar for dollar, than nearly any other type of public program in the United States.

Enacting this proposal will reduce the Nation's tax bill, not increase it.

#### SUMMARY

In summary, the benefits of this proposal are many.

It would secure the right to voluntarily plan the number and spacing of children for every American family, regardless of income.

It would provide poor parents with an additional means of self-help in their struggle to escape impoverishment.

It would permit more children to be born into planned families, enhancing their chances of receiving the parental attention and material support so vital to future success.

It would reduce the incidence of physical and psychological damage to both mothers and children often associated with unwanted births.

It would be a sound investment in the Nation's development that would ultimately return billions of dollars to American taxpayers in the form of reduced welfare and public service costs.

It would demonstrate to the developing nations of the world facing famine and mass starvation in the decade ahead that the United States is not a hypocritical wealthy relation—but a Nation capable of practicing what we preach to others.

The manner in which we choose to engage or not engage the population problem will profoundly affect the destiny of men in this Nation and other nations; because, as I believe the President well knows, the population explosion represents mankind's greatest current crisis along with possible global incineration in a nuclear holocaust.

For the first time in history, it lies within our power to prevent a future replete with the famine, starvation, disease, and violence that relentlessly accompany overpopulation. For our sake and that of our children, we must not default our ability to act and abandon our future to the geometric certainties of demographic projections.

In the closing paragraph of his last book, "To Seek a Newer World," our late colleague Robert F. Kennedy wrote:

Our future may lie beyond our vision, but it is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, that will determine destiny. There is pride in that, even arrogance; but there is also experience and truth. In any event, it is the only way we can live.

#### A TRIBUTE TO SENATOR GRUENING

Mr. President, before I take my seat, I wish to pay tribute to former Senator Ernest Gruening, of Alaska, for the courageous and imaginative leadership he provided in the Senate for many years in the field of family planning and population. He and the former Senator from Pennsylvania, Mr. Clark, and the

Senator from Arkansas (Mr. FULBRIGHT), had the foresight to speak publicly about the problem of overpopulation and the need to provide voluntary family-planning service for all Americans in the days before these were widely recognized problems.

Senator Gruening was a pioneer in this area. It was my privilege to work with him for the first 4 years that I was a Member of the Senate. He has made a great contribution in this field.

So I pay tribute to a man who, if he were still a Member of this body, would be fighting in the forefront of this movement today, former Senator Ernest Gruening.

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

The bill (S. 2108) to promote public health and welfare by expanding, improving and better coordinating the family-planning services and population research activities of the Federal Government, and for other purposes, introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

#### DEVELOPMENT AND DEPLOYMENT OF SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Mr. DOMINICK. Mr. President, I am seriously concerned over the recent flood of statements from those who are criticizing the decision by the President to proceed with the development and deployment of the safeguard anti-ballistic-missile system. I have listened to their arguments during our committee hearings in the Committee on Armed Services, and I have read their statements in the public press. Most of their arguments have been heard many, many times in the past. Many of these arguments are based on conditions and events which have been changed by the passage of time and developments in the Soviet Union and in Red China.

When the question of the deployment of an anti-ballistic-missile system was first debated in this Chamber in 1963, I felt at that time it should be delayed until we developed a more effective system. Six years have now passed, our proposed ABM system is far more sophisticated than it was in 1963, and above all the strategic balance between ourselves and the potential forces of aggression has changed and continues to change for the worse. The credibility of our strategic retaliatory capability is diminishing as the Soviet Union has made consistent and substantial investments in research and deployment of large nuclear weapons delivery systems and in an extensive ABM system.

It now seems abundantly clear that the Soviet Union seeks and is determined to attain more than a parity with the United States in strategic forces. They are bent upon attaining overwhelming superiority. Defense Secretary Melvin Laird informed the Senate Committee on Armed Services on March 19:

As of today, the Soviets have in being and under construction more ICBM launch-

ers than the 1048 possessed by the United States.

On April 25, he revised that estimate upward. He said that more recent evidence led to the conclusion that the Soviets now have 1,000 ICBM's in hardened sites and 140 more ICBM's on launching pads. He also said that the Soviet Union could have as many as 2,500 ICBM's by 1975 if their production proceeds at the present rate.

Of even greater concern is the Soviet concentration on production and deployment of the very heavy intercontinental ballistic missiles such as the SS-9 which, because of its size and its accuracy, may be designed to knock out our Minuteman retaliatory force. The present Soviet force now includes over 200 of these SS-9's and is increasing all the time. The Defense Department has estimated that the Soviets will have as many as 500 of these deployed by 1975. The booster for this missile can fire an orbital bombardment warhead, such as the customary ICBM; it can be adopted to carry multiple warheads, or MIRV's, as they have been called, and it can be used to launch their fully tested FOB's system, tested by the Soviets in 1967 and 1968.

The Soviets are not confining their armament efforts to ballistic missiles. Secretary of the Navy John Chafee told our committee that they are putting great effort into expanding and modernizing their navy. He said:

The Soviets are modernizing their submarine force, the world's largest. Following a period of large-scale shipyard expansion, new classes of ballistic missile submarine and nuclear attack boats are becoming operational. More of these new types have been launched than foreseen a year ago.

The Institute for Strategic Studies, in London, recently pointed out that the Soviet undersea fleet now exceeds in numbers—I repeat this for emphasis—now exceeds in numbers all the submarines in the fleets of the United States and other NATO nations. The Soviet Navy has more than a 2-to-1 numerical advantage over the U.S. Navy in the number of attack submarines each possesses. This is critical because the attack submarine is considered to be the most effective weapon against a nuclear submarine. And our position threatens to grow steadily worse in this area of sea warfare unless we move quickly ahead to correct our problems.

In its most recent study, the American Security Council, a group which includes among its members such notable experts in national security affairs as Dr. Edward Teller, Lewis L. Strauss, and Gen. Nathan Twining, points out:

The destruction of the enemy's forces, the only real threat, has always been the principal military objective in war. If one side can destroy the other's forces it can then impose its will on its opponent without fear of retaliation or even risk of substantive losses. A counter force capability is, therefore, the most logical goal for any nation that accepts the possibility of having to actually fight either aggressively or defensively.

It seems clear that the Soviets fully recognize this doctrine and that their policy conforms to this doctrine. The Soviets have already deployed an anti-

ballistic-missile system around Moscow which may not be technologically perfect, but which has some operational capability and at ranges designed to protect all of western industrialized Russia.

It is not a spot defense. In addition, it has deployed the Tallin system which may be designed against manned bomber attacks, but which some experts believe has antimissile capabilities. We have not really started any system, and with a long leadtime needed for deployment I fear that any further delay means that we will be gambling with the security of the 200 million American people, based largely on estimates that the Soviets will not attack or try nuclear blackmail even if they attain nuclear superiority.

Critics are wont to state that Safeguard will not work. In answer to the various charges of the critics of the system, Dr. Teller's group reported:

The "Won't Work" argument is seriously flawed on both specific and general grounds. Both the Spartan and Sprint missiles—the prime ingredients of the proposed Safeguard system—already have been successfully flown. These in turn are successors to the Nike series of missiles which were successfully employed to knock down their missiles. The prototype missile radar is in test operation at the present time. The initial deployment of the Safeguard missile defense is now necessary to give us further technical, engineering, production, and testing experience to improve the system. We learn by doing.

Safeguard will "work" in the sense it is intended to work. It is a "point" defense. A point defense is easier to achieve than an area defense since the enemy warhead can be usefully engaged at much closer proximity to its target. This in turn increases the time allowed the defense to track and react and greatly facilitates the separating out of decoys from the live warheads. Some people may feel that since all missiles may not be destroyed, the system is a failure. They say, "You may knock down nine, but the tenth will get through." But even if this is so, the enemy is forced to greatly multiply his arsenal with greatly sophisticated missiles before he could dare to attack. This enormously complicates his offensive problem and adds immeasurably to the deterrent effectiveness of our own offensive missiles.

In a larger sense, however, the United States has amply demonstrated its capacity to produce and operate the most complex communications, electronic, and nuclear warfare systems. It is well to remember that some people declared the hydrogen bomb was impossible or that ICBM's and Polaris missile systems would not work.

As a matter of fact, I can even remember when Admiral Rickover was the sole proponent of a nuclear submarine of any type. I continue with the report:

Moreover, the astonishing technical capacity revealed in the Apollo moon program or the Telestar communications satellites is evidence of what the United States can accomplish.

Throughout the history of warfare, every offense has produced a corresponding defense. To argue that no defense can ever be possible against missiles is to fly in the face of historical precedent. And it is to fly in the face of the opposite conclusions reached by the Soviet Union. It is doubtful that the Soviets would have devoted the resources they have to ABM if they had concluded that it "Won't Work."

Other criticism has been that an enemy would have a variety of tactics available to penetrate, evade, or over-

whelm our ABM system. The American Security Council study deals with that argument as follows:

D. G. Brennan, former president of the Hudson Institute made this recent observation:

Several years ago, it was widely believed that missile defenses were easy to penetrate—so easy that offensive increments costing only one or a few percent of the cost of opposing defense would serve to nullify it. In recent years, however, it has become apparent that cheap forms of decoys and other penetration aids cannot be relied upon to nullify modern defense techniques. A good defense can be overcome, but it is difficult. This is reflected in the fact that cost exchange ratios for a good defense are now believed to be in the region of one to one—perhaps one-third or two, but not one-tenth or ten. Thus, it is about as expensive to nullify a good defense as to build it.

Another argument by the critics is that our development of an ABM system will only stimulate the arms race. This, too, is refuted by Dr. Teller's group. They said:

Will the Soviets now cease any further augmentation of their offensive striking power if the United States unilaterally refrains from missile defense? Will they cease their own ABM efforts? The burden of proof for such contentions falls heavily on its advocates. We know that the Soviets have not ceased offensive missile production, because they have drawn past the United States; they are still building at a rapid rate. And we know from their statements that the Soviet leadership holds that active defense constitutes a vital component of the nation's military capabilities. It seems only reasonable to conclude that the Soviet leaders would regard U.S. failure to develop an ABM as a sign of deficient military thinking—one that should be exploited, not followed.

I think one thing should be made clear. Safeguard is not a cure-all for the security of this Nation, and it is not so designed. It cannot stop an all-out attack—as a matter of fact, it probably cannot stop any attack once it is started—but it can contain it long enough to insure second-strike capability; and that second-strike capability should be more than enough to prevent anyone but a madman to proceed with a proposed preemptive strike. Without that defense capability, we are gambling the future of this country on the good will of the Soviet and Chinese leadership in the middle 1970's. That is an unacceptable gamble to me.

Mr. President, I intend to make further and detailed remarks on this critical issue of national security between now and the time it is brought to a vote on the floor of the Senate. But it did seem to me timely to speak out at this point on a matter which is a raging controversy around this country, which is a source of debate among scientists, which has been a source of debate on the floor of the Senate, which is of utmost importance to the United States, and the deployment of which may determine whether or not this world will find itself engulfed in a nuclear holocaust.

#### S. 2109—INTRODUCTION OF BILL TO REQUIRE FINANCIAL DISCLOSURE BY FEDERAL JUDGES

Mr. GRIFFIN. Mr. President, at the present time, Federal judges are not re-

quired to make any report or disclosure concerning their outside income or financial affairs while serving on the bench.

This is not as it should be. The need for some reasonable disclosure requirement is particularly essential in the case of Federal judges, who are appointed for life or during good behavior and do not answer regularly to the electorate.

To paraphrase the American Bar Association's "Canons of Judicial Ethics," a judge must scrupulously avoid circumstances which give rise even to the suspicion that he is utilizing the power or prestige of his office for personal gain. Accordingly, Canon 25 provides in part:

A judge should not enter into any business relation, which, in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties.

Canon 26 provides:

A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the Court; and, after his accession to the bench, he should not retain such investments previously made, longer than a period sufficient to enable him to dispose of them without serious loss. It is desirable that he should, so far as reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties.

The "Canons of Judicial Ethics" are available to remind judges what the public has a right to expect from them. But the canons do not require judges to make any disclosure or reports concerning financial affairs or dealings while on the bench.

Mr. President, I am today introducing legislation which would require all Federal judges, including Justices of the Supreme Court, to file reports concerning any gifts received over \$50, honorariums received over \$300, and any fees or compensation received for services of any kind from any party other than the United States. Such reports would be filed annually with the Judicial Conference of the United States and would be available for public examination.

In addition to such public disclosures, this legislation would require a Federal judge to file, on a confidential basis, with the Comptroller General of the United States, a copy of his income tax return, a report of any business and foundation connections, as well as liabilities in excess of \$5,000 and his interests in real or personal property in excess of \$10,000.

These reports would be held in confidence by the Comptroller General and would be available for examination by the Senate or House Judiciary Committees only by a recorded majority vote of either full committee.

Mr. President, ours must be a government of laws, and judges form the foundation of our system. It is a matter of deep concern to me and to many Members of this body that public confidence in this foundation is less than it should be. Unfortunately, it is all too apparent that the legislation which I am introducing is needed and that the time for enactment is at hand.

Mr. President, I ask unanimous consent that a copy of the bill and a number of recent editorials relating to commentary on the Federal judiciary be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and editorials will be printed in the RECORD.

The bill (S. 2109) to provide for financial disclosure by members of the Federal judiciary, introduced by Mr. GRIFFIN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2109

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

SECTION 101. Chapter 21 of Title 28, United States Code, is amended by adding at the end thereof the following new sections:

"§ 470. Financial Statements.

"1. Each judge or justice of the United States and each officer or employee of the Federal judiciary of the United States, who is compensated at a rate in excess of \$15,000 per year, shall file with the Comptroller General of the United States, in a sealed envelope marked 'Confidential Personal Financial Disclosure of (Name)', before the 15th day of May in each year, the following reports of his personal financial interests:

"(a) a copy of the returns of taxes, declarations, statements, or other documents which he, or he and his spouse jointly, made for the preceding year in compliance with the income tax provisions of the Internal Revenue Code;

"(b) the name and address of each business or professional corporation, firm, foundation or enterprise in which he was an officer, director, partner, proprietor, consultant, or employee who was compensated during the preceding year; his capacity; and the period of time; and

"(c) the identity of each interest in real or personal property having a value of \$10,000 or more owned by him or by him and his spouse jointly, at any time during the preceding year; and

"(d) the identity of each trust or other fiduciary relation in which he held a beneficial interest having a value of \$10,000 or more, and the identity if known of each interest of the trust or other fiduciary relation in real or personal property in which the judge, justice, officer, or employee held a beneficial interest having a value of \$10,000 or more, at any time during the preceding year. If he cannot obtain the identity of the fiduciary interest, the judge, justice, officer or employee shall request the fiduciary to report that information to the Comptroller General in the same manner that reports are filed under this rule; and

"(e) the identity of each liability of \$5,000 or more owed by him, or by him and his spouse jointly, at any time during the preceding year.

"2. All papers filed under section 1 hereof shall be kept by the Comptroller General for not less than seven years, shall be confidential, and shall be made available only to persons authorized by either the Committee on the Judiciary of the House of Representatives or the Committee on the Judiciary of the Senate for examination and audit under a resolution adopted by a recorded majority vote of either full Committee.

"3. Each judge or justice of the United States, and officer or employee of the Federal judiciary of the United States who is

compensated at a rate in excess of \$15,000 per year, shall file with the Judicial Conference of the United States before the 15th day of May in each year the following reports of his personal financial interests:

"(a) the source and value of gifts in the aggregate amount or value of \$50 or more from any single source received by him and/or his spouse during the preceding year;

"(b) the amount or value and source of each honorarium of \$300 or more received by him during the preceding year; and

"(c) the amount or value and source of each fee or compensation received by him at any time during the preceding year from any party other than the United States for services of any kind.

"4. All papers filed under section 3 hereof shall be kept by the Judicial Conference for not less than three years and shall be made available promptly for public inspection and copying.

"5. The failure to file any report required hereunder, or the filing of a fraudulent report, shall constitute a high misdemeanor and shall be grounds for removal from office.

"6. This rule shall take effect on January 1, 1970.

"§ 471. Conflicts of Interest.

"(a) The conduct of a judge of the United States who participates in the adjudication of any motion, petition, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, creditor, partner, organization in which he is serving as officer, director, trustee, partner, consultant or employee or any person or organization with whom he is negotiating or has any arrangement concerning past or prospective employment, has not an insubstantial financial interest, is inconsistent with the good behavior required by article III of the Constitution and shall be grounds for removal from office.

"(b) The preceding subsection shall not apply if the judge first advises the chief judge of the court on which he serves, or if he is the chief judge of a district court, the chief judge of the circuit court in which his district is located, or if he is a chief judge of a circuit court or the chief judge of the Court of Claims, Court of Customs and Patent Appeals, Customs Court or an Associate Justice, the Chief Justice of the nature and circumstances of the proceeding or other particular matter in which he is to participate by virtue of his office and makes full disclosure of the financial interest and receives in advance a written determination by such chief judge or Chief Justice that the interest is not of such a nature as will affect the integrity of any ruling by such judge.

"Section 102. The analysis of chapter 21 of Title 28, United States Code, is amended by adding at the end thereof the following new items:

"470. Financial statements.

"471. Conflicts of Interest."

The editorials presented by Mr. GRIFFIN are as follows:

[From the Washington Post, May 6, 1969]

#### A SHADOW OVER THE SUPREME COURT

The public explanation given by Mr. Justice Fortas of his relations with the Wolfson Family Foundation is not good enough. It does not deal candidly or precisely with the allegations made by *Life* magazine and these are quite precise allegations, having to do with a particular sum of money, \$20,000, held by Justice Fortas for a particular period of time, 11 months, before it was returned. It begins with something that sounds like a denial and ends as something like a confirmation of *Life's* story. And because it thus raises more questions than it answers about the facts in this mat-

ter, the statement succeeds, in the end, only in raising the fundamental question of whether the Justice adequately appreciates the great obligations imposed by his high public office upon his private life.

Unless Justice Fortas can provide a more compelling explanation, publicly and in some reasonable detail, he can best serve himself, the Court on which he sits and his country by stepping down.

The life of a member of the Supreme Court is, by necessity, a circumscribed one. He is barred, if he is to fulfill his responsibilities, from many activities he might otherwise be free to engage in. He has to choose his friends with care. He needs to apply more than the normal caution to requests for his assistance on boards or committees and he needs to be skeptical about offers of high fees for minimal services. The Supreme Court and its Justices, after all, have one indispensable asset—their integrity. When any member of the Court becomes involved in a situation that casts a shadow, whether fairly or not, over his personal integrity, the Court itself is diminished. The American Bar Association has reflected this high standard the Nation demands of its judges by declaring a judge's official conduct shall be free from even the "appearance of impropriety" and his personal life shall be "above reproach."

Perhaps there are factors that make the behavior of Justice Fortas in this Wolfson affair "beyond reproach." We hope so, for Mr. Fortas is an extraordinarily able and articulate jurist, whose views of the Constitution and the law we have admired over the years. But his statement of Sunday in answer to the article in *Life* does not eliminate "the appearance of impropriety."

It seems well established that Justice Fortas received a fee from the Wolfson Foundation which he returned some months later. The figures of \$20,000 for the fee and 11 months for the time he had this money in hand seem likely since *Life* used them and the Justice did not dispute them; he simply ignored them. He says the money was offered him in hopes that he would do some work for the Foundation and that he returned the money when he discovered he would not be able to. In the interim, he visited Mr. Wolfson's farm in Florida and attended a meeting of the Foundation.

The "appearance of impropriety" is compounded, of course, by the fact that Mr. Wolfson was one of the clients of Justice Fortas' old law firm, that he was in trouble with the Securities and Exchange Commission when the money was sent to Justice Fortas, and that he was subsequently indicted and convicted of violating the securities laws. Justice Fortas does deny, in strong language, the implication that he was offered the money in exchange for his aid in blocking a prosecution and he denies the further implication that he has done anything to aid Mr. Wolfson in his troubles with the Government. Nevertheless, the shadow is there, and it is there in large part because the Justice's statement does not dispel it.

Perhaps Justice Fortas can remove that shadow by putting the whole story of his dealings in this matter on the public record. What did the Foundation think it was getting for its \$20,000? Why the 11-month delay in returning the money? What went on at that Florida meeting? How long and how well has he known the Wolfsons? Etc.

If Justice Fortas, however, cannot remove that shadow more persuasively, he must take the drastic and painful step of protecting the Court from his indiscretions. The Court stands today, as it frequently has in the past, in the middle of a storm—this one centering on the issue of "law and order." It will need all the respect and all the support it can get if the forthright positions it itself has staked out in the last 15 years on issues of

due process are not to be undermined. As a participant in the formulation of some of those positions and as a defender of the Court in the days before he sat upon it, Justice Fortas must recognize the need that its integrity stand unblemished. One way or another, the shadow cast on it by this affair must be removed.

[From the Detroit News, May 6, 1969]

#### FORTAS IN TROUBLE AGAIN—A LACK OF SENSITIVITY

On the basis of the facts revealed to the public to date, it would be unfair to demand that Supreme Court Justice Abe Fortas resign or be impeached because he accepted and kept for 11 months a \$20,000 fee from the family of industrialist Louis E. Wolfson. But it would not be unfair to suggest that Justice Fortas provide a better explanation for the incident than he has given up to now.

Life magazine said that the Wolfson Family Foundation, a tax-free charitable organization, paid Fortas \$20,000 in January, 1966, three months after he took office, and that the justice paid the money back in December, 1966, three months after Wolfson had been indicted on charges of selling unregistered stock. Wolfson, a former client of Fortas' old law firm, went to jail on the charge last month.

Fortas admitted the foundation had sent him the \$20,000, but said the money was offered "in the hope that I would find time and could undertake, consistently with my court obligations, research functions, studies and writings connected with the work of the foundation."

The justice added: "Concluding that I could not undertake the assignment, I returned the fee with my thanks." He also said that at no time since he became justice had he given Wolfson, his family or his associates any legal advice or services, and at no time had he spoken or communicated with any official on Wolfson's behalf.

Well, perhaps not. Yet the magazine said Fortas was a guest at Wolfson's horse-breeding farm near Ocala, Fla., in June, 1966, when the Securities and Exchange Commission's investigation came to public attention. It quoted one former Wolfson associate as saying Fortas "had been at the horse farm to discuss the SEC matter and that it was to be taken care of," and another as stating Wolfson had said Fortas was furious because the SEC "had reneged on a pledge to give the Wolfson group another hearing."

Whether the charges are true in all details, the facts indicate a close relationship between Wolfson and Fortas even after the justice was on the bench. That raises a question as to whether Fortas' conduct was consistent with that expected of an associate justice of the Supreme Court and whether it showed a lack of sensitivity to the canons of judicial ethics of the American Bar Association.

Canon 4 says: "A judge's official conduct should be free from impropriety . . . and his personal behavior, not only upon the bench and in the performance of judicial duties but also in his everyday life, should be beyond reproach"

Canon 24 says: "A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

Justice Fortas seems to be in violation of both canons, just as he was in accepting \$15,000 raised by a former law partner from former legal clients involved in various dealings with the government in order to conduct a law seminar at the American University Law School.

As we said at the outset, the facts made public to date do not demand his resignation or impeachment but they do call for a

better explanation than the one Fortas has provided if he wants to continue on the bench.

[From the New York Times, May 6, 1969]  
JUDICIAL IMPROPRIETY

Serious questions of propriety are raised by the financial relationships of Associate Justice Abe Fortas with industrialist Louis E. Wolfson.

Life magazine reports that Justice Fortas accepted \$20,000 from the Wolfson family foundation early in 1966 when the financier was under investigation by the Securities and Exchange Commission. According to the magazine, Justice Fortas returned the money eleven months later—three months after Wolfson had been indicted for selling unregistered shares of stock in violation of Federal law.

In a letter to Life before publication of the article, Justice Fortas did not mention the payment of money. Only after the magazine disclosed the facts did he acknowledge them, and even now his acknowledgement falls far short of adequacy.

Justice Fortas's law firm had represented a Wolfson enterprise in its difficulties with the S.E.C. before the judge was named to the Supreme Court in October 1965. In this context, the country will expect a much fuller explanation than Mr. Fortas has given of why he accepted any fee from the Wolfson foundation after joining the bench, especially when he had performed no services and there was no clear prospect—according to the Fortas statement—that he would perform any.

It is doubtful that any judge, particularly one sitting on the highest court, should have substantial outside involvements in any area of private remuneration. When Justice Fortas was under criticism last year for having accepted \$15,000 for conducting a seminar at the American University Law School, we described the fee as inordinately high and questioned its propriety. However, we did not believe it raised a sufficiently serious issue to warrant rejection of his nomination for the post of Chief Justice—a nomination subsequently withdrawn by President Johnson under pressure of a Senate filibuster.

The matter of the fee from the Wolfson foundation and the charges—denied by Justice Fortas—that his name was used to silence Wolfson's co-conspirators are much less easily dismissed. The dignity of the Supreme Court requires the most exhaustive disclosure of every aspect of the Wolfson affair.

[From the Baltimore Sun, May 7, 1969]

#### THE FORTAS CASE

The Fortas case clearly requires a close, further examination, which should be quite apart from the decisions and public issues which figure in much of the public discussion of the United States Supreme Court. One can approve the main body of the court's rulings during the tenure of Chief Justice Warren—or disapprove for that matter—without in any way condoning the apparent impropriety of Associate Justice Fortas.

Mr. Fortas owes his associates on the court and the American people a fuller explanation of the Wolfson matter than he gave in the statement he issued Sunday in response to an article in Life magazine. His statement that he considered accepting a fee from the Wolfson foundation for "research functions, studies and writing" but returned the money is supplemented by the magazine report that he kept a \$20,000 fee for eleven months before returning it, and by the fact that during that period Mr. Wolfson was indicted for violating Securities and Exchange Commission regulations.

The main points should have been as apparent to Mr. Fortas at the time—in 1966—as they now are to outsiders. Mr. Wolfson was in legal trouble, the law firm of which Mr.

Fortas was a member had been representing him, Mr. Fortas was an associate justice of the Supreme Court and a close friend and adviser of President Johnson, and during the proceedings against Mr. Wolfson there were rumors that someone in high places would intercede for him.

Given such a set of circumstances, the impropriety of even considering accepting a fee from the Wolfson foundation should have been plain. This incident, moreover, cannot be divorced from the 1968 incident which came to light while the Senate Judiciary Committee was considering Mr. Johnson's nomination of Mr. Fortas to be the Chief Justice. In this case, which was a factor in the withdrawal of the nomination, Mr. Fortas was shown to have accepted a \$15,000 fee raised by several of his former business associates for lectures during a summer law seminar at American University. In this case the fee seemed unduly large, apart from the way in which the money was raised.

Mr. Fortas, in short, has shown a deplorable lack of sensitivity as to the proper role of a Supreme Court justice. His example may be similar in many ways to that of Associate Justice Douglas, but it runs counter to the conduct of the other members of the court, so far as is known, and it surely runs counter to the public concept of what is to be expected of federal judges. The lifetime appointments and adequate salaries of Supreme Court justices are intended to assure them an economic and political independence which will safeguard their judicial independence. Justices who refuse to recognize this standard, or decline to follow it, gravely impair their own usefulness and becloud the entire court.

[From the Evening Star, May 7, 1969]

#### THE CASE OF JUSTICE FORTAS

The situation in which Justice Abe Fortas finds himself is, or should be, a source of acute embarrassment to him.

Certainly, in its present posture, this matter is an embarrassment to the court. If any one agency of government needs to be totally insulated from a suggestion of impropriety or even the appearance of a want of ethics by any of its members, it is the Supreme Court.

The statement issued Sunday by the justice in response to the Life magazine article surely is not adequate. And the thing which troubles us most is the failure of Justice Fortas to explain why the check for \$20,000 from the Wolfson Family Foundation was deposited in his personal bank account and why this money was left in his account for approximately 11 months before he returned it to the foundation with a personal check of his own.

The Fortas statement said the money was tendered as a fee to undertake "research functions, studies, and writings connected with the work of the foundation." It also said: "Concluding that I could not undertake the assignment, I returned the fee with my thanks." Why did it take Justice Fortas 11 months to reach this conclusion? What use, if any, did he make of the \$20,000 during the time that he retained it? These are points on which his statement is silent. But we think they are of some importance.

The Life article, of course, dealt with other things, many of them, if believable, damaging to the Fortas reputation. For the most part, however, they were based on second or third-hand information. Furthermore, the Fortas statement flatly denied any intercession in behalf of Louis Wolfson, who is now serving a prison sentence for violation of SEC regulations. It also denied that he has given Wolfson, any of his family, associates or foundations any legal advice or services since becoming a member of the court.

Assuming this to be the fact, we should think that Justice Fortas, instead of refusing to say another word, would want to answer in detail the points which are not dealt with

in his statement and to rebut the adverse inferences which have been and which will continue to be drawn from the Life article.

It is true that most of the criticism in Congress, including calls for his resignation from the court, has come from the Republican side. This raises a certain suspicion, which we do not share, that the motivation is rooted in partisan politics. No such suspicion can possibly attach, however, to the suggestion which has been made by Senator Edward M. Kennedy.

The Massachusetts Democrat has described the items in Life's report as "extremely important charges that reach the integrity of the justice" and the court itself. Also noting that the Department of Justice has the matter under consideration, Senator Kennedy said he hoped the Senate Judiciary Committee, should Justice Fortas desire it, would provide a forum in which the justice can "present his case."

We think Justice Fortas should welcome this opportunity and should avail himself of it. As a sensitive man, he must be deeply concerned with the unfavorable impact which his part in this affair, unless it is more fully explained, is bound to have on the Supreme Court.

Neither any member or official of the court, nor anyone in the executive establishment, however, has been willing to add one word to that which already has been said. This might almost be called a conspiracy of silence. But anyone who thinks that silence is going to resolve the case of Justice Fortas in a satisfactory manner is very much mistaken.

[From the Washington (D.C.) Daily News, May 6, 1969]

#### JUSTICE FORTAS' PREDICAMENT

As a member of the United States Supreme Court, Justice Abe Fortas owes a much better explanation of his Wolfson connections than he has given.

Louis Wolfson is a high-flying wheeler and dealer who recently began a one-year prison term for illegal stock manipulation.

Before Justice Fortas was appointed to the Supreme Court, his law firm represented one of Wolfson's companies.

After he joined the court, Justice Fortas received a \$20,000 check from the Wolfson Family Foundation (tax exempt) to do research and write "in the field of harmonious racial and religious relations." This much Justice Fortas concedes, declaring he "returned the fee with my thanks."

Just that item alone raises serious questions. It happens, for one thing, that foundations generally now are under investigation in Congress. Eventually the Supreme Court may have to pass on one or more phases of these operations, as it well might have to pass on any non-court operation with which any Justice might be connected.

But there are other questions not clearly answered by Justice Fortas.

Did he, or did he not, hold that \$20,000 check for 11 months before returning the money (after Wolfson had been indicted)? Instead of returning the original check, did he simply make out his personal check in repaying the amount? Did he visit Wolfson's estate in Florida after receiving the \$20,000 and eight months after he became an associate justice?

Life Magazine, in the current issue, answers all these questions in the affirmative. In reply to the magazine, Justice Fortas skims over such significant details.

Several years ago Justice Douglas was accused of getting \$12,000 a year in expense money from a Los Angeles foundation. Justice Douglas never explained that very well, either. And this week, when the court was meeting, Justice Douglas was in Brazil delivering lectures to universities for a fee.

Justice Fortas says he has no reason to believe the Wolfson Foundation fee was motivated by any hope of inducing him to do

anything for Wolfson in his troubles with the law. But the canons of the American Bar Association specifically decry any conduct by a judge which even suggests the "appearance of impropriety."

Associate justices of the Supreme Court were being paid \$39,500 a year until this year, when they were raised to \$60,000. Any Justice who cannot afford to live on that salary, without drawing outside income for whatever purpose, ought not take the job in the first place—or should leave the bench.

As Sen. Paul Fannin said, after hearing of the Fortas-Wolfson affair: "I do not think we would tolerate a similar standard of ethics from the cop on the beat . . ."

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

Mr. FANNIN. Mr. President, we were all surprised by the statement issued by Mr. Justice Fortas during the past weekend in which he flatly denied having accepted any fee from a foundation controlled by Louis E. Wolfson. Mr. Justice Fortas stated:

I have not accepted any fee or emolument from Mr. Wolfson or the Wolfson Family Foundation or any related person or group.

Further on in his statement Mr. Justice Fortas says:

Concluding that I could not undertake the assignment, I returned the fee with my thanks.

I ask that the text of Mr. Justice Fortas statement as printed in the Washington Post of May 5, 1969, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. FANNIN. Mr. President, the fact which is evident to me on the face of this statement is that Mr. Fortas has contradicted himself. On the one hand he states he has never accepted a fee and later says the fee was returned. It is obvious to me, as I think it is to the vast majority of the American people, that you cannot return something you have not accepted. I realize Mr. Fortas has utilized the legal word "tender." The common usage of this word is "to offer for acceptance." Mr. Fortas makes no mention of the length of time for which this "tender" stood. He makes no reference to the form in which the tender was made. If the Wolfson Foundation offered Mr. Fortas a check which he held and subsequently returned to them after a short period of time, I think that it could reasonably be considered a "tender not accepted." However, if Mr. Fortas accepted such money as may have been offered by the Wolfson Foundation, deposited it in his bank account, made use of the funds for a substantial length of time, and then wrote a check returning the initial amount, I think the transaction must be viewed in quite another light.

Unfortunately, Mr. Fortas did not disclose the details of this transaction to a degree that is satisfactory to me nor, I believe, to the Senate, and more importantly to the American people.

To use another analogy, if a local policeman accepted legal tender—say \$200—from a local bookie, deposited it in his bank account and almost a year later returned the \$200 via his personal

check, I hardly think that such a transaction could be considered one which was above suspicion.

Now, I do not know this same set of facts obtained in the situation of Mr. Justice Fortas. However, the allegations have been made; Mr. Fortas' statement does not speak to the allegations in sufficient detail to remove the cloud of suspicion that must undoubtedly accompany such an action.

Last year here in the Senate, and in the public media, those of us who were critical of the manner in which Mr. Fortas' nomination for Chief Justice was presented, who questioned the propriety of certain actions Mr. Fortas had taken, were flogged and flayed as "know nothings" simply bent upon opposition for opposition's sake.

Subsequently, Mr. Fortas' record revealed the questionable acceptance of a lecture fee of \$15,000 for a series of five lectures at a local university. Since this money was collected by former legal associates and contributed by clients—by its very revelation I think it violated the fourth Canon of Judicial Ethics of the American Bar Association—Avoidance of Impropriety.

May I quote that canon:

A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

Mr. President, it is clear to me—and I am not a lawyer—even if it is not clear to Mr. Justice Fortas that the standards of the legal profession call for conduct upon the Bench beyond a merely technically correct standard of conduct. The very words of the canon are clear:

A judge's official conduct should be free from impropriety and the appearance of impropriety.

Mr. President, Mr. Fortas' own statement does not satisfy that standard. His very words do not place him above the "appearance of impropriety." That is why I am making this plea to this body today.

If the American people can be recalled to a new respect for the judicial processes in this land, then the questions raised by Mr. Justice Fortas' statement of last Sunday must have an answer. My purposes here today is to ask the Senate to set up a means of getting that answer.

Mr. President, when we are called upon to consider the qualifications for appointment to the highest tribunal in the land, what are the specific qualities we are looking for?

Perhaps it is simplistic to say that we expect a judge to have judgment, but it is nevertheless true. We expect a standard of judgment beyond the standards of ordinary men. We expect a judge to be discreet and honest and above every appearance of evil.

Mr. President, it is unfortunate, but we have lowered our standard. We must now return it to such a level that we can call for renewed respect for our judicial system. Presently, it seems that the normal has become subnormal for so long that a return to our former standard

would ask for extraordinary ethics and conduct. Well, let it be so. I am asking the Senate to renew that pledge to propriety and justice and a standard of judicial ethics which should apply to those upon the Bench of the Supreme Court.

Mr. President, in a speech to the Senate on the Fortas matter last year, I cited Canons 4, 24, 25, 28, and 32, as among the canons of judicial behavior which I thought Mr. Justice Fortas might have violated at that time. My exact words were:

Is there any doubt that these Canons have been violated? And, Mr. President, it causes one to wonder how many other instances there may have been which have not yet come to light. Also the question arises, if Mr. Fortas pays no heed to the ethics of his profession, what does he pay heed to? What are his sense of values? What can the public expect?

It now appears that we could expect the worst.

Mr. President, I do not think Mr. Justice Fortas should be condemned upon the basis of a magazine article appearing in the Nation. From my own observation, I know that reporters, writers, and editors are often even the innocent misinterpreters of reported actions. Mr. Justice Fortas should have every opportunity to clear the air of these charges. Therefore I respectfully suggest that the Senate appoint a special committee, with the power of subpoena, to take official testimony that will enable the Senate to ascertain the actual facts in this matter. There are two reasons for this, Mr. President:

First. The American people need to know from absolutely authoritative and official sources what the facts are.

Second. If the current situation should demand impeachment proceedings, the Senate would be required to make such a finding of fact before it could proceed to discharge its official duties.

Appointing such a committee and empowering it with the legal means to obtain this information would do a service to Mr. Justice Fortas, to the Senate, and to the Nation.

#### EXHIBIT 1

##### JUSTICE REPORTS ON TIES TO WOLFSON— FORTAS: FEE WAS FOR STUDIES

(NOTE.—Here is the statement of Justice Abe Fortas on his relationship with Florida financier Louis E. Wolfson.)

Since I became a member of the Court (October, 1965):

(1) I have not accepted any fee or emolument from Mr. Wolfson or the Wolfson Family Foundation or any related person or group.

In 1965, before I became a member of the Court my law firm was retained in connection with civil litigation by one of Mr. Wolfson's companies. In this connection I met Mr. Wolfson and discussed with him the significant and commendable work of Mr. Wolfson and his Family Foundation in the field of harmonious racial and religious relations. This is an area in which I have and have had a continuing interest apart from my official judicial or legal functions.

In 1966, in the hope that I would find the time and could undertake consistently with my Court obligations, research functions, studies and writings connected with the work of the foundation, the Wolfson Family Foundation tendered a fee to me. At no time did I have any reason to believe nor do I now believe, that the tender of the fee was motivated by or involved any hope or expectation

that it would induce me to intervene or make representation on Mr. Wolfson's behalf.

(2) At no time have I spoken or communicated with any official about Mr. Wolfson, whether with respect to a pardon or his criminal cases or his SEC matters.

(3) At no time have I given Mr. Wolfson or any of his family, associates, foundations or interests any legal advice or services, since becoming a member of the Court. I have not participated, as a Justice or otherwise, in any legal or judicial matter affecting any of them. In accordance with general judicial practice, I disqualify myself in cases which come to my attention concerning former clients or associates.

Mr. GRIFFIN. Mr. President, will the Senator from Arizona yield?

Mr. FANNIN. I am happy to yield to the Senator from Michigan.

Mr. GRIFFIN. I thank the Senator for yielding to me.

I have listened with attention—particularly to the suggestion of the Senator from Arizona that a special committee of the Senate be appointed. While I would not oppose such a special committee, let me say again that I heartily endorse the excellent suggestion made by the able Senator from Massachusetts (Mr. KENNEDY) who indicated that the Committee on the Judiciary should make itself available in the event Mr. Justice Fortas indicated a willingness or an intention to come and provide an explanation.

I think that the Committee on the Judiciary is a particularly appropriate forum, for it was that committee which held hearings on his confirmation. And it was that committee which extended him an invitation to come back and explain the circumstances surrounding the Justice's \$15,000 fee from American University after this information came to light.

Accordingly, I believe that it is entirely appropriate, as suggested by the Senator from Massachusetts, that the Committee on the Judiciary provide a forum for the Justice to offer any explanation. Although I do not happen to be a member of the Committee on the Judiciary, I am confident that if Mr. Justice Fortas were to indicate his willingness to come before the committee, they would listen to what he had to say.

I thank the Senator from Arizona for yielding to me.

Mr. FANNIN. I would say that the reason I make the suggestion is that the Committee on the Judiciary, as I understand it, has not chosen to take this action. Unless I am wrong, I think that the chairman of the committee has stated that the impeachment initiative lies in the House of Representatives. I feel that a member of the Committee on the Judiciary, perhaps the chairman should be on that special committee; but inasmuch as they have not chosen to call for this procedure, that it would be in order for a special committee to be appointed.

Mr. GRIFFIN. I want to make it clear to the Senator from Arizona that I am not indicating any opposition.

Mr. FANNIN. I certainly understand that.

Mr. GRIFFIN. In referring to the suggestion of the Senator from Arizona, I am only saying that it would be perhaps

more appropriate and more desirable if Mr. Justice Fortas himself were to indicate a willingness to appear before the Committee on the Judiciary, even though as its chairman has pointed out, the initiation of any impeachment proceedings would be under the jurisdiction of the House. But at this point, of course, we are not talking about impeachment proceedings, we are only talking about receiving the Justice's explanation and his answers to questions relating to the propriety of his conduct while serving on the Court.

I think it is important to remember that the Senate and the Nation are waiting for Mr. Justice Fortas to indicate that he would like to come before the committee.

Mr. FANNIN. I would say to the distinguished Senator from Michigan that I certainly agree we are not in disagreement at all. It is just that Mr. Justice Fortas has not come forward, and so far as I know, there has not been any indication from him that he will make any request to appear before the committee. The committee which I suggest would concern itself with a finding of facts only. The mood of America indicates we should begin to move.

I feel that this should not take too much time; we should not delay. That is why I make this recommendation.

Mr. President, I yield the floor.

#### AUTHORIZATION TO RECEIVE MESSAGES AND SIGN BILLS

Mr. KENNEDY. Mr. President, I ask unanimous consent that on tomorrow, during adjournment of the Senate, all committees be authorized to file their reports, together with any minority, supplemental, or individual views; and that the Secretary of the Senate be permitted to receive messages from the President and from the House of Representatives.

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

#### ADJOURNMENT UNTIL MONDAY, MAY 12, 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 Monday next.

The motion was agreed to; and (at 4 o'clock and 28 minutes p.m.) the Senate adjourned until Monday, May 12, 1969, at 12 o'clock noon.

#### NOMINATIONS

Executive nominations received by the Senate May 6, 1969 under authority of the order of May 5, 1969:

##### DIPLOMATIC AND FOREIGN SERVICE

Philip H. Trezise, of Michigan, a Foreign Service officer of the class of Career Minister, to be an Assistant Secretary of State.

##### GOVERNOR OF GUAM

Carlos Garcia Camacho, of Guam, to be Governor of Guam, vice Manuel F. L. Guerrero.

DEPARTMENT OF TRANSPORTATION

James A. Washington, Jr., of the District of Columbia, to be general counsel of the Department of Transportation.

THE JUDICIARY

Richard L. Thornburgh, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania for the term of 4 years, vice Joseph S. Ammerman, resigned.

IN THE ARMY

Gen. Theodore John Conway, [REDACTED], Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general under the provisions of title 10, United States Code, section 3962.

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. John Lathrop Throckmorton, [REDACTED], Army of the United States (major general, U.S. Army).

To be lieutenant general

Maj. Gen. Melvin Zais, [REDACTED], Army of the United States (brigadier general, U.S. Army).

Executive nominations received by the Senate May 7, 1969, under authority of the order of May 5, 1969:

DIPLOMATIC AND FOREIGN SERVICE

David H. Popper, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

Kingdon Gould, Jr., of Maryland to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonel

McAvoy, Donald W., [REDACTED]

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonels

Abele, Louis E., [REDACTED]  
 Abee, Kenneth R., [REDACTED]  
 ABT Frederick T., [REDACTED]  
 Adams, Charles M., [REDACTED]  
 Adams, Earl R., Jr., [REDACTED]  
 Adams, Marvin L., [REDACTED]  
 Adkins, Alvin E., [REDACTED]  
 Aldridge, George W., [REDACTED]  
 Allbee, Howard G., [REDACTED]  
 Allen, Andrew S., [REDACTED]  
 Allen, Boyde W., Jr., [REDACTED]  
 Allison, Charles C., [REDACTED]  
 Alloway, Curtis H., [REDACTED]  
 Alter, George M., [REDACTED]  
 Amburn, Warren G., [REDACTED]  
 Amos, Carl R., Jr., [REDACTED]  
 Anderson, William A., [REDACTED]  
 Andreen, Robert B., [REDACTED]  
 Andrews, William J., [REDACTED]  
 Applin, Paul L., Jr., [REDACTED]  
 Armstrong, George A., [REDACTED]  
 Arnette, John Q., [REDACTED]  
 Arnold, Stanley W., [REDACTED]  
 Arnold, William J., [REDACTED]  
 Ashley, Lewis J., [REDACTED]  
 Bailey, Walter D., [REDACTED]  
 Baker, Joe, Jr., [REDACTED]  
 Baker, John E., [REDACTED]  
 Baldwin, Cecil C., [REDACTED]  
 Bales, James C., [REDACTED]  
 Ball, Doric W. J., [REDACTED]

Ball, John J., Jr., [REDACTED]  
 Ballou, De Forrest, [REDACTED]  
 Ballou, William R., [REDACTED]  
 Balmer, Jesmond D., [REDACTED]  
 Bamford, Thomas F., [REDACTED]  
 Bangert, Robert L., [REDACTED]  
 Banks, Ray C., Jr., [REDACTED]  
 Barber, John W., [REDACTED]  
 Barbero, Richard J., [REDACTED]  
 Barloy, Raymond C., Jr., [REDACTED]  
 Barnes, Metullus A., [REDACTED]  
 Barrett, Ernest F., [REDACTED]  
 Barrett, Frederick, [REDACTED]  
 Barrett, George B., [REDACTED]  
 Barris, Donald F., [REDACTED]  
 Barry, Clarence D., [REDACTED]  
 Barth, Sam L., [REDACTED]  
 Baskin, Ronald R., [REDACTED]  
 Battreall, Raymond, [REDACTED]  
 Bauer, Eugene R., [REDACTED]  
 Baugh, Russell E., [REDACTED]  
 Baumann, Lewis R., [REDACTED]  
 Baxley, John B., [REDACTED]  
 Bayard, Louis P., [REDACTED]  
 Beard, Kenneth R., [REDACTED]  
 Beard, Rutland D., Jr., [REDACTED]  
 Meckwith, Charles M., [REDACTED]  
 Becton, Julius W., Jr., [REDACTED]  
 Bell, Cleo O., [REDACTED]  
 Bell, Clyde B., Jr., [REDACTED]  
 Belser, Adolph L., [REDACTED]  
 Bender, John A., [REDACTED]  
 Benedict, William G., [REDACTED]  
 Berens, Robert J., [REDACTED]  
 Berger, Newell J., Jr., [REDACTED]  
 Bergner, John, [REDACTED]  
 Bernard, Carl F., [REDACTED]  
 Berres, John P., [REDACTED]  
 Bertholf, Cheney L., [REDACTED]  
 Bethany, Charles W., [REDACTED]  
 Betts, Earl C., [REDACTED]  
 Betts, Edward E., [REDACTED]  
 Bishop, Bertram J., [REDACTED]  
 Bivens, Courtland C., [REDACTED]  
 Bjostad, Louis B., Jr., [REDACTED]  
 Black, George S., [REDACTED]  
 Black Robert W., [REDACTED]  
 Black, William L., [REDACTED]  
 Blair, Thomas G., [REDACTED]  
 Blake, Thomas B., [REDACTED]  
 Blalock, Bill R., [REDACTED]  
 Blodgett, Rexford J., [REDACTED]  
 Bodman, Walter J., Jr., [REDACTED]  
 Boland, Herman T., Jr., [REDACTED]  
 Bolte, David E., [REDACTED]  
 Bolton, Virgil W., [REDACTED]  
 Boman, Truman R., [REDACTED]  
 Bosan, George S., [REDACTED]  
 Bounds Marcellus W., [REDACTED]  
 Bracey, Spencer M., [REDACTED]  
 Bradley, Charles R., [REDACTED]  
 Bradley, Robert L., [REDACTED]  
 Brash, William W., [REDACTED]  
 Bratton, Joseph K., [REDACTED]  
 Braun, Albert W., [REDACTED]  
 Braunstein, Howard, [REDACTED]  
 Brazier, Vincent M., [REDACTED]  
 Bressant, Leon D., [REDACTED]  
 Bringham, William N., [REDACTED]  
 Britt, Colon R., Jr., [REDACTED]  
 Brock, Luther A., [REDACTED]  
 Brockmeier, William, [REDACTED]  
 Brockmyer, James J., [REDACTED]  
 Brooks, Glenn P., [REDACTED]  
 Brown, Latham H., [REDACTED]  
 Bryan, Leo C., [REDACTED]  
 Bryant, Vernon W., [REDACTED]  
 Buchanan, Crawford, [REDACTED]  
 Buchanan, Thomas W., [REDACTED]  
 Buckingham, Clay T., [REDACTED]  
 Bulawsky, Lawrence, [REDACTED]  
 Bullard, William P., [REDACTED]  
 Bullock, Frank E., [REDACTED]  
 Bunch, James E., [REDACTED]  
 Bundy, Richard N., [REDACTED]  
 Burhoe, John M., [REDACTED]  
 Burke, Thomas P., [REDACTED]  
 Burks, John R., [REDACTED]  
 Burnett, Neill C., [REDACTED]  
 Bushong, Charles R., [REDACTED]  
 Butler, James F., [REDACTED]  
 Butler, Jerome J., Jr., [REDACTED]

Cadenhead, Charles, [REDACTED]  
 Caldwell, Larry A., [REDACTED]  
 Callero, Milton F., [REDACTED]  
 Campbell, James G., [REDACTED]  
 Campbell, Robert E., [REDACTED]  
 Caraccia, Marco J., [REDACTED]  
 Carlson, Robert E., [REDACTED]  
 Carney, Charles V., [REDACTED]  
 Carr, John L., [REDACTED]  
 Carrell, Robert F., [REDACTED]  
 Carrigan, Mark C., [REDACTED]  
 Carroll, George F., [REDACTED]  
 Carroll, Robert M., [REDACTED]  
 Carswell, Bruce M., [REDACTED]  
 Catullo, Albert, [REDACTED]  
 Cerny, Edward V., [REDACTED]  
 Chadbourne, James F., [REDACTED]  
 Chandler, John P., [REDACTED]  
 Chandler, Norman P., [REDACTED]  
 Chandler, William W., [REDACTED]  
 Chilcoat, William J., [REDACTED]  
 Chism, John W., [REDACTED]  
 Christensen, John, [REDACTED]  
 Church, Edward H., [REDACTED]  
 Church, William M., [REDACTED]  
 Clark, Egbert B., III, [REDACTED]  
 Clark, James M., [REDACTED]  
 Clark, Richard W., [REDACTED]  
 Clarke, Frank P., [REDACTED]  
 Clayton, Charles C., [REDACTED]  
 Clinedinst, Clinton, [REDACTED]  
 Cloninger, Adrian S., [REDACTED]  
 Cloud, James C., [REDACTED]  
 Clouser, Maurice L., [REDACTED]  
 Coghlan, James J., Jr., [REDACTED]  
 Cohn, Frank, [REDACTED]  
 Cole, Grady A., [REDACTED]  
 Cole, William M., [REDACTED]  
 Collins, Thomas E., [REDACTED]  
 Connell, Richard M., [REDACTED]  
 Conner, Judson J., [REDACTED]  
 Connolly, Richard J., [REDACTED]  
 Conrad, Herman A., [REDACTED]  
 Converse, Stanley P., [REDACTED]  
 Cook, Sidney H., Jr., [REDACTED]  
 Cooley, Richard E., [REDACTED]  
 Cooper, Paul A., [REDACTED]  
 Corcoran, Edward F., [REDACTED]  
 Cordova, William R., [REDACTED]  
 Corkan, Lloyd A., Jr., [REDACTED]  
 Cory, Rennie M., [REDACTED]  
 Costa, John J., [REDACTED]  
 Costen, Charles B., [REDACTED]  
 Couch, Roy E., [REDACTED]  
 Coughlin, Thomas B., [REDACTED]  
 Council, Ranald D., [REDACTED]  
 Covell, Charles R., [REDACTED]  
 Cox, Cleatus J., [REDACTED]  
 Craig, Richard S., [REDACTED]  
 Crane, Joe D., [REDACTED]  
 Crecellus, Richard, [REDACTED]  
 Crist, Ernest W., [REDACTED]  
 Croonquist, Henry T., [REDACTED]  
 Crowell, Steven S., [REDACTED]  
 Crozier, Ted A., [REDACTED]  
 Cummings, William J., [REDACTED]  
 Custer, George A., [REDACTED]  
 Dahl, Laverne H., [REDACTED]  
 Dahlquist, Frederic, [REDACTED]  
 Davidson, William C., [REDACTED]  
 Davis, Harold O., [REDACTED]  
 Davis, Preston A., [REDACTED]  
 Day, Bartley E., [REDACTED]  
 Day, Beth S., [REDACTED]  
 De Bord, Norman D., [REDACTED]  
 DeCorrevont, Leon, [REDACTED]  
 DeHass, George D., [REDACTED]  
 DeHaven, Oren E., [REDACTED]  
 DeLoach, William M., [REDACTED]  
 DeMarsche, Joseph, [REDACTED]  
 Dempsey, Albert P., [REDACTED]  
 Dempsey, James E., [REDACTED]  
 Denend, William L., [REDACTED]  
 Dennington, John F., [REDACTED]  
 Dews, Hampton, [REDACTED]  
 Dibella, Alfred L., [REDACTED]  
 Dibrell, Jack H., [REDACTED]  
 Dickerson, Harvey G., [REDACTED]  
 Dickerson, Paul J., [REDACTED]  
 Dickinson, Dean B., [REDACTED]  
 Dickinson, Hillman, [REDACTED]

Dillender, Jack P., XXXXXX  
 Dittamore, Rex T., XXXXXX  
 Dixon, Albert V., XXXXXX  
 Dixon, Ralph P., Jr., XXXXXX  
 Dlouhy, George J., XXXXXX  
 Dohleman Kenneth E., XXXXXX  
 Donoho, Louie W., XXXXXX  
 Donohoe, Patrick J., XXXXXX  
 Dorsey, Clifford R., XXXXXX  
 Dorsey, Ralph M., XXXXXX  
 Doster, Robert W., XXXXXX  
 Dunks, Fred, XXXXXX  
 Dunn, Harold R., XXXXXX  
 Dunn, John M., XXXXXX  
 Durant, Billy C., XXXXXX  
 Durst, Harold E., XXXXXX  
 Dye, Clarence C., XXXXXX  
 Eagers, Joseph A., Jr., XXXXXX  
 East, Charles M., Jr., XXXXXX  
 Ebbs, Joseph M., XXXXXX  
 Ednie, Robert L., XXXXXX  
 Edwards, Grey H., XXXXXX  
 Eggers, John F., XXXXXX  
 Eichelsdoerfer, How, XXXXXX  
 Elliott, Harold N., XXXXXX  
 Ellis, William R., XXXXXX  
 Emerson, Vaughn C., XXXXXX  
 Emery, Thomas D., XXXXXX  
 English, Allan J., Jr., XXXXXX  
 Erbe, Robert L., XXXXXX  
 Esco, Oliver N., Jr., XXXXXX  
 Estes, Robert K., XXXXXX  
 Evans, Alexander R., XXXXXX  
 Everding, Francis R., XXXXXX  
 Everett, George W., XXXXXX  
 Ezell, Bert P., XXXXXX  
 Fairlamb, John C., XXXXXX  
 Falkenbury, Stephen, XXXXXX  
 Fancher, Paul T., XXXXXX  
 Fatum, John J., XXXXXX  
 Paul, Lloyd J., XXXXXX  
 Feir, Philip R., XXXXXX  
 Fender, Louis H., XXXXXX  
 Ferguson, James W., XXXXXX  
 Ferguson, James W., XXXXXX  
 Finlayson, Hugh S., XXXXXX  
 Fischman, Kurt, XXXXXX  
 Fisher, Charles H., XXXXXX  
 Fisher, Robert W., XXXXXX  
 Fisk, Eugene N., XXXXXX  
 Pitz, Harold C., Jr., XXXXXX  
 Flagg, Austin T., XXXXXX  
 Fleeson, George S., XXXXXX  
 Fleury, Thomas C., XXXXXX  
 Florio, John D., XXXXXX  
 Foley, John J., Jr., XXXXXX  
 Font, Joe A., XXXXXX  
 Ford, Earl P., XXXXXX  
 Ford, Edward A., XXXXXX  
 Ford, George L., XXXXXX  
 Ford, John O., XXXXXX  
 Forrest, John F., XXXXXX  
 Foss, Romaine S., XXXXXX  
 Fox, Donald C., XXXXXX  
 Frandsen, Donald P., XXXXXX  
 Frandsen, Oscar R., XXXXXX  
 Frieman, William D., XXXXXX  
 Frizzell, Harry P., XXXXXX  
 Fry, Louis C., XXXXXX  
 Frye, John W., XXXXXX  
 Fullerton, Avery S., XXXXXX  
 Fulton, Taylor R., XXXXXX  
 Fulton, William S., XXXXXX  
 Garcia, Oscar M., XXXXXX  
 Gard, John D., XXXXXX  
 Gardiner, William P., XXXXXX  
 Garties, Richard G., XXXXXX  
 Gentile, Paul J., XXXXXX  
 George, Kenneth E., XXXXXX  
 Geraci, John P., XXXXXX  
 Gerardy, William L., XXXXXX  
 Gershater, Ephraim, XXXXXX  
 Gibbons, Benjamin F., XXXXXX  
 Gibbs, Marvin H., XXXXXX  
 Giboney, Thomas B., XXXXXX  
 Gibson, Floyd S., XXXXXX  
 Gibson, Joseph T., XXXXXX  
 Gillespie, Richard, XXXXXX  
 Gillis, William D., XXXXXX  
 Gilman, John P., XXXXXX  
 Gilmore, Robert L., XXXXXX  
 Giuffrida, Louis O., XXXXXX  
 Giunn, Franklin J., XXXXXX  
 Gober, James R., XXXXXX  
 Goche, Leo N., XXXXXX  
 Godwin, Ralph R., XXXXXX  
 Golden, Alonzo J., XXXXXX  
 Gomez, Viviano, Jr., XXXXXXXX  
 Goodrich, John R., XXXXXX  
 Goodwin, William H., XXXXXX  
 Gordon, William T., XXXXXX  
 Gorlinsky, Victor W., XXXXXX  
 Gower, Donald N., XXXXXX  
 Graeser, Herbert O., XXXXXX  
 Gray, John E., XXXXXX  
 Green, Charles E., XXXXXX  
 Greenbaum, Bernard, XXXXXX  
 Greene, Vernon E., XXXXXX  
 Greer, Edward, XXXXXX  
 Grezaff, Joseph, XXXXXX  
 Griffith, Harry A., XXXXXX  
 Grigsby, Alfred J., XXXXXX  
 Grinnell, Douglas D., XXXXXX  
 Guelzo, Carl M., XXXXXX  
 Haden, Clinton B., XXXXXX  
 Hale, Alfred B., XXXXXX  
 Hale, Lindsey W., XXXXXX  
 Halgren, Spencer V., XXXXXX  
 Hall, Reginald W., XXXXXX  
 Hall, Rupert P., XXXXXX  
 Halley, William F., XXXXXX  
 Hammerquist, Robert, XXXXXX  
 Hammond, John B., XXXXXX  
 Hammonds, Eugene, XXXXXX  
 Hampton, Kenneth R., XXXXXX  
 Hannum, Clifford P., XXXXXX  
 Hanrahan, William P., XXXXXX  
 Hanson, James N., XXXXXX  
 Harbin, Darwin D., XXXXXX  
 Harger, Clyde J., XXXXXX  
 Harlan, Lowell B., XXXXXX  
 Harold, George J., XXXXXXXX  
 Harper, William H., XXXXXX  
 Harris, Carl W., XXXXXX  
 Harris, Richard E., XXXXXX  
 Harrison, Oscar J., XXXXXX  
 Hartman, William F., XXXXXX  
 Harwood, Richard D., XXXXXX  
 Hassell, John N., XXXXXX  
 Hassin, Donald J., XXXXXX  
 Hathaway, Clyde T., XXXXXX  
 Hawthorne, Victor J., XXXXXX  
 Hayes, Duane, XXXXXX  
 Hayes, John G., XXXXXX  
 Hayes, Joseph W., Jr., XXXXXX  
 Haygood, Jack L., XXXXXX  
 Healy, Michael D., XXXXXX  
 Hearin, Joseph N., Jr., XXXXXX  
 Heckendorn, Robert, XXXXXX  
 Heiden, Charles K., XXXXXX  
 Heller, Thomas J., XXXXXX  
 Helton, Carl J., XXXXXX  
 Hemphill, James A., XXXXXX  
 Henderson, Hubert H., XXXXXX  
 Hendricks, Meredith, XXXXXX  
 Hervey, Theodore E., XXXXXX  
 Hess, Lewis E., XXXXXX  
 Hetzel, Foster G., Jr., XXXXXX  
 Hickey, Pennell J., XXXXXX  
 Hicks, Robert R., XXXXXX  
 Hiestand, William C., XXXXXX  
 Hilburn, Jack B., XXXXXX  
 Hill, Glen A., XXXXXX  
 Hill, James F., XXXXXX  
 Hill, John P., XXXXXX  
 Hill, Robert W., XXXXXX  
 Hillman, Lawson R., XXXXXX  
 Hillmar, James E., XXXXXX  
 Hines, George G., XXXXXXXX  
 Hirsch, Edward, XXXXXX  
 Hjorth, George E., XXXXXX  
 Hoddinot, George R., XXXXXX  
 Hodes, John T., XXXXXX  
 Hoffmann, William H., XXXXXX  
 Hoffmaster, George, XXXXXX  
 Hogan, John D. A., Jr., XXXXXX  
 Holt, James H., XXXXXX  
 Hoot, Herbert L., Jr., XXXXXX  
 Hopkins, Norman B., XXXXXX  
 Horey, Robert L., XXXXXX  
 Hornstein, David H., XXXXXX  
 Horton, Max G., XXXXXX  
 Hougen, John H., XXXXXX  
 Houtz, James W., XXXXXX  
 Howard, Charles F., XXXXXX  
 Howard, Edward B., XXXXXX  
 Howard, Norman F., XXXXXX  
 Howell, Fred F., XXXXXX  
 Howell, Martin D., XXXXXX  
 Huber, Leo K., XXXXXX  
 Hughes, Billy D., XXXXXX  
 Hughes, Irving C., XXXXXX  
 Hughes, James E., Jr., XXXXXX  
 Hunt, Alexander H., XXXXXX  
 Hurtt, Clarence M., XXXXXX  
 Hynes, Joseph D., XXXXXX  
 Iannamico, Lucky R., XXXXXX  
 Insani, John L., XXXXXX  
 Ivey, Benjamin F., Jr., XXXXXX  
 Jackson, Kenneth F., XXXXXX  
 Jacques, Jasper P., XXXXXX  
 Jeffery, Theron E., XXXXXX  
 Jenkins, Donald L., XXXXXX  
 Jenkins, Thomas F., XXXXXX  
 Jenkins, W. Hugh, Jr., XXXXXX  
 Jenkins, Wilbur G., XXXXXX  
 Jenkinson, Robert C., XXXXXX  
 Jennings, Richard M., XXXXXX  
 Jessup, Maurice E., XXXXXX  
 Johnson, Carlton S., XXXXXX  
 Johnson, Charles M., XXXXXX  
 Johnson, Lawrence H., XXXXXX  
 Johnson, Ross L., XXXXXX  
 Johnson, Thomas L., XXXXXX  
 Johnson, Clinton K., XXXXXX  
 Jones, Frank P., XXXXXX  
 Jones, George M., XXXXXX  
 Jones, Harry T., XXXXXX  
 Jones, Hugh H., Jr., XXXXXX  
 Jones, Norman G., XXXXXX  
 Jones, Ogden S., Jr., XXXXXX  
 Jones, Paul E., XXXXXX  
 Jones, Roy M., XXXXXX  
 Jones, Walter F., XXXXXX  
 Jordan, Jesse L., Jr., XXXXXX  
 Jorgensen, Julius J., XXXXXX  
 Junk, William P., Jr., XXXXXX  
 Kalagian, Samuel P., XXXXXX  
 Kavanaugh, Martin J., XXXXXX  
 Keebaugh, Harold G., XXXXXX  
 Keeling, William O., XXXXXX  
 Kees, William G., XXXXXX  
 Keith, Donald R., XXXXXX  
 Kellam, Lawrence M., XXXXXX  
 Kemble, Charles R., XXXXXX  
 Kennedy, William J., XXXXXX  
 Kent, Graham G., XXXXXX  
 Key, Milton E., XXXXXX  
 Kiefe, Joseph C., Jr., XXXXXX  
 King, Edward L., XXXXXX  
 King, John E., XXXXXX  
 King, Justice B., XXXXXX  
 King, Melvin E., XXXXXX  
 King, Monroe D., XXXXXX  
 King, Ward D., XXXXXX  
 Kingdom, Arthur J., XXXXXX  
 Kingston, Joseph P., XXXXXX  
 Kinnan, Floyd H., XXXXXX  
 Kinne, Harold C., Jr., XXXXXX  
 Kirk, Robert J., XXXXXX  
 Kirkpatrick, Monroe, XXXXXX  
 Kisling, Richard D., XXXXXX  
 Kitlas, Albert C., XXXXXX  
 Knapp, Theron W., Jr., XXXXXX  
 Knipling, Louis H., XXXXXX  
 Kogan, Rudolf W., XXXXXX  
 Konopnicki, Emil L., XXXXXX  
 Koseki, Reginald W., XXXXXX  
 Kostka, Bohuslav Z., XXXXXX  
 Krakower, Albert M., XXXXXX  
 Kirwanek, Robert J., XXXXXX  
 Kuhlman, Arthur H., XXXXXX  
 Kurtz, Maurice K., Jr., XXXXXX  
 La Porte, Arthur E., XXXXXX  
 Lamar, F. Irby, XXXXXX  
 Lamason, Jerry L., XXXXXX  
 Lamb, Joe B., XXXXXX  
 Lambert, John E., XXXXXX  
 Lambert, Robert O., XXXXXX  
 Lamp, Russell J., XXXXXX  
 Lampros, James, XXXXXX  
 Landau, Calvin J., XXXXXX  
 Landis, Charles M., XXXXXX  
 Landre, Lowell H., XXXXXX

Landry, Edward L., Jr., XXXXXX  
 Landsadel, Robert, XXXXXX  
 Lang, Vincent W., XXXXXX  
 Larkin, Daniel T., XXXXXX  
 Larsen, Edward D., XXXXXX  
 Larson, Gale L., XXXXXX  
 Latham, Willard, XXXXXX  
 Lauer, Jerry B., XXXXXX  
 Lawlor, Thomas A., XXXXXX  
 Lawrence, Clyde K., XXXXXX  
 Lawson, James E., XXXXXX  
 Lay, James R., XXXXXX  
 Le Gro, William E., XXXXXX  
 Le Page, Julien H., XXXXXX  
 Leahy, Thomas M., Jr., XXXXXX  
 Leary, John R., XXXXXX  
 Ledford, Gerald E., XXXXXX  
 Lee, Charles B., XXXXXX  
 Lee, Chew-Mon, XXXXXX  
 Lee, Myron E., Jr., XXXXXX  
 Legg, Elbert E., XXXXXX  
 Lehner, Charles R., XXXXXX  
 Leister, James W., XXXXXX  
 Lewis, Addison L., XXXXXX  
 Lewis, John D., XXXXXX  
 Lewis, John L., XXXXXX  
 Lewis, Mose E., III, XXXXXX  
 Lewis, Samuel A., XXXXXX  
 Liddle, John W., XXXXXX  
 Litchow, Robert E., XXXXXX  
 Lind, Thomas D., XXXXXX  
 Lindeman, Arthur H., XXXXXX  
 Lindholm, James R., XXXXXX  
 Lippincott, John C., XXXXXX  
 Little, Robert F., Jr., XXXXXX  
 Little, Robert A., XXXXXX  
 Littlejohn, John C., XXXXXX  
 Livingston, Leon R., XXXXXX  
 Lober, William J., Jr., XXXXXX  
 Lochhead, Earl J., XXXXXX  
 Lombard, Harold F., XXXXXX  
 Lombardi, Arthur P., XXXXXX  
 Long, Eldredge R., Jr., XXXXXX  
 Long, Homer S., Jr., XXXXXX  
 Longbottom, John H., XXXXXX  
 Longstroth, Alma G., XXXXXX  
 Love, John A., XXXXXX  
 Lowrey, Willis H., XXXXXX  
 Lowry, Phillip E., XXXXXX  
 Loy, Albert, XXXXXX  
 Luebbert, William F., XXXXXX  
 Lynch, Robert E., XXXXXX  
 Lynch, Robert O., XXXXXX  
 Lynes, Marvis F., XXXXXX  
 Mace, John S., XXXXXX  
 Mack, Richard E., XXXXXX  
 Mackert, John R., XXXXXX  
 Madigan, William P., XXXXXX  
 Madison, John H., Jr., XXXXXX  
 Maggio, Christopher, XXXXXX  
 Mahone, Worthington, XXXXXX  
 Malhafer, Harry J., XXXXXX  
 Malinowski, Theodor, XXXXXX  
 Mallory, Phillip L., XXXXXX  
 Maness, Harold M., XXXXXX  
 Manning, John R., XXXXXX  
 Maple, John C., XXXXXX  
 Marcus, Gerald R., XXXXXX  
 Marder Eugene, XXXXXX  
 Marks, Patrick W., XXXXXX  
 Marley, John T., XXXXXX  
 Marshall, Magness W., XXXXXX  
 Martin, Norman L., XXXXXX  
 Martin, Stuart F., XXXXXX  
 Martinez-De-Andino, XXXXXX  
 Mason, Phillip L., XXXXXX  
 Masters, John J., XXXXXX  
 Mathern, Louis G., Jr., XXXXXX  
 Mathews, Amos C., XXXXXX  
 Mauderly, Allen J., XXXXXX  
 Maughan, George, XXXXXX  
 Maurer, John A., XXXXXX  
 Mautz, Wayne A., XXXXXX  
 May, Roy R., Jr., XXXXXX  
 Mayer, Arthur J., XXXXXX  
 Mayer, Jack, XXXXXX  
 Mazuchowski, John P., XXXXXX  
 McAleer, John J., Jr., XXXXXX  
 McArdle, John F., XXXXXX  
 McCabe, Jerome M., XXXXXX  
 McCarron, Dean J., XXXXXX

McCarthy, James L., XXXXXX  
 McClaran, Jack L., XXXXXX  
 McClure, Bruce, XXXXXX  
 McClure, George W., XXXXXX  
 McConaghy, David D., XXXXXX  
 McCracken, Walter, XXXXXX  
 McCulloch, Robert, XXXXXX  
 McCune, John R., XXXXXX  
 McFadden, George L., XXXXXX  
 McGarity, Wiley, XXXXXX  
 McGinnis, Charles, XXXXXX  
 McGowan, Edgar, XXXXXX  
 McGuinn, Michael E., XXXXXX  
 McGuire, Robert D., XXXXXX  
 McGurk, Jack B., XXXXXX  
 McIntosh, James F., XXXXXX  
 McIntyre, Kenneth, XXXXXX  
 McKee, Charles F., XXXXXX  
 McKenna, Edward C., XXXXXX  
 McKinsey, Ray A., XXXXXX  
 McTaggart, Richard, XXXXXX  
 Mead, Chester R., XXXXXX  
 Meadows, Byron D., XXXXXX  
 Mears, Joe G., XXXXXX  
 Medsger, Gerald W., XXXXXX  
 Meek, Carroll S., XXXXXX  
 Mehosky, Edward S., XXXXXX  
 Melcher, Ralph W., XXXXXX  
 Meiner, Sinclair L., XXXXXX  
 Merck, Carl J., XXXXXX  
 Meredith, Francis, XXXXXX  
 Merrill, Samuel L., XXXXXX  
 Mesick, Robert A., XXXXXX  
 Messinger, Lucien E., XXXXXX  
 Metcalf, Donald J., XXXXXX  
 Metz, Clarence E., XXXXXX  
 Metzger, J. Hayes, XXXXXX  
 Meyer, Harold J., XXXXXX  
 Middleton, Harry F., XXXXXX  
 Miles, Edwin R., Sr., XXXXXX  
 Miller, Amory A., Jr., XXXXXX  
 Miller, Robert C., XXXXXX  
 Milton, Wilburn E., XXXXXX  
 Minis, Carol E., XXXXXX  
 Mitchell, John D., Jr., XXXXXX  
 Mitchell, Terry C., XXXXXX  
 Moe, Wayne J., XXXXXX  
 Moller, Andreas J., XXXXXX  
 Monahan, Lawrence P., XXXXXX  
 Monk, Eugene E., XXXXXX  
 Monroe, Howard E., XXXXXX  
 Montgomery, Ernest, XXXXXX  
 Montgomery, George, XXXXXX  
 Monyhan, William J., XXXXXX  
 Moore, Donald G., XXXXXX  
 Moore, Fred S., XXXXXX  
 Moore, Howard M., XXXXXX  
 Moore, James T., XXXXXX  
 Moore, Merle M., Jr., XXXXXX  
 Moore, William T., XXXXXX  
 Moran, Clayton L., XXXXXX  
 Moreau, Donald W., XXXXXX  
 Morris, Davis O., XXXXXX  
 Morrison, John H., Jr., XXXXXX  
 Morrison, Robert W., XXXXXX  
 Morrisroe, William, XXXXXX  
 Morrissey, John J., XXXXXX  
 Morrow, Charles, Jr., XXXXXX  
 Morton, Karl R., XXXXXX  
 Morton, Richard L., XXXXXX  
 Mortrude, James O., XXXXXX  
 Moseley, Lonnie L., XXXXXX  
 Moses, Thomas L., XXXXXX  
 Muckerman, Joseph E., XXXXXX  
 Mullens, Robert M., XXXXXX  
 Mumma, Harry F., XXXXXX  
 Munroe, Irving W., XXXXXX  
 Murphy, Edward L., Jr., XXXXXX  
 Murphy, Meredith E., XXXXXX  
 Murray, Clive E., Jr., XXXXXX  
 Myers, Allen L. Jr., XXXXXX  
 Myers, Robert W., XXXXXX  
 Neal, Harold, XXXXXX  
 Neil, James M., XXXXXX  
 Nelson, Edwin B., XXXXXX  
 Nelson, Neil G., XXXXXX  
 Nelson, Robert B., XXXXXX  
 Nelson, Robert C., XXXXXX  
 Newport, Elswick, XXXXXX  
 Nicholas, Billy B., XXXXXX  
 Nickel, William F., XXXXXX

Nielsen, Jack W., XXXXXX  
 Nikas, Nick J., XXXXXX  
 Noce, Robert W., XXXXXX  
 Nolan, John M., XXXXXX  
 Norcom, Henry C., XXXXXX  
 Nordin, William H., XXXXXX  
 Norman, William C., XXXXXX  
 Norton, Dunbar S., XXXXXX  
 Nulsen, Charles K., XXXXXX  
 Nunnally, Stephens, XXXXXX  
 Nyquist, Joel B., Jr., XXXXXX  
 Oba, Juneus T., XXXXXX  
 Oberst, Tom C., XXXXXX  
 O'Brien, Peter, XXXXXX  
 O'Brien, Robert T., XXXXXX  
 O'Donnell, Edward H., XXXXXX  
 Ogden, Lawrence J., XXXXXX  
 Ogilvy, Hubert W., XXXXXX  
 Ohm, Herbert P., XXXXXX  
 Olentine, Charles G., XXXXXX  
 Oliver, Kenneth M., XXXXXX  
 Olson, Robert E., XXXXXX  
 Ondishko, Joseph J., XXXXXX  
 O'Neal, Alvin L., XXXXXX  
 Oravetz, Milan J., XXXXXX  
 Osato, Timothy, XXXXXX  
 Osick, John J., XXXXXX  
 Padgett, Oscar M., Jr., XXXXXX  
 Page, James M., Jr., XXXXXX  
 Page, Philip E., Jr., XXXXXX  
 Palmer, Charles D., XXXXXX  
 Palmer, Richard A., XXXXXX  
 Panzer, Dwayne A., XXXXXX  
 Parish, Freddy B., XXXXXX  
 Parker, Joseph L., XXXXXX  
 Patterson, Clyde H., XXXXXX  
 Patterson, William, XXXXXX  
 Patton, Thomas J., XXXXXX  
 Paulson, Paul A., XXXXXX  
 Payne, Bruce E., II, XXXXXX  
 Peabody, Richard R., XXXXXX  
 Pease, Quentin, XXXXXX  
 Peck, George E., XXXXXX  
 Peiker, Raymond J., XXXXXX  
 Peixotto, Roland E., XXXXXX  
 Pence, Edward W., XXXXXX  
 Pendergrass, Alva W., XXXXXX  
 Perfect, Burns I., XXXXXX  
 Perry, Raymond L., XXXXXX  
 Peters, Elmer B., XXXXXX  
 Peterson, Hartwin E., XXXXXX  
 Petranck, John J., XXXXXX  
 Phillips, Charles L., XXXXXX  
 Phillips, Donald M., XXXXXX  
 Phillips, William G., XXXXXX  
 Pizzi, Joseph E., XXXXXX  
 Pleier, William F., XXXXXX  
 Plummer, Frank S., Jr., XXXXXX  
 Poerner, Homer W., XXXXXX  
 Pollin, George A., Jr., XXXXXX  
 Ponder, Lewington S., XXXXXX  
 Post, Sterling T., Jr., XXXXXX  
 Powell, Joseph L., XXXXXX  
 Powell, Richard L., XXXXXX  
 Powell, Roger D., XXXXXX  
 Powers, Louis W., XXXXXX  
 Powers, Terence A., XXXXXX  
 Prather, Lewis D., XXXXXX  
 Preuit, James V., XXXXXX  
 Prout, William L., XXXXXX  
 Puckett, Ralph, Jr., XXXXXX  
 Pumphrey, Richard T., XXXXXX  
 Quackenbush, Harold, XXXXXX  
 Quinn, John D., XXXXXX  
 Quinn, Thomas G., XXXXXX  
 Ramos, Rene, XXXXXX  
 Rank, William A., XXXXXX  
 Rasmussen, John W. J., XXXXXX  
 Rawls, Lucian R., Jr., XXXXXX  
 Redd, Milton L., XXXXXX  
 Reed, James B., XXXXXX  
 Reese, Neil, XXXXXX  
 Reign, Lewis L., Jr., XXXXXX  
 Rhodes, Clifford D., XXXXXX  
 Rice, Foy, XXXXXX  
 Riddle, Hugh H., XXXXXX  
 Rider, Vernon R., XXXXXX  
 Ridlehoover, Edward, XXXXXX  
 Riggs, William G., XXXXXX  
 Riley, Evan F., XXXXXX  
 Ring, Alfred C., XXXXXX

Ringenbach, Frank P., XXXXXX  
 Riordan, John B., XXXXXX  
 Rives, James C., XXXXXX  
 Robbins, Stephen L., XXXXXX  
 Roberts, Ernst E., XXXXXX  
 Roberts, John F., XXXXXX  
 Roberts, Wayne G., XXXXXX  
 Robinson, Herbert A., XXXXXX  
 Robinson, Robert H., XXXXXX  
 Roby, Houston S., XXXXXX  
 Roebuck, Charles G., XXXXXX  
 Roegge, Alvin L., XXXXXX  
 Rollier, Robert L., XXXXXX  
 Rose, Robert M., XXXXXX  
 Rosner, Albert A., XXXXXX  
 Ross, Hugh A., III, XXXXXX  
 Ross, Marion C., XXXXXX  
 Rossman, Warren W., XXXXXX  
 Roth, Theodore R., XXXXXX  
 Rovegno, Lawton C., XXXXXX  
 Rowe, Gordon D., XXXXXX  
 Rumore, Sam, XXXXXX  
 Rusche, Ralph R., XXXXXX  
 Ruzich, Rudolph L., XXXXXX  
 Ryan, Wendell J., XXXXXX  
 Sadler, Jack R., XXXXXX  
 Sampson, Samuel F., XXXXXX  
 Samuel, James E., XXXXXX  
 Sanders, James H., XXXXXX  
 Sargeant, Edward W., XXXXXX  
 Schaefer, Martin W., XXXXXX  
 Schappagh, George, XXXXXX  
 Scheib, Helmut V., XXXXXX  
 Schiller, Melvin D., XXXXXX  
 Schmalzel, Joseph L., XXXXXX  
 Schulz, Gerhard W., XXXXXX  
 Schulz, Theodore G., XXXXXX  
 Schumacher, David J., XXXXXX  
 Schwartz, Jack J., XXXXXX  
 Schwarz, Robert H., XXXXXX  
 Selbert, Donald A., XXXXXX  
 Selby, Lewis S., XXXXXX  
 Seife, John K., XXXXXX  
 Sellers, Homer L., Jr., XXXXXX  
 Semmens, Gervies L., XXXXXX  
 Semsch, Philip L., XXXXXX  
 Sharpe, Melvin B., XXXXXX  
 Shelnut, James R., XXXXXX  
 Sherman, Robert, XXXXXX  
 Shields, Buren R., Jr., XXXXXX  
 Shoemaker, Charles, XXXXXX  
 Siegrist, Raymond E., XXXXXX  
 Sills, Charles W., XXXXXX  
 Sills, Gerald H., XXXXXX  
 Singletary, Albert, XXXXXX  
 Singleton, William, XXXXXX  
 Smith, Charles D., Jr., XXXXXX  
 Smith, Dale M., XXXXXX  
 Smith, Donald E., XXXXXX  
 Smith, Duane H., XXXXXX  
 Smith, Harold F., Jr., XXXXXX  
 Smith, John A., XXXXXX  
 Smith, Lloyd D., XXXXXX  
 Smith, Malcolm R., XXXXXX  
 Smith, Paul T., XXXXXX  
 Smith, Samuel L., XXXXXX  
 Smith, Simeon M., Jr., XXXXXX  
 Smith, Vance O., XXXXXX  
 Smith, Wayne C., Jr., XXXXXX  
 Smithey, Paul C., XXXXXX  
 Smyth, Carl B., XXXXXX  
 Snell, Dillon, XXXXXX  
 Snow, Morgan W., XXXXXX  
 Soucek, Leo E., XXXXXX  
 Soucy, Robert H., XXXXXX  
 Spencer, Orton F., XXXXXX  
 Spettel, Charles L., XXXXXX  
 Spivey, Ray V., XXXXXX  
 Springer, Robert M., XXXXXX  
 Staigers, James M., XXXXXX  
 Starkey, Posie Lee, XXXXXX  
 Stauffer, Joseph R., XXXXXX  
 Stedham, Dan D., XXXXXX  
 Steele, Warren B., XXXXXX  
 Steenburn, Donald H., XXXXXX  
 Steinke, John E., XXXXXX  
 Stephens, Rome O., XXXXXX  
 Stickney, Louis S., XXXXXX  
 Stivers, Fred, Jr., XXXXXX  
 Stockell, Charles W., XXXXXX  
 Stockton, Thomas W., XXXXXX  
 Stone, James L., XXXXXX

Stone, R. E., XXXXXX  
 Stooke, Willard N., XXXXXX  
 Story, Robert P., XXXXXX  
 Strohecker, Howard, XXXXXX  
 Stukhart, George, Jr., XXXXXX  
 Stump, Robert M., XXXXXX  
 Sugg, Leon H., Jr., XXXXXX  
 Sullivan, George A., XXXXXX  
 Summers, Archie W., XXXXXX  
 Surut, Lee E., XXXXXX  
 Suther, Russell J., XXXXXX  
 Sutton, John E., XXXXXX  
 Swafford, Fred G., Jr., XXXXXX  
 Swett, Trevor W., Jr., XXXXXX  
 Symmes, Kenneth R., XXXXXX  
 Tallman, Richard J., XXXXXX  
 Tank, Albert K., XXXXXX  
 Taylor, Charles E., XXXXXX  
 Taylor, Donald L., XXXXXX  
 Taylor, Mack, Jr., XXXXXX  
 Taylor, Richard F., XXXXXX  
 Taylor, Victor C., XXXXXX  
 Teague, Phillip E., XXXXXX  
 Teasdale, Robert D., XXXXXX  
 Teel, Joseph F., XXXXXX  
 Templeman, James M., XXXXXX  
 Terry, Charles A., XXXXXX  
 Tesko, Stanley, XXXXXX  
 Thayer, George E., XXXXXX  
 Thevenet, Stanley E., XXXXXX  
 Thomas, Charles M., XXXXXX  
 Thomas, Jack D., XXXXXX  
 Thome, Matthew R., XXXXXX  
 Thompson, Lawrence, XXXXXX  
 Tice, Raphael D., XXXXXX  
 Tieman, Wilbert A., XXXXXX  
 Tierney, William P., XXXXXX  
 Timmerberg, Paul M., XXXXXX  
 Tobin, Paul G., XXXXXX  
 Tobin, Richard E., XXXXXX  
 Topham, Everett G., XXXXXX  
 Townes, James E., Jr., XXXXXX  
 Townsley, Edwin S., XXXXXX  
 Trabue, Earl N., XXXXXX  
 Tracy, George W., XXXXXX  
 Trask, Norman E., XXXXXX  
 Travis, William H., XXXXXX  
 Trinkle, Frank W., XXXXXX  
 Trost, Robert W., XXXXXX  
 Tuberty, James T., XXXXXX  
 Tucker, Harold, XXXXXX  
 Tunnell, Teddy B., XXXXXX  
 Turman, Robert L., XXXXXX  
 Turner, Albert F., XXXXXX  
 Turner, Frederick C., XXXXXX  
 Tussing, Austin F., XXXXXX  
 Tuthill, Jack K., XXXXXX  
 Tutwiler, Guy I., XXXXXX  
 Tyler, John E., XXXXXX  
 Tyson, William P., Jr., XXXXXX  
 Umplierre-Vazquez Wilfredo, XXXXXXXX  
 Unger, Guinn E., XXXXXX  
 Upton, Clifford A., XXXXXX  
 Urrutia, Carlos E., XXXXXX  
 Utley, Jack C., XXXXXX  
 Vail, William H., XXXXXX  
 Van Dyken, Harold B., XXXXXX  
 Van Hook, James M., XXXXXX  
 Van Horn, Vannah E., XXXXXX  
 Van Laethem, Fernand R., XXXXXX  
 Van Meter, Jack D., XXXXXX  
 Vaughn, Robert D., XXXXXX  
 Vollmer, John P., XXXXXX  
 Vosepka, John R., XXXXXX  
 Wagner, Richard H., XXXXXX  
 Wagonhurst, Arland, XXXXXX  
 Waldrop, Andrew J., XXXXXX  
 Walker, Albert L., XXXXXX  
 Walker, John R., XXXXXX  
 Walker, Robert G., XXXXXX  
 Wallace, Bruce E., XXXXXX  
 Wallis, Vernon V., XXXXXX  
 Walsh, John J., Jr., XXXXXX  
 Walters, Edwin S., XXXXXX  
 Walton, John M., XXXXXX  
 Wardle, Theron G., XXXXXX  
 Warlick, William F., XXXXXX  
 Warrington, Robert, XXXXXX  
 Wasco, Joseph, Jr., XXXXXXXX  
 Watling, Edward T., XXXXXX  
 Watson, Henry, Jr., XXXXXX  
 Watson, William R., XXXXXX

Wayne, Norbert J., XXXXXX  
 Weaver, Frank E., XXXXXX  
 Weaver, Robert N., XXXXXX  
 Webel, Herman, Jr., XXXXXX  
 Webster, Dobson L., XXXXXX  
 Weissinger, Jack K., XXXXXX  
 Welch, John M., XXXXXX  
 Wells, Donald C., XXXXXX  
 Wendling, Donald E., XXXXXX  
 West, Oliver I., XXXXXX  
 Westendorf, Frederick C., XXXXXXXX  
 Westermann, Thomas, XXXXXX  
 Westling, Frank S., XXXXXXXX  
 Wetherill, Jerry G., XXXXXX  
 Wheeler, Harold L., XXXXXX  
 Wheeler, Neil W., XXXXXX  
 Whelan, Raymond A., XXXXXX  
 Whichard, William A., XXXXXXXX  
 Whistler, Donald E., XXXXXX  
 Whitaker, Bill, XXXXXX  
 White, Joseph F., XXXXXX  
 White, Rudolph D., XXXXXXXX  
 Whitfield, Patrick, XXXXXXXX  
 Wickham, Robert E., XXXXXX  
 Wienecke, Herman E., XXXXXX  
 Wieteki, Donald W., XXXXXX  
 Wilcox, George L., XXXXXX  
 Wild, Charles B., Jr., XXXXXX  
 Wilkins, Frank E., XXXXXX  
 Wilkinson, Edward S., XXXXXX  
 Wilkinson, Harry W., XXXXXX  
 Will, Clement H., XXXXXX  
 Willett, Curtis L., XXXXXX  
 Williams, Edwin J., XXXXXX  
 Williams, Gordon E., XXXXXX  
 Williams, Murray W., XXXXXX  
 Williams, Robert W., XXXXXX  
 Williams, Theodore, XXXXXX  
 Williamson, Dan H., XXXXXX  
 Williamson, Wade H., XXXXXX  
 Wilson, Calvin O., XXXXXX  
 Wilson J. Frank, XXXXXX  
 Wilson, Jode R., XXXXXX  
 Wilson, Leo L., XXXXXX  
 Wilson, William V., XXXXXX  
 Winslow, Francis J., XXXXXX  
 Wintersteen, Joseph, XXXXXXXX  
 Womble, Phelps R., XXXXXX  
 Wood, John F., Jr., XXXXXX  
 Woolshlager, Richard, XXXXXX  
 Worth, William J., XXXXXX  
 Wren, John J., XXXXXX  
 Wright, Charles D., XXXXXXXX  
 Yaden, James C., XXXXXX  
 Yarbrough, John D., XXXXXX  
 Yeats, Joseph J., Jr., XXXXXXXX  
 Yellman, Edward K., XXXXXX  
 Yepsen, John H., XXXXXX  
 Yerkes, Charles W., XXXXXX  
 Yost, Deverne R., XXXXXX  
 Younger, Ralph K., XXXXXX  
 Zarnowski, Walter J., XXXXXX

## CHAPLAIN CORPS

## To be lieutenant colonels

Brady, John C., XXXXXX  
 Burnette, Lester E., XXXXXX  
 Dolan, Francis J., XXXXXX  
 Eyer, Mervin S., XXXXXX  
 Farrow, Alpha A., XXXXXX  
 Hutchins, Gordon E., XXXXXX  
 Ketchersid, Corbin, XXXXXX  
 Kettler, Earl C., XXXXXX  
 Kittermann, Henry O., XXXXXX  
 Ledebuhr, Albert F., XXXXXX  
 Lewis, Francis R., XXXXXX  
 MacGregor, John M., XXXXXXXX  
 McNally, Carl P., XXXXXX  
 Plocki, Robert J., XXXXXX  
 Remark, Phillip B., XXXXXX  
 Rowan, Joseph C., XXXX  
 Taylor, George O., XXXXXX  
 Thompson, Parker C., XXXXXXXX  
 Walter, Louie W., XXXXXX  
 Wilson, Robert D., XXXXXX

## WOMEN'S ARMY CORPS

## To be lieutenant colonels

Bray, Lydia M., XXXX  
 Dahne, Alice L., XXXX  
 Hill, Georgia D., XXXX  
 Kunert, Betty K., XXXX

Long, Alice A., XXXX  
Parks, Dorothy W., XXXX

MEDICAL CORPS

To be lieutenant colonels

Akers, William A., XXXXX  
Austerman, Warrington, XXXXX  
Baker, Floyd W., XXXXX  
Barrett, O'Neill, Jr., XXXXX  
Baugh, Joseph H., XXXXX  
Berbary, Maurice S., XXXXX  
Boyd, Howard A., XXXXX  
Burkett, Harry E., XXXXX  
Carey, Philip O., XXXXX  
Ceccarelli, Frank E., XXXXX  
Chamblin, Stuart A., XXXXX  
Conrad, Marcel E., Jr., XXXXX  
Cowgill, Herbert F., XXXXX  
Dalton, James B., XXXXX  
Dixon, Leon M., XXXXX  
Fichtner, John Z., XXXXX  
Ford, George W., XXXXX  
Fulton, Nolen W., Jr., XXXXX  
Gore, Albert L., XXXXX  
Guenter, Kenneth E., XXXXX  
Hanson, Thomas A., XXXXX  
Harris, Laurence V., XXXXX  
Herman, Robert H., XXXXX  
Huycke, Edward J., XXXXX  
Jefferson, Samuel C., XXXXX  
Kent, Alfred H., XXXXX  
Leitnaker, Frank C., XXXXX  
Louro, Jose M., XXXXX  
MacNair, Donald S., XXXXX  
Mansfield, John O., XXXXX  
McFadden, Archibald, XXXXX  
Mendelson, Janice A., XXXXX  
Mors, Dwight F., Jr., XXXXX  
Murray, Thomas B., XXXXX  
Pearson, Jack W., XXXXX  
Plunket, Daniel C., XXXXX  
Powers, Joseph F., XXXXX  
Salcedo, Jose R., XXXXX  
Shamburek, Roland H., XXXXX  
Thompson, James W., XXXXX  
Turner, Guthrie L., XXXXX  
Walton, Spencer, XXXXX

DENTAL CORPS

To be lieutenant colonels

Alderson, Thomas H., XXXXX  
Alexander, William, XXXXX  
Andrews, James L., XXXXX  
Bundt, Lyle D., XXXXX  
Crowe, Patrick D., XXXXX  
Davis, Quince B., XXXXX  
Davis, Thomas H., XXXXX  
Flenniken, Melvin E., XXXXX  
Grisham, William K., XXXXX  
Horkowitz, Gabriel, XXXXX  
Howe, Michael J., XXXXX  
Jones Rex D., XXXXX  
Lee, Leslie M., XXXXX  
Legg, William J., XXXXX  
Morgan, Samuel C., XXXXX  
Paul, Parks S., XXXXX  
Seibert, Jay S., XXXXX  
Smith, Duncan M., XXXXX  
Steele, Richard A., XXXXX

VETERINARY CORPS

To be lieutenant colonels

Brown, Heyward G., XXXXX  
Fowler, James L., XXXXX  
Gibbs, Roland J., XXXXX  
Hays, William L., XXXXX  
Lorentzen, Kay W., XXXXX  
Sheehy, Robert W., XXXXX

MEDICAL SERVICE CORPS

To be lieutenant colonels

Allen, Edward V., XXXXX  
Archer, Donald E., XXXXX  
Bahr, Fred R., XXXXX  
Baker, Eugene M., III, XXXXX  
Bentley, Richard E., XXXXX  
Blakesley, Lyman, XXXXX  
Blue, Jack T., XXXXX  
Buker, Leland A., XXXXX  
Camp, Frank R., Jr., XXXXX  
Cohen, Milton, XXXXX  
Cooper, Robert E., XXXXX  
Crampton, George H., XXXXX

Crimen, John C., XXXXX  
Crook, Samuel L., Sr., XXXXX  
Cross, John R., XXXXX  
Cummings, Will J., XXXXX  
Davenport, James D., XXXXX  
Davidson, Louis F., XXXXX  
Davis, William V., XXXXX  
Downing, Jack W., XXXXX  
Erne, Walter F., XXXXX  
Eveland, Charles L., XXXXX  
Ginalick, Matthew, XXXXX  
Hayes, William H., XXXXX  
Hedlund, James L., XXXXX  
Hino, Chester T., XXXXX  
Huggins, Lewis H., XXXXX  
Israeloff, Joseph, XXXXX  
Kerrigan, Robert J., XXXXX  
Leifheit, Howard C., XXXXX  
Lindsay, Clyde J., XXXXX  
Lysak, William, XXXXX  
Mader, Glenn W., Jr., XXXXX  
Marquis, Charles E., XXXXX  
McArthur, James E., XXXXX  
McMartin, George M., XXXXX  
Mullins, William S., XXXXX  
Pace, Erroll W., Jr., XXXXX  
Parker, James W., XXXXX  
Patrick, Darvin O., XXXXX  
Pavlo, Michael J., Jr., XXXXX  
Pezzulli, Frank, XXXXX  
Porter, William R., XXXXX  
Prescott, William J., XXXXX  
Sauls, Wayne R., XXXXX  
Shafer, Keith O., XXXXX  
Simpson, Wayne L., XXXXX  
Smith, Grayson, XXXXX  
Snyder, John S., XXXXX  
Spencer, Ralph A., XXXXX  
Stone, Robert A., XXXXX  
Thomas, Charles A., XXXXX  
Turnbull, Samuel J., XXXXX  
Wegner, William M., XXXXX  
White, Raymond H., XXXXX  
Wittliff, Charles L., XXXXX  
Wright, Dallas P., XXXXX  
Wykoff, Dale E., XXXXX  
Young, James J., XXXXX

ARMY NURSE CORPS

To be lieutenant colonels

Bochman, Beverly E., XXXX  
Bongiovanni, Esther, XXXX  
Busler, Lella J., XXXX  
Connolly, Margaret, XXXX  
Cushnie, Alyce-Marie C., XXXX  
Farland, Vivian, XXXX  
Gaynor, Eleanor A., XXXX  
Gianarakos, Anastasia, XXXX  
Hathaway, Edythe J., XXXX  
Hughes, Margaret E., XXXX  
Kegler, Ruth A., XXXX  
Klasinski, Dorothy, XXXX  
Kuhn, Mary H., XXXX  
Levangie, Catherine, XXXX  
Mahar, Mary E., XXXX  
Massoni, Mary A., XXXX  
Matlavage, Mary M., XXXX  
McCaleb, Lois M., XXXX  
McCormick, Helen L., XXXX  
O'Brien, Mary R., XXXX  
Perkins, Sarah E., XXXX  
Pettengill, Alice E., XXXX  
Phillips, Margaret, XXXX  
Pilier, Vivian L., XXXX  
Purcell, Elizabeth, XXXX  
Renegar, Velma F., XXXX  
Roberts, Lucile M., XXXX  
Roslonowski, Helen, XXXX  
Ross, Sylvia, XXXX  
Sears, Grace L., XXXX  
Sheridan, Vivian C., XXXX  
Shorter, Frances V., XXXX  
Sidell, Norma A., XXXX  
Tierney, Marian A., XXXX  
Weirick, Lenora B., XXXX  
Weydert, Margaret E., XXXX

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonels

Miller, Ellen C., XXXX  
Perry, Joan H., XXXX  
Rader, Marjorie A., XXXX

Weaver, Cecelia K., XXXX  
Williams, June E., XXXXX

To be majors

Baker, Richard D., XXXXXXX  
Herrera, Francisco, XXXXXXX  
Lanzi, Harold J., XXXX  
Murtha, James D., XXXXX  
Norgard, Donald R., XXXXX  
Smalls, Moses D., XXXX

To be major, chaplain

Shelton, Wayne G., XXXXX

To be captains

Brinkley, Jimmie T., XXXX  
Campbell, Paul M., XXXX  
Collins, Robert F., XXXXXXX  
Crawford, Raymon E., XXXX  
Des Champs, Patrick, XXXXXXX  
Duberstein, George E., XXXX  
Elliott, Thomas L., XXXXXXX  
Friedler, Sydney, XXXXXXX  
Gordy, John W., Jr., XXXXXXX  
Griffith, Luther J., XXXX  
Kane, Philip C., XXXX  
Keating, Michael D., XXXXXXX  
King, James E., XXXXXXX  
Kinney, Charles E., XXXX  
Larson, Stuart A., XXXX  
Loudenslager, Max T., XXXXX  
Love, Earnest E., XXXXXXX  
Mackey, Harry V., XXXXXXX  
Maguire, Roger F., XXXXXXX  
Mallik, James J., XXXXXXX  
McAllister, William E., XXXXXXX  
Merkt, Francis D., III, XXXX  
Middleton, Thomas C., XXXX  
Millett, Jack K., XXXXXXX  
Riegler, Seth J., XXXX  
Roder, William E., XXXX  
Seely, John B., XXXXXXX  
Shreffler, Lynn D., XXXX  
Simerly, Charles S., XXXXXXX  
Snuffer, Garner D., XXXX  
St. Peter, Norman L., XXXX  
Xenakis, William A., XXXXXXX

MEDICAL CORPS

To be captains

Calhoun, William I., XXXXXXX  
Stanzione, Steven J., XXXX

DENTAL CORPS

To be captain

Shaffer, Edward L., XXXXXXX

VETERINARY CORPS

To be captains

Kerr, William K., XXXXXXX  
Palo, Matti W., XXXXXXX

MEDICAL SERVICE CORPS

To be captains

McEntire, Ferd W., XXXXXXX  
Miller, William C., XXXXXXX

ARMY NURSE CORPS

To be captains

Goad, Nan J., XXXXX  
Kral, Thomas E., XXXXX  
Massimino, Joseph J., XXXXX

ARMY MEDICAL SPECIALIST CORPS

To be captains

Durey, Doris J., XXXX  
El-Beheri, Mahmoud, XXXXXXX  
Sakson, Donald A., XXXXXXX  
Schiska, Richard L., XXXXXXX  
Turpin, Marcia L., XXXXX  
Yokol, Francis N., XXXX

IN THE ARMY

The following-named person for reappointment in the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be second lieutenant

Schofield, David M., XXXXXXX

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the

provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be majors

- Benton, Homer G.,
Dillard, William H.,
Hileman, Jerome G.,
Laforce, Henry P., Jr.,
Levy, Joseph A.,

To be captains

- Adams, Harvey L., Jr.,
Bagnerise, Joseph W.,
Bailey, John E.,
Bartlett, Henry D.,
Bellamy, Ronald F.,
Benton, William B.,
Biddle, William M.,
Brugnoni, John J.,
Bullock, Robert E.,
Burton, Martin C.,
Clemmons, George D.,
Crismon, Charles R.F.,
Eason, Leonard A.,
Fairris, Marion T.,
Ferguson, Phillip R.,
Gober, Lowman E.,
Lilley, Virgil E.,
Manby, William J., III,
Marsden, William L.,
Mendoza, Ronnie A.,
Montoya, Frank L.,
Nellson, Russell W.,
O'Brien, Francis D.,
Patterson, David H.,
Peasley, Bill,
Riley, Harold E.,
Sarantakes, Nicholas,
Seago, William K.,
Sheehan, Cornelius P.,
Stallings, Donald R.,
Starr, Irving,
Striler, Raymond J.,
Teany, Gene A.,
Waite, Gimble J.,
Williams, Winifred G.,
Wolf, Thomas R.,

To be first lieutenants

- Baraniak, Albert J.,
Barber, Louis P., Jr.,
Brown, Charles Q.,
Brown, James R.,
Burger, Leslie M.,
Cagle, Daryl R.,
Camp, Earley C.,
Carothers, Joe D.,
Carthage, Philip G.,
Clemmer, Terry P.,
Deblase, James P.,
Drake, Dean F.,
Edie, Philip G.,
Eitler, Vincent M., II,
Fitzgerald, Jerry E.,
Fitzgerald, Thomas D.,
Foote, William C.,
Fouche, David F.,
Fritsche, Donald J.,
Garcia, Jose,
Genter, Billy V.,
Greene, Stonell B.,
Groce, Joan R.,
Hart, Robert E.,
Horalek, John L.,
Hvezdos, Michael S.,
Knutson, Robert I.,
Kuhblank, Richard C.,
Kvasnicka, Wayne L.,
Lambert, Sharon L.,
Langman, Frank W.,
Lanning, Michael D.,
Lee, Edmund F.,
Levanson, Joel S.,
Longgear, Paul R.,
Marcks, Ervin W., Jr.,
McFeely, George D.,
McLendon, Walter H.,
Meade, David C.,
Mercler, Leo J.,
Miller, Robert H.,
Millstead, Mikell H.,
Mitchiner, Marvin E.,

- Moore, Allan K.,
Morris, Lawrence J.,
Murphy, Thomas L.,
Mylander, Kenneth W.,
Olson, Charles E.,
Pastrano, Charlie, Jr.,
Phelps, Fredrick O.,
Principio, Marco A.,
Reed, Burwin P., Jr.,
Renaud, Kenneth L.,
Remson, Arthur S.,
Rodgers, Frederic B.,
Ross, Stanley D.,
Schanding, Donald W.,
Schopp, John H.,
Schultz, Jeffrey B.,
Sholly, Robert H.,
Segretti, Donald H.,
Shriver, Donald L.,
Stein, Harry A.,
Stephenson, Hartwell,
Stetzinger, John E.,
Updegraff, James S.,
Vail, James D.,
Vatne, Clarence G.,
Walker, Darrell W.,
Walkley, Lester D.,
Walls, Richard D.,
Warkel, Raphael L.,
Wiebe, Robert A.,
Wilkerson, Arthur F.,
Woldt, Gerald D.,
Wright, Robert D.,
Zebbs, Barbara F.,
Zimlich, Patrick D.,

To be second lieutenants

- Angyal, Frank J.,
Basset, Richard S.,
Chalmers, Jefferson,
Clark, Charles G., Jr.,
Dievendorf, Lynn A.,
Dinkel, Ernest H., Jr.,
Farley, Donald P.,
Ford, Francis N.,
Heston, James V.,
Jones, Larry L.,
Llewellyn, William C.,
Mabry, Dawson B.,
Munnell, Thomas C.,
Murphy, Chester A., III,
Nelson, Gary W.,
Price, Joseph S.,
Stratton, Michael V.,
White, Harold G.,

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3289:

- Bednarczyk, Thomas S.,
Boggs, James D.,
Bowler, Joseph L., Jr.,
Broussard, Douglas E.,
Calvert, Richard L.,
Chorpenning, Jonathan E.,
Cole, Byron J.,
Coryell, Thompson O.,
Crowder, Ronald G.,
Cunningham, Brian J.,
Dawson, Michael T.,
Dea, Godwin Y. H.,
Deitemyer, Kipley E.,
Durham, Donald S.,
Dyson, James H., Jr.,
Egelhof, Michael J.,
Ewald, William R.,
Fassig, Samuel M.,
Fisher, Allen L.,
Gillies, Peter S.,
Gossage, Johnny K.,
Grishkin, Brent A.,
Harris, William H., III,
Houston, Kenneth F.,
Kelley, Michael R.,
Kelly, Dennis W.,
Kluever, Emil K.,
Knoll, Jeffrey Allan,

- Vengelen, Frederick R.,
Voigt, Thomas F.,
Walker, David J.,
Wellensiek, Warren A.,
Williams, Ernest R.,
Worth, David D.,

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

- Cox, Marshall R.,
Larson, Steven A.,
Whitlock, Norris W.,

Executive nominations received by the Senate May 8, 1969:

THE JUDICIARY

David W. Williams, of California, to be U.S. district judge for the central district of California, vice Peirson M. Hall, retired.

IN THE NAVY

The following-named officers of the Navy for permanent promotion to the grade of lieutenant:

To be lieutenants

LINE

- Abel, Jon F.,
Ackerman, William C.,
Adams, Joseph H.,
Adler, Jay B.,
Adolph, Herbert R.,
Ainlay, Benjamin J.,
Albert, Bruce W.,
Alden, John H.,
Aldinger, Robert W.,
Alemian, Haig S.,
Alexander, Edward H.,
Allen, Arnold C.,
Allen, Benjamin E., Jr.,
Allen, Edmond L.,
Allen, Richard C.,
Allison, Warner L.,
Almasi, George R.,
Alter, John W., Jr.,
Alyarado, Robert J., Jr.,
Ames, Richard E.,
Andersen, Robert T.,
Anderson, Bruce W.,
Anderson, David C.,
Anderson, Gerald D.,
Anderson, Larry F.,
Anderson, Richard O.,
Anderson, Thomas H.,
Andrew, William D., Jr.,
Angelosante, Carmen Ansley, James H.,
Anton, Andrew J.,
Applegate, Terry B.,
Armstrong, William E.,
Armstrong, Jesse W.,
Arnett, James L., Jr.,
Arnold, John C.,
Arnold, Robert J.,
Asbell, William E.,
Asher, Charles E.,
Astieford, Nathan L.,
Athanias, Philip W.,
Ayre, Donald,
Babbitt, Thomas R.,
Bacanskas, Algirdas V.,
Bacon, Barton E., III,
Badgett, Robert S.,
Bailey, Albert E., Jr.,
Bailey, David L.,
Bailey, Eugene R.,
Bailey, Ian M.,
Bailey, Thomas F.,
Baker, James W.,
Baldwin, William H.,
Banks, Martin L., III,
Bannach, Leroy R.,
Bansemer, Ronald W.,
Bardeschewski, Walter P.,
Barfield, Henry J., Jr.,
Bark, Charles A., Jr.,
Barker, Charles M.,
Barker, James E.,
Barnes, Edward T.,
Barnes, James C., Jr.,
Barnes, William G.,
Barnett, Roger W.,
Barr, John G.,
Barr, Jon M.,
Barr, Robert K., Jr.,
Barr, Thomas H.,
Barrett, Harold C.,
Barrett, Robert W.,
Barron, Robert W., Jr.,
Barta, Arnold F.,
Bartholomew, Charles A.,
Barton, Jere A.,
Barton, Max N.,
Barz, Graydon L.,
Bates, William R.,
Beatty, Troy, III,
Beaulieu, Eugene L.,
Beck, Brian K.,
Beck, Gary L.,
Becker, Robert W.,
Beem, James N.,
Beguinn, Larry W.,
Bell, James H.,
Bell, Ronald K.,
Bender, Thomas J.,
Benedict, Claude J.,
Benedict, Joseph C.,
Benne, Robert L.,
Bennett, Andrew J.,
Bennett, John F.,
Bennett, Thomas G.,
Benshop, Edwin C.,
Benson, George M.,
Benson, Peter H.,
Benter, Harry W., Jr.,
Bently, Donald K.,
Berger, Thomas J.,
Berry, Charles H.,
Berry, Niles W.,
Berzins, Vincent M.,
Best, James B.,
Bianco, John A.,
Bickel, Michael D.,
Bigelow, Grant L.,
Bigsby, Charles F.,
Billings, David J.,
Bishop, William R.,
Bitonti, David F.,
Black, Herbert E.,
Black, Jerry H.,
Black, John W.,
Black, Norman T.,
Blackburn, John O.,
Blackinton, Charles H.,
Blackmon, Thomas L.,
Blaha, Douglas D.,
Blankinship, John H.,

- Bleakly, Edward W.  
Bledsoe, Robert D.  
Blundell, Thomas E.  
Bobb, Kenneth R.  
Bodiford, Larry J.  
Bollenbach, Melvin W.  
Bonham, Charlie L.  
Booth, Albert J.  
Borchard, David, C.  
Bouchard, Michael L.  
Boudov, Milton, H.  
Boufford, Francis W.  
Bower, Johns H., Jr.  
Boyd, James S.  
Boyer, John E.  
Boyle, Francis J.  
Bradberry, Brent A.  
Braden, Morse S.  
Bradick, Andrew A.  
Bradish, Steven D.  
Bradley, Michael D.  
Bradley, Michael L.  
Braendle, John E.  
Bragg, Thomas P.  
Branch, Thomas A., Jr.  
Brannan, John J.  
Breece, James P.  
Brent, Gerald P.  
Breslin, Michael J.  
Brierley, Roc M.  
Brinkley, Joseph W.  
Bronk, Deforest M.  
Bronson, Lawson E.  
Brooks, Billy C.  
Brooks, Charles E.  
Brooks, Kenneth M.  
Brooks, William T.  
Brown, Barry L.  
Brown, Charles D.  
Brown, George R.  
Brown, Lorin "W"  
Brown, Robert H.  
Brueggeman, John L.  
Brugman, Thomas C.  
Brummersted, David A.  
Brunnworth, Rolland H.  
Bruno, Marco J.  
Bryan, Jon J.  
Bubeck, Charles R.  
Buck, Duane E.  
Buckley, Henry T., Jr.  
Bulkeley, Peter G.  
Bull, Lyle F.  
Bunce, Ronald L.  
Bunch, Harold A., Jr.  
Bunnell, Robert T.  
Burger, Joseph J.  
Burgess, Donald E.  
Burke, David V., Jr.  
Burkette, Jerry W.  
Burn, Reed R.  
Burris, Richard E.  
Burton, John G.  
Busby, Morris D.  
Butler, Phillip N.  
Butler, Warner L.  
Butz, Will A.  
Bygler, K.  
Cagle, Lonnie F.  
Cahill, Joseph P.  
Callahan, Joseph E.  
Callahan, James F.  
Camerson, David D., Jr.  
Campbell, Arlington, F.  
Campbell, Theodore R.  
Cantrell, William A.  
Cantus, Howard H.  
Carden, Francis D., Jr.  
Carl, Walter M.  
Carlborg, Ernest G.  
Carlson, Gary L.  
Carnell, Thomas "E"  
Carns, Neil S.  
Carter, Floyd W., Jr.
- Caruso, Sam J.  
Carver, Donald R.  
Casey, William R.  
Cassels, Bertrand B., Jr.  
Casseri, Aldo J.  
Castellano, William J.  
Cataldo, John  
Catchings, Thomas J.  
Cathery, Carl D.  
Cattlett, William J., II  
Cavanaugh, William, III  
Champlain, John G.  
Chapel, Gary M.  
Chapin, Robert W., Jr.  
Chappell, George C.  
Chase, Malcolm W.  
Chasko, Gerald J.  
Cheaure, Alfred L.  
Chinn, Donald M.  
Chipchak, Robert F.  
Chrans, Larry "J"  
Churchill, Bruce W.  
Clark, Frank E.  
Clark, Kenneth R.  
Clark, Rolf H.  
Clark, Royall W.  
Clark Vernon  
Clarke, John C.  
Clements, Steven D.  
Cleveland, Donald G.  
Cloud, Thomas E.  
Clouse, Johnny L.  
Cobb, John H.  
Coen, Ira H., Jr.  
Coffee, Desmond T.  
Coffman, Richard L.  
Cogswell, Thomas M.  
Cohen, Paul L.  
Cole, Edward F., Jr.  
Cole, Isaiah C.  
Collins, Jerry C.  
Collins, John J.  
Coltrin, William A.  
Colvert, Donald M.  
Colvert, Lundy R.  
Conboy, Alan J.  
Condon, John R.  
Conley, Charles H.  
Connell, James J.  
Conwell, Douglas M.  
Conyers, Thomas R.  
Cook, Walter T.  
Cooper, Robert W., Jr.  
Copes, Raymond F., III  
Costello, Robert G.  
Covell, Michael A.  
Covill, Donald P.  
Cowen, Wayne E.  
Cowperthwaite, Franklin C.  
Crabbe, Douglas V., Jr.  
Crabbs, Edward H., Jr.  
Craft, Rex J.  
Craig, Edward C.  
Craig, Kenneth G.  
Craighow, Leo H., Jr.  
Cramer, Thomas H.  
Crawford, Charles W.  
Crispen, Robert L.  
Criswell, Paul E.  
Csernelabics, Richard C.  
Cummings, Vincent P., Jr.  
Currey, Carl W.  
Dalrymple, John R., Jr.  
Dalzell, Fredric S.  
Damon, William E.  
Danaher, Robert J.  
Danielson, Harvey  
Dannaker, Robert P.  
Darcy, John S.  
Darwin, John C.  
Dattilo, Frank, III
- Davidson, John D.  
Davies, Robert L.  
Davis, Edwin A.  
Davis, Robert T., II  
Dawson, David L.  
Day, Ronald L.  
Dean, Arthur L., Jr.  
Dean, David T.  
Dean, Peter L.  
Decker, Joel P. W.  
Decoste, John W.  
Delvecchio, John R.  
Demark, Ramon S.  
Denike, Daniel J., Jr.  
Denis, Robert R.  
Dennis, David A.  
Derosé, Richard S.  
Desha, Ernest L.  
Desrosiers, Arthur J., Jr.  
Dewalt, Ralph F.  
Dewhirst, George H.  
Diamond, Quensel K.  
Dick, William J.  
Dickey, Edwin H., Jr.  
Dickey, Riley W., Jr.  
Dickinson, Robert S.  
Dietz, David C.  
Dietz, Eugene P.  
Dighton, Anthony E., Jr.  
Dixon, David B.  
Dizor, Carl A., Jr.  
Dobrosky, John  
Doll, Robert J.  
Donn, Alan H.  
Dooley, John J.  
Dooley, William J.  
Dorfer, Jay P.  
Dougherty, Dennis V.  
Douglas, Carlyle A.  
Dowell, Clifton, III  
Doyle, John F.  
Driscoll, Allen A.  
Drustrup, John M.  
Drylie, Herbert D., Jr.  
Dubois, Denis R.  
Dubois, Dorse H., II  
Duchesne, Robert E.  
Duff, Franklin D.  
Duffy, Philip F.  
Dugan, Timothy P., Jr.  
Duich, Stephen J.  
Duke, Thomas E.  
Duley, Donald G.  
Dulin, Robert O., Jr.  
Duncan, Thomas J.  
Dunkle, Robert A.  
Dunn, Gerald L.  
Dunn, Willmatthis, Jr.  
Dunsmoor, Earl W., Jr.  
Durfee, Gerald A.  
Durkee, Leroy R.  
Dvornick, Eugene S.  
Dwyer, David S.  
Dyer, Arland R.  
Dyer, Edward H., III  
Earle, Joseph T.  
Eckert, Thomas R.  
Eddins, Charles W.  
Edson, Darrell W.  
Edwards, David R.  
Ekse, Jon J.  
Elin, Richard A.  
Elliott, Jon K.  
Ellis, Wright H.  
Emerson, John S.  
Emmerich, William S.  
English, Charles R.  
Ennis, James D.  
Erchul, Ronald A.  
Erickson, Donald C.  
Esau, Anthony C.  
Esposito, Richard M.  
Ettinger, Edward J., III  
Etzler, Larry L.  
Fair, Paul H.  
Famme, Joseph B.  
Fang, George W.
- Farber, Frederick A.  
Farmer, Michael O.  
Farnan, George F.  
Farnan, Robert L.  
Farrell, Charles A., Jr.  
Farren, Manus G.  
Fedor, John D.  
Feist, Eugene P.  
Feldmann, Lloyd J., Jr.  
Fellis, Richard T.  
Fenno, Ted P.  
Ferbrache, Ray L.  
FERENCE, Robert J.  
Ferguson, James M.  
Ferguson, Michael B.  
Ferrier, Donald R.  
Ferrier, Thomas L.  
Fijak, Theodore, Jr.  
Findlay, James R.  
Fink, Loren L.  
Finkelstein, Jimmie B.  
Firebaugh, Millard S.  
Fischl, Joseph J.  
Fisher, David P.  
Fisher, George G.  
Fisher, Thomas M.  
Fitch, Kenneth R.  
Fitch, Robert S.  
Fitzpatrick, Patrick C.  
Flanagan, Alan B.  
Fleming, John M., Jr.  
Flesher, Elbert E., Jr.  
Flores, Arthur J.  
Flournoy, Robert A.  
Flynn, Robert J.  
Folse, Ronald L.  
Ford, James I.  
Forstner, Gerald  
Forthman, Ernest A.  
Foster, John C., Jr.  
Foster, Kenneth M.  
Fox, William C.  
Frame, Lee H., Jr.  
Frawley, William D.  
Frazier, Lowell D.  
Fred, Robert H.  
Frederick, William E.  
Fredette, Roger A.  
Freiland, Stuart T.  
Freeman, Joseph H., Jr.  
Freiheit, James D.  
Frelch, Alan W.  
French, Dana P., Jr.  
Frew, John A.  
Friedsam, Bruce A.  
Frodyma, John, Jr.  
Fromholtz, Richard J.  
Frothingham, John C.  
Fry, Michael S.  
Furman, Dale F., Jr.  
Fuscaldio, Robert P.  
Futch, Charles A.  
Gabriel, Edward M.  
Gache, Marius A.  
Gagliano, Sam J.  
Galbraith, Elmer J., Jr.  
Galbreath, Christopher W.  
Gallagher, Charles J., Jr.  
Gallagher, Paul R.  
Gallagher, James A.  
Gallamore, John C.  
Gambacorta, Francis M.  
Gander, John P., Jr.  
Garden, Leon B.  
Garrett, Roger A.  
Garrington, Grant R.  
Gaskell, Lawrence C.  
Gastrock, Barry A.  
Gaylord, Reginald F., Jr.  
Geck, Robert L.  
Geeding, Robert W.  
Gehrdes, Ernest E.  
Germany, Holmes B.
- Gertz, William J.  
Gesswein, Paul S., Jr.  
Giauque, Larry L.  
Gibbs, Brian L.  
Gibby, George C.  
Gibney, William J., Jr.  
Giersch, Albert E.  
Giersch, George J.  
Gilbertson, Eugene D.  
Gill, Henry A., Jr.  
Gill, Richard B.  
Gill, Thomas E., II  
Giuffreda, Robert N.  
Glaser, John M.  
Glavis, George O.  
Glivings, Rudolph  
Glover, Robert P.  
Goad, Tommy W.  
Goggins, John J., Jr.  
Gordon, Robert H.  
Gorena, Roldando R.  
Gorgas, Chester W.  
Goss, Robert W.  
Gowers, Fred L.  
Graffman, Joel R.  
Graham, David B.  
Graham, Robert L.  
Graustein, Robert S.  
Gray, Richard M.  
Green, Daniel L.  
Greene, Paul E.  
Gregor, Richard A.  
Gregory, William H.  
Griffs, William W.  
Grimes, Elmer R.  
Grinnell, Donald P.  
Gros, Joseph E., Jr.  
Grosfils, Eric F.  
Grubb, Robert G.  
Grukowski, Ray A.  
Grunert, John L.  
Gudmunson, Charles E.  
Guertin, Gerald A.  
Gurnee, William T.  
Gustafson, Kurt A.  
Guter, Richard J.  
Guthrie, John T.  
Hackett, Douglas M.  
Hahn, Henry F., Jr.  
Hakanson, Gary E.  
Hall, James W.  
Hallmark, John B.  
Hambright, Thomas L.  
Hamilton, Leonard A.  
Hamilton, Ted A.  
Hammond, Edwin S.  
Hancock, John B.  
Hanks, William L.  
Hannaman, Wilbur G.  
Hansen, Emery D.  
Hansen, Richard C.  
Hansen, Robert R.  
Hanson, Robert C.  
Harden, Harold E.  
Harding, Lewis H.  
Hardison, Robert P., Jr.  
Harksen, Max E.  
Harless, Charles W.  
Harlett, John C.  
Harold, Douglas W., Jr.  
Harper, Don S., Jr.  
Harper, John N., Jr.  
Harrell, Gary W.  
Harrell, Richard E.  
Harrelson, Allan M.  
Harriman, Robert B.  
Hart, Robert M.  
Hartman, Gary W.  
Hartman, William A.  
Haselman, Eugene A.  
Hassinger, William H.  
Haugh, William A.  
Hay, John A.  
Hayne, William J.  
Heald, David B.  
Heaton, John E.  
Hechtman, Robert W.  
Heck, Jerome R.
- Hedley, Peter F.  
Heidt, John H.  
Heilmann, Irvin D.  
Heinz, William J.  
Helmann, Jack E.  
Helms, Hugh W.  
Hemmer, John K.  
Henderson, Lee H.  
Henderson, Jimmy D.  
Henderson, Hugh C.  
Hendren, Edward D.  
Henry, James C., Jr.  
Hensgen, Richard H.  
Henson, Jarrell N.  
Hertzler, Gerald R.  
Herzog, Raymond F.  
Hewitt, Fred L., III  
Hicks, Gerald D.  
Hicks, Jack A., Jr.  
Hicks, William D.  
Hightower, Charles V.  
Hightower, Roger W.  
Hill, Almo W., Jr.  
Hill, Alan C.  
Hill, Ronald V.  
Hill, Virgil L., Jr.  
Hill, William J.  
Hillyard, William F.  
Hilty, David A.  
Himmelstein, David B.  
Hinchy, Frank T.  
Hines, Thomas W., Jr.  
Hinman, Kendall G., Jr.  
Hinton, Thomas E.  
Hipper, Ira M.  
Hitch, William L.  
Hixson, Richard M.  
Hoag, Robert W., II  
Hoback, Dan J.  
Hodge, Henderson, A., III  
Hodge, Stephen A.  
Hoernemann, Michael J.  
Hoffman, Paul M.  
Hofford, Robert F.  
Holben, Neil E.  
Holcomb, Charles C.  
Holfield, Allison J., Jr.  
Holiday, James D.  
Holly, Richard W.  
Holmes, David G.  
Holmes, Ephraim P., Jr.  
Holmes, Stacy V.  
Holt, Richard H.  
Holt, Richard W., Jr.  
Hotel, Kenneth P.  
Hood, "J" "V"  
Hooker, Anthony S.  
Hopper, John F.  
Horn, Frank G.  
Hornbeck, Arthur G.  
Horne, Roderick M.  
Horrigan, John L.  
Houghton, David R.  
Houk, Donald R.  
House, Thomas V.  
Houtchens, Horace P.  
Howard, John R.  
Howard, Robert M.  
Howard, Robert S.  
Howson, Richard I.  
Hubbard, Richard G.  
Huber, Raymond J.  
Huggard, Stephen F.  
Huke, George E.  
Hulbert, Bruce W.  
Hulme, Nelson D.  
Humphrey, Robert W.  
Humphrey, William B.  
Hunter, Jack E.  
Hunter, William P.  
Huntington, Dennis E.  
Huth, Vincent J.  
Hux, Edgar D.  
Hyatt, Charles S.

- Ibach, James S.  
Ingram, Richard F.  
Innes, Henry E.  
Irvine, Kenneth M.  
Isaacson, Robert T.  
Jackson, David E.  
Jackson, Samuel L.  
Jackson, Warren B., Jr.  
Jacobsen, James D.  
James, Ronald E.  
Jenkins, Faber D., Jr.  
Jenkins, Frederick P.  
Jensen, James L., Jr.  
Jensen, Richard M.  
Johannes, Richard N.  
Johns, James E.  
Johnson, Alfred E.  
Johnson, James R.  
Johnson, Kenneth A.  
Johnson, Ralph B., Jr.  
Johnson, Thomas B.  
Johnson, Thomas A.  
Johnston, Daniel F.  
Johnston, Lowell T.  
Jones, David L.  
Jones, Frank A., Jr.  
Jones, Jerry S.  
Jones, Milton H.  
Jones, Robert J.  
Jones, Robert M.  
Jones, Thomas P., Jr.  
Joyner, James D.  
Judson, William H.  
Julian, Franklin D.  
Kaempfer, Frederick W.  
Kagel, Colin T.  
Kaiser, Theodore J., III.  
Kallusch, Herbert W.  
Kapocius, Algirdas K.  
Karalius, Benedict K.  
Karcher, Victor A.  
Karr, James D.  
Karst, Allen W.  
Kasales, Joseph A.  
Kehl, David C.  
Kehm, William C.  
Keller, Harold R.  
Kelley, Thomas G.  
Kelly, Robert F., Jr.  
Kennedy, Jared P.  
Kennedy, Joseph P.  
Kenney, Lawrence H.  
Kenny, John J., III.  
Kerr, Howard "J", Jr.  
Kerr, James E.  
Kiel, Joseph A.  
Kilpatrick, Arthur L.  
Kinney, Dennis M.  
Kirchner, John  
Kirk, Francis M., Jr.  
Kirkman, David C.  
Kiseljack, Charles  
Kizer, Clyde E.  
Klee, Charles W., Jr.  
Klein, Donald C.  
Kline, Robert L.  
Klinger, David C.  
Knabb, Kenneth K., Jr.  
Knapp, Edwin J.  
Knaub, Leroy H.  
Kneppell, Thomas G. W.  
Knight, Daniel  
Knight, Dennis R.  
Knight, Euodias, F., Jr.  
Knight, Ralph W., Jr.  
Koch, Larry N.  
Koehler, Thomas C.  
Kogler, Robert A.  
Kohlstedt, Kenneth D., II  
Kolb, William W.  
Kolodziej, John S.  
Komarek, Jon P.  
Koneval, Kenneth G.  
Kopp, Elmer M., Jr.  
Kordalski, Robert E.
- Korsmo, Thomas B.  
Kouba, George E., Jr.  
Kozlowski, Stanley C.  
Krall, John J.  
Krall, Robert M.  
Kramer, John F., Jr.  
Krause, David R.  
Kroner, Frank R., Jr.  
Kronz, James C.  
Kronzer, James E.  
Kudla, Eugene  
Kuester, Arland W.  
Kuhhirt, William F.  
Kulesz, James J.  
Kunz, James C.  
Kurz, Robert  
Laack, Dennis R.  
Lacey, John S., Jr.  
Ladyman, Berlyn D.  
Lair, James A.  
Lamb, Dennis W.  
Lamb, Stanton B.  
Lambach, Carl E.  
Lambert, Francis R.  
Lamont, Robert F.  
Laporte, Richard A.  
Lane, Glynn Q., Jr.  
Lane, Howard F., Jr.  
Lange, Peter S.  
Lapean, James W.  
Larson, Donald E.  
Larsen, Paul J.  
Lash, Franklin B.  
Lasko, Paul G.  
Laugkon, Lawrence E.  
Lavigne, Harry E., Jr.  
Law, James L.  
Lawlor, Francis J.  
Lawrence, Richard W.  
Layton, David R.  
Leardi, Paul L.  
Lebedeker, Michael D.  
Lee, William J.  
Lefebvre, Edward J.  
Lehardy, Frank A., Jr.  
Lemaster, James L.  
Leming, Billy J.  
Lemoyne, Irve C.  
Lenbergs, Harold E.  
Leonard, William J.  
Lesuer, Wallace T.  
Levin, Frederick W.  
Lillis, Jack W.  
Limbaugh, John R.  
Lindung, John R.  
Linehan, Jeffrey A.  
Livingston, Ira E.  
Lloyd, Robert C.  
Lockett, Joseph L., III  
Loftus, John B., Jr.  
Logan, James L., Jr.  
Long, Glenn U.  
Long, William C.  
Loomis, Michael F.  
Lord, Norman C.  
Loving, Howard H., Jr.  
Lowack, Frederick J.  
Lowry, Bernard F., Jr.  
Loya, Eugene S.  
Lubbs, Larry L.  
Luellen, Lawrence H.  
Luenser, Kenneth H.  
Luper, James A.  
Lutz, Edward J., Jr.  
Lutz, Larry G.  
Lyman, Charles W., III  
Lynch, Edward T., Jr.  
Lynch, Frederick W. M.  
Lynch, Terrence P.  
Mack, Jacob A., III  
Mackay, George W.  
Mackay, William R., III  
Madden, Michael J.  
Mader, Joseph W.  
Main, Christopher A.
- Makela, Toivo W.  
Malla, Richard J.  
Malopy, Lawrence R.  
Manlove, William W., Jr.  
Mansfield, Gordon E.  
March, Daniel P.  
Marechal, Andre  
Markworth, John A.  
Marlin, Richard E.  
Marnane, Joseph P.  
Marquis, Richard I.  
Martin, Harold V.  
Martin, Harold P.  
Martin, Owen C., Jr.  
Martin, William G.  
Matechak, John  
Matheny, James T.  
Mathews, Drexel L.  
Mathews, William M., Jr.  
Mau, Gary W.  
Maurer, Thomas E.  
Maybach, Alfred A., Jr.  
Mayer, Roderick L.  
Mayes, George G.  
McAbee, John T.  
McAulay, Michael L.  
McBride, James J.  
McCann, Wilford D.  
McCarthy, William P.  
McCarton, Joseph F.  
McClelland, Michael D.  
McCloskey, Henry F.  
McCologan, John F.  
McCormick, John H. C.  
McDaniel, John R.  
McElhiney, Ivan G.  
McElmurry, Joe A.  
McElroy, Robert D.  
McFadden, Eugene J. M.  
McFarland, Fred T.  
McGee, Wyatt H.  
McGinley, Edward S., II  
McGoldrick, Henry J.  
McGovern, Lawrence E.  
McGraw, Thomas M.  
McGuire, James E.  
McGuire, Richard J.  
McIntire, Lloyd G.  
McIntyre, Richard T.  
McKeown, Ronald E.  
McKimens, Robert B.  
McKinney, Donald L.  
McLane, David J.  
McLaughlin, James A.  
McLaurin, John C., Jr.  
McLeod, Samuel D., Jr.  
McMahon, Bernard F., Jr.  
McMahon, John P.  
McMahon, Michael J.  
McManis, Robert B.  
McMichael, David L.  
McNair, Morris L., Jr.  
McNally, Eugene F.  
McNamara, John J.  
McNamara, Ronan M.  
McNaughton, William E.  
McNeill, Robert D.  
McNicholas, Thomas M.  
McOigan, Jerry M.  
McPherson, Tommy E.  
McQueen, Edgar G.  
Mctice, John T.  
Mealey, Thomas H., Jr.  
Meese, Harry E.  
Melendy, Harold R.  
Melton, Jack L.  
Mensch, George H.  
Mercado, Carlos E.  
Mermagen, Peter J.  
Merriman, Gene D.
- Metcalf, Robert E.  
Metzger, Allan J.  
Metzler, Charles P., Jr.  
Meyer, Karl A., Jr.  
Micalchuck, David P.  
Michael, Gene C.  
Michaux, Richard W.  
Mickelsen, William "E", Jr.  
Middents, Paul W.  
Middleton, David D.  
Miller, Alan K.  
Miller, Everett R.  
Miller, James M.  
Miller, Leon R.  
Miller, Stephen K.  
Miller, Thomas L.  
Mills, Melvin W.  
Minnick, Thomas A.  
Misclevitz, Dale L.  
Mitchell, Martin E.  
Mitchell, Richard F.  
Mock, Sanford N.  
Moffett, Peter V.  
Momm, John A.  
Mommens, Durward B., Jr.  
Monteleon, Victor J.  
Montgomery, Robert A.  
Moore, Robert L.  
Morency, David C.  
Morgan, Richard A.  
Morgan, Ronald D.  
Morin, Thomas E.  
Moroney, Brendan T.  
Morris, John K.  
Morris, John E.  
Morrison, Harlan L.  
Morrison, Karl F.  
Morrow, Frank A.  
Morrow, George E.  
Morse, Carl S.  
Moses, Paul D.  
Mosser, John H.  
Mosteller, William L.  
Mouns, Albert L.  
Mowery, Gary W.  
Moynahan, Michael J.  
Mueller, Joseph B.  
Mulford, Michael L.  
Mullarky, Jon I.  
Mullen, James J.  
Mullins, William E.  
Munck, Philip L.  
Murphy, Edward R., Jr.  
Murphy, James J.  
Murray, Tom R., II  
Myers, Elyvn L.  
Myers, Thomas A.  
Nagel, James R.  
Nale, James F.  
Narciso, John A.  
Nason, Robert S.  
Naughton, Robert J.  
Needham, William R.  
Nelson, James A.  
Nelson, Thomas L.  
Nelson, William J., Jr.  
Nemes, Robert J.  
Nersesian, Roy L.  
Nesbitt, Donald L.  
Newby, Richard E.  
Newman, Roger L.  
Newman, William E.  
Nicholas, Christopher O.  
Nichols, John R.  
Nielsen, Donald R.  
Nolan, Donald E.  
Noonan, James F., Jr.  
Norfleet, Ashley C., II  
Norton, Lafayette F.  
Nowotny, Lionel J.  
Oakes, Dudley G.  
O'Brien, Edward J., III  
O'Byrne, Michael E., Jr.  
O'Connell, Michael J.  
Olds, Harry M.
- Oliver, Herndon A., III  
Olsen, Robert A.  
Olzinski, Stephen J.  
O'Neill, Stephen R.  
Onorati, Roger P.  
Orr, Edwin W.  
Ortega, Manuel, Jr.  
Ortleib, Alfred A.  
Osborough, Harry R.  
Ostrander, Gary L.  
Otten, Raymond E.  
Oviatt, Gary A.  
Owenby, James H.  
Owens, Edward L.  
Pack, Randall W.  
Pafias, James E.  
Page, Earl D.  
Painter, Clarence M., Jr.  
Painter, Floyd C.  
Paleologos, Nicholas C.  
Palmer, George M. III  
Panayotoff, Theodore J.  
Pappas, Constantine J.  
Parker, James T.  
Parkhurst, James C.  
Parnell, Charles L.  
Parnell, Charles E., Jr.  
Parsley, William V.  
Partington, James W.  
Partlow, Robert G.  
Paschall, Richard P.  
Passarella, Anthony H.  
Patacsil, Peter E.  
Patterson, Ronald G.  
Patterson, Raymond "A."  
Paulson, Gaylord O.  
Paulus, John F.  
Pavlik, Michael D.  
Payne, Joseph C.  
Pearl, John M.  
Pearson, John D.  
Pedisich, Paul E.  
Pellett, David A.  
Pence, Thomas H.  
Penn, Buddie J.  
Penrose, William D.  
Perry, Eugene E.  
Perry, Gilbert B., Jr.  
Perry, "J" S.  
Persell, Robert A., Jr.  
Pestorius, Frederick M.  
Peterson, Louis H.  
Peterson, Alan M.  
Peterson, Ward G.  
Petitt, William E.  
Petrucci, Richard J.  
Petruska, Robert T.  
Pettyjohn, James R.  
Pfau, Zeno "J", Jr.  
Phillips, Reed "M"  
Phimister, Stephen  
Pichel, Marcelino R.  
Pickens, George C.  
Pigeon, Norman B.  
Pilmer, David F.  
Pirofalo, Phillip M.  
Plaughter, Charles E.  
Podle, Richard J.  
Pope, Rex A.  
Pope, William H.  
Porter, Richard T.  
Porter, Robert L.  
Post, Jerry L.  
Posthumus, Robert K.  
Postlewaite, John C.  
Poulsen, Carl E.  
Powell, Edward T.  
Prehn, Robert L.  
Presnell, Lawrence D.  
Preston, David I.  
Preston, Gerry L.  
Price, Lawrence H.  
Primmer, Stanley L.
- Pugh, Rex A.  
Pullinger, William A.  
Purl, John D.  
Pursley, Charles R.  
Quarles, James M.  
Quarterman, John M., Jr.  
Quast, Philip M.  
Quinn, Michael E.  
Rado, Edward F.  
Raibert, Joseph A.  
Otten, Raymond E.  
Rambo, Vinton A.  
Ramsay, Ian W.  
Randall, Edward J.  
Randolph, William L.  
Rasley, Roger W.  
Rasmussen, Philip A.  
Rattan, James D.  
Rauth, James A.  
Reagan, Daniel A.  
Reaves, Curtis F.  
Rechterman, Marlin E.  
Redmond, Robert M.  
Reed, Andrew K.  
Reed, Robert F.  
Reese, Richard L.  
Relly, George V., Jr.  
Reimann, Ronald H.  
Reller, Edwin P., Jr.  
Replogle, Hugh B.  
Repsher, Boyd F.  
Reust, Earl D.  
Rhodes, Edwin O.  
Rhodes, William D.  
Richardson, James C., Jr.  
Richardson, Frederick M.  
Richno, Carl E.  
Ricketts, David L.  
Riesgo, Ray "E."  
Rimback, Arthur T.  
Ringelberg, John M.  
Robbins, Christopher B.  
Roberts, Lawrence W.  
Robinson, James E.  
Rochells, Andrew J.  
Rodgers, James C., Jr.  
Rodgers, John M.  
Rodriguez, William J.  
Rogers, Elmer E., II  
Rogers, Theodore F., Jr.  
Rohdenburg, Kurt A.  
Rohles, Gerald B.  
Roller, Donald G.  
Roome, Jack V.  
Rosdahl, Robert E.  
Rose, Michael A.  
Ross, Robert J.  
Roth, Michael C.  
Rother, William C.  
Roton, Cyrus W.  
Rottier, Jay A.  
Rowe, Arthur E., Jr.  
Rowley, Charles D.  
Rowley, Thomas J., Jr.  
Rudolph, Ralph M.  
Rushing, Duncan B.  
Russell, Leon B., Jr.  
Ruth, Paul A.  
Ryan, Charles E.  
Ryan, James H.  
Ryan, Thomas D.  
Rybarczyk, Anthony M.  
Sager, Edward R.  
Salemi, Anthony J.  
Salopek, Raymond  
Salveson, Dennis F.  
Sammons, Charles E.  
Sanderfer, Howard L.  
Sanders, David J.  
Sanders, Leslie A.  
Sandidge, Edward D.  
Sandlin, John P.  
Sands, Robert J.

- Sarepera, Hillar  
Scheinoltz, Frederick M.  
Schin, Robert P.  
Schippel, Edwin L.  
Schlegelmilch, Charles R.  
Schmidt, Henry, Jr.  
Schmidt, Leonard G.  
Schmidt, Robert E.  
Schmidt, Robert H.  
Schneider, Joseph E.  
Schneider, Michael J.  
Schottle, Howard T.  
Schraeder Paul R.  
Schroeder, Kurt C.  
Schuetz, Laurence N.  
Schule, Merle D.  
Schulman, Richard D.  
Schlichter, Edward F.  
Scobee, Charles R., Jr.  
Scoggin, Arthur H.  
Scott, Gordon E.  
Seeber, Lauren  
Seeley, Howard G.  
Segeber, Ronald L.  
Sellgren, Charles A.  
Seneff, Gerald N.  
Seufert, Robert J.  
Seyfarth, Robert E.  
Seymour, John G.  
Shaffer, Leslie V., II  
Shaffer, Philip A., III  
Shaftoe, Lyndon R.  
Sheffield, Donald H.  
Shelton, Jon A.  
Sherer, Robert W.  
Sheridan, Robert E.  
Sherman, Bradford C.  
Shew, James E., Jr.  
Shewchuk, Jon D.  
Shoemaker, Brian H.  
Shoemaker, William B., Jr.  
Shoop, Robin D., Jr.  
Shortal, Terence M.  
Shower, Albert J., Jr.  
Shreve, Robert L.  
Shrum, John L.  
Shupe, Robert D.  
Sibley, Charles H.  
Sibold, Robert D.  
Sieder, Richard W.  
Siegfried, Douglas S.  
Sienicki, Edward F.  
Sigmon, Jay G, II  
Silseth, David F.  
Slivey, Frank  
Simmons, Douglas W.  
Simmons, George R.  
Simmons, Vernon P.  
Skinner, Garland F.  
Sklar, Michael L.  
Sloan, Dean E.  
Smith, Eugene T.  
Smith, Gerald L.  
Smith, Glen W.  
Smith, Jerome F., Jr.  
Smith, Jerrold M.  
Smith, John A.  
Smith, Lynn H.  
Smith, Raleigh M.  
Smith, Raymond N.  
Smith, Reid H.  
Smith, Robert C.  
Smith, Wayne J.  
Smrcina, Kurt L.  
Eniezek, James H.  
Snotherly, Everette V.  
Snyder, Wallace H.  
Soupiset, Robert I., Jr.  
Spaugs, Donald A.  
Speers, Ronald T., Jr.  
Sprouse, Donald H.  
Sprouse, Haywood G.  
Srite, David A.  
Stack, Efrid M.  
Stackhouse, Charles D.  
Stafford, David M.
- Standish, Allen J.  
Stanley, Maurice D., Jr.  
Stanley, Robert P.  
Stark, Marshall M.  
Staton, Billy E.  
Stauts, Frank L.  
Stave, John A.  
Stearns, Richard C.  
Steele, Boyden T.  
Steele, Richard H.  
Stegman, Thomas  
Steiner, Reece W.  
Stephenson, Robert F.  
Stapp, William E.  
Stevens, Jackie L.  
Stevens, Stanley L.  
Stewart, Charles L.  
Stewart, Jesse J., Jr.  
St. Jean, Russell J.  
St. Laurent, Charles M.  
Stone, Philip L.  
Story, Douglas E.  
Straight, William D.  
Strasser, Edward J., Jr.  
Strickland, Richard J.  
Strobach, Walter F.  
Stromberg, David P.  
Stryker, David H.  
Stryker, Phillips C., Jr.  
Stuart, Thomas E.  
Stuart, Walter A.  
Stubbs, Darryl A.  
Sullivan, Dennis A.  
Sullivan, Daniel J.  
Sullivan, George E.  
III  
Sullivan, Robert F.  
Sullivan, Raymond F., Jr.  
Svendsgaard, David J.  
Svensen, Stanley R.  
Swavely, David L.  
Swift, James K.  
Sydow, Kenneth R.  
Taft, Richard P., Jr.  
Tague, James R., Jr.  
Tate, Robert H.  
Taylor, Frank H.  
Taylor, Herbert W.  
Taylor, Herbert W., Jr.  
Taylor, Thomas F.  
Terry, William E.  
Tettenburn, Howard T., Jr.  
Therrien, Edward L.  
Thiel, Alphonse A., Jr.  
Thienes, Harold A.  
Thomas, Donald K.  
Thomas, Philip M.  
Thompson, David S.  
Thompson, Donald A.  
Thompson, Gayle R.  
Thompson, Giles M.  
Thompson, James E., Jr.  
Thomson, John A.  
Thorell, Charles S.  
Thorner, Michael G.  
Thorstad, Harvey L.  
Timm, David R.  
Tindal, Ralph L., II  
Tobin, Byron E., Jr.  
Toland, James C.  
Tollefsen, Thomas S.  
Tonkin, Charles T., III  
Torkelson, Thomas G.  
Torres, James D.  
Tower, Marvin D., Jr.  
Treanor, Thomas S., Jr.  
Tredick, William H.  
Triggs, Frederick, III  
Triplett, Thomas T.  
Trumbauer, David S.  
Tulloch, Hugh B.  
Tulodieski, John F., Jr.  
Turman, Thomas W.  
Turner, Alfred R., Jr.  
Turner, Steven L., Jr.
- Uffmann, George W.  
Umberger, Paul J.  
Underhill, Ross H.  
Ungemach, Seibert A.  
Unruh, Jerry L.  
Vail, Robert C., Jr.  
Valerio, John J.  
Vallmaki, Ronald E.  
Vallin, Richard T.  
Vance, Benjamin L.  
Vandersip, Clifton J.  
Vanderwolf, Peter J.  
Vanfleet, James L.  
Vangeli, Francis J.  
Vanmetre, Robert B.  
Vanpelt, Sterley B., II  
Vansickle, Kenneth L.  
Vanwoert, John D.  
Varga, George  
Varner, John W., Jr.  
Verona, Francis M.  
Vester, James A., Jr.  
Vickers, Robert I.  
Vickery, Walter E.  
Vision, Michael W.  
Visted, Frank A.  
Voss, Kenneth L.  
Waer, Richard D.  
Waggoner, Mark H.  
Wagner, James A.  
Waldron, James L.  
Walker, Cecl E.  
Walker, Henry E., Jr.  
Walker, James R.  
Walker, John A.  
Walker, Jon W.  
Wallace, Ernest L.  
Wallace, John L., Jr.  
Wallis, Walter J.  
Walsh, Gerald W.  
Walsh, Kirk T.  
Walsh, Raymond M.  
Walsh, Robert J.  
Walsh, Roger W.  
Walters, Edward C.  
Ward, John D.  
Warrington, Robert G.  
Wasserman, Robert  
Wasson, Charles D.  
Watterson, Rodney K.  
Weaver, Edward H.  
Wehner, James R.  
Weiermann, Donald H.  
Welch, John M.  
Welch, Robert H.  
Welch, William C., Jr.  
Wells, Elwood G.  
Wells, Richard P.  
Wentworth, David C.  
Werhan, Kenneth R.  
West, Paul L.  
West, Bernard H.  
West, Frederick J.  
Westfall, Robert E.  
Wharton, John W.  
Whitaker, William D.  
White, Bernard G.  
Whitley, William R.
- To be Lieutenants, Medical Corps*  
Anderson, John D.  
Anderson, John P., Jr.  
Aucoin, Edsel J.  
Balch, Steven A.  
Barnard, Douglas E.  
Bell, John D.  
Berliner, William P.  
Billings, Kenneth J.  
Birchard, Kenneth K., Jr.  
Blackburn, Archie B.  
Blackman, Stephen A.  
Blanding, James D., Jr.  
Blount, Edgar R., Jr.  
Bollinger, Charles W.  
Bonner, Mack, Jr.  
Boring, James H.  
Bortz, Bernard J.
- Whitney, Richard M., Jr.  
Whitsett, John B.  
Whitton, Jon W.  
Wicklund, Robert M.  
Wier, Ward W.  
Wiese, Richard J.  
Wileen, Gordon C.  
Wilkes, Gilbert V., II  
Wilkinson, Robert B., Jr.  
Willets, Leo, Jr.  
Williams, David A.  
Williams, David M.  
Williams, Jack R.  
Williams, James L.  
Williams, Kenneth H.  
Willimon, Henry P., Jr.  
Willman, Carl E.  
Wilmot, Frederick E.  
Wilson, David C.  
Wilson, Frederic S.  
Wilson, James K., Jr.  
Wilson, Laurence W.  
Wilson, Raymond J.  
Wilson, Robert L.  
Wilson, Robert J.  
Wilson, Robert C.  
Witamuth, Richard E.  
Wimberley, Barry S.  
Winant, Thomas C.  
Winn, Robert M.  
Winstead, Shelby D.  
Woehl, Robert D.  
Wolf, Craig J.  
Wolfe, Ned C.  
Wolfgang, Paul W., Jr.  
Woltersdorf, Leonard O.  
Womack, Thomas F.  
Wood, Donovan M.  
Wood, James E., III  
Wood, John R.  
Wood, Richard E.  
Woods, Robert J.  
Woodward, William J., Jr.  
Worthington, George R.  
Wraith, William A.  
Wright, George F.  
Wright, Jerry L.  
Wright, Lawrence T.  
Wyckoff, Roger D.  
Wylie, Walter J.  
Wyman, Richard E.  
Yarborough, Jerry O.  
Yeck, Richard C.  
York, Thomas A., Jr.  
Youmans, Richard W.  
Young, Robert W., Jr.  
Young, Stephen G.  
Youngwerth, Melvin C.  
Zack, Henry C.  
Zalkan, Robert L.  
Zettler, Thomas R.
- Collins, Jack R.  
Conger, John D.  
Cooper, Jack S.  
Covington, Charles T.  
Cramer, Dewey B.  
Crislip, George D.  
Criswell, Francis M.  
Crosby, Robert T.  
Crossman, Wayne F.  
Cunningham, Melvin D.  
Cupples, Howard P.  
Deppenbusch, Francis L.  
Drake, Clayton F., Jr.  
Ducker, Christopher W.  
Edwards, Oscar E.  
Egnatinsky, Jack  
Ellis, Robert G.  
English, Roger W.  
Farmer, Donald E.  
Farrell, Raymond L.  
Fassett, Richard L.  
Finn, John J., Jr.  
Fischer, Louis C.  
Folkerth, Theodore L.  
Foreman, David R.  
Forsthoefel, Frank E.  
Garvin, David F.  
Gay, Charles C.  
Gerber, Frederic H.  
Gilbert, Harvey A.  
Gleaton, Hugh E., Jr.  
Gold, Michael S.  
Goldstein, Lester S.  
Goodstein, Richard K.  
Gorman, Michael D.  
Gosink, Leonard J.  
Hamm, Ronald L.  
Hanahan, Ralph B., Jr.  
Harrelson, John M., III  
Harrer, David S.  
Harris, John M., III  
Hauser, James L.  
Henrichs, Walter D.  
Herron, Jerry "M"  
Highgenboten, Carl L.  
Hodgell, Robert D.  
Hoke, Hugh H., Jr.  
Holm, William W.  
Holschuh, Karl D.  
Houston, Patrick J.  
Howard, Noel S.  
Howe, Warren B.  
James, Reese E.  
Johnson, Ray M.  
Juras, Edward P.  
Jurczak, Dennis M.  
Kaminsky, Howard H.  
Kandler, Paul A.  
Kardinal, Carl G.  
Keane, John P.  
Kearney, Gary P.  
Kellogg, Gordon F.  
Klein, Elmer F., Jr.  
Knudson, Robert D.  
Korbelak, Robert M.  
Kreider, Stanley "J"  
Krueger, Joseph L.  
Kvale, Paul A.  
Lachowicz, Michael R.  
Lang, Clayton A.  
Lanier, Andrew J. Jr.  
Lee, Wayland S.  
Levine, Raphael K.  
Lingousky, Arthur P.  
Lucey, Richard W.  
Lytle, John E.  
Madonia, Paul W.  
Majewski, Paul L.  
Mannarino, Francis G.  
Mantel, Lewis  
Marantz, Calvin  
Marroy, Larry J.  
Mayer, Gerald T.  
McBurney, Paul L.
- McCarthy, Michael P.  
McCauley, Robert F.  
McClurkan, James M.  
McGinn, James S.  
McMurry, Gordon T.  
Mellema, James D.  
Milek, Michael A.  
Miller, Douglas A.  
Montgomery, William H.  
Morhauser, Edward G.  
Moskowitz, Maurice L.  
Motley, Thomas E.  
Munroe, Courtland L., Jr.  
Murphy, William M., Jr.  
Myers, Howard  
Nelson, Ralph A.  
Nesson, John W.  
Newens, Adrian F.  
Newman, Cyril  
Noel, Ewell, C., Jr.  
Norman, Stanley G.  
Nye, Charles E.  
Oldt, Robert F.  
O'Neill, John J.  
Owens, William D.  
Paolillo, Richard D.  
Penn, George H., II  
Perron, Andre K.  
PHELPS, Lynn M.  
Poole, Joel R.  
Prensnall, Dixon  
Pridmore, Ted T.  
Rainforth, Douglas W.  
Reit, Russell J.  
Rhoades, Marques E.  
Roberts, James D.  
Robertson, Nathaniel R.  
Rogers, Hunter B., III  
Romfh, Richard F.  
Rosene, Philip G.  
Rubel, Lawrence R.  
Ryter, Stephen R.  
Sanford, Harold W., Jr.  
Schaffer, Donald E.  
Schley, Jenkins L.  
Schroder, Paul E.  
Scutero, James V.  
Sharbo, David A.  
Sherman, Jerrold M.  
Shields, Joseph A., Jr.  
Simms, Ernest L.  
Sirmans, Meredith F.  
Slocum, Carl W.  
Smith, Jerry R.  
Stetson, Robert E., Jr.  
Stout, Rex A.  
Strasburger, Arthur K.  
Sturtz, Donald L.  
Suesberry, Wilbur, Jr.  
Tanz, Frederick J.  
Telfer, Robert B.  
Thalblum, Harvey  
Thrasher, James W.  
Tocchet, Paulino E.  
Utterback, Thomas D.  
Vanhouten, Francis X.  
Vieweg, Walter V., Jr.  
Virgilio, Richard W.  
Vogt, Phillip J. W.  
Wall, George T.  
Wallin, Gene A.  
Warden, James R.  
Warren, Jerry G.  
Waterbury, Richard C.  
Wax, Ronald L.  
Welham, Richard T.  
West, David P.  
White, Marshall W., Jr.  
Wicklund, Richard A.  
Williams, Paul F.  
Wilson, Billy H.  
Wilson, Orville D., Jr.  
Witowski, John J.  
Wood, William B.  
Woodworth, Warren F.  
Zurschmeide, David B.

## To be Lieutenants

## SUPPLY CORPS

Akers, John R.  
 Altman, William, Jr.  
 Anderson, David K.  
 Anderson, Thomas  
 Annan, Robert H.  
 Anttila, Robert M.  
 Barnes, Francis S.  
 Bauer, James F.  
 Bean, John R.  
 Benner, Willard J.  
 Berger, Paul  
 Bishop, Harry S.  
 Bishop, William C.  
 Blankenfeld, Emmitt E.  
 Boardman, Albert E.  
 Bratschi, Gilbert W.  
 Bridwell, Donald L.  
 Brookstra, William R.  
 Bryan, Edward L.  
 Burks, Leroy  
 Burry, John B., Jr.  
 Butler, Paul K.  
 Butler, Wesley E.  
 Campanella, Vincent G.  
 Carr, Jeffrey A.  
 Cavanaugh, Michael R.  
 Caven, Terry F.  
 Chaney, Keith R.  
 Chappell, Ralph G.  
 Coats, Gerald D.  
 Coffman, John H.  
 Contreras, Paulino  
 Conway, James "D"  
 Crevier, Stanley M.  
 Cullerton, Gerard M.  
 Cushway, Dave M.  
 Daeschner, William E.  
 Danna, Peter J., Jr.  
 Davis, John J.  
 Day, William M.  
 Dell, Jack V.  
 Diener, Thomas E.  
 Dieterle, Edward R.  
 Draper, Walter S., IV  
 Driggers, Raymond L.  
 Drinkwater, Myron D.  
 Dudley, James R.  
 Duncan, Francis E.  
 Dunlap, Clearance C.  
 Eaton, Edward S.  
 Eldridge, Robert M.  
 Endt, Henry J., Jr.  
 Fahrenthold, Harvey K.  
 Falconer, Douglas W.  
 Faust, John N., III  
 Fava, Ernest E.  
 Fay, Larry R.  
 Fenick, Robert W.  
 Fike, Charles R.  
 Fillmore, Norman B., Jr.  
 Fisher, Orville L., Jr.  
 Foerster, Kent N.  
 Foltz, Ronald L.  
 Ford, John E.  
 Gahn, Jacob H.  
 Gaines, James E.  
 Gibson, Bobby L.  
 Gibson, Nelson M., Jr.  
 Gillette, William L.  
 Grosskurth, Alfred C.  
 Growney, Kevin J.  
 Guerriero, Domenic P.  
 Gustafson, Lawrence C.  
 Haas, Willard M.  
 Haase, Larry L.  
 Hatchett, William J., Jr.  
 Hellauer, James C.  
 Hensley, Norman W.  
 Hern, William R.

Hinkel, Jay E.  
 Hollis, Dale E.  
 Horhutz, Randolph J.  
 House, Steven H.  
 Iaquina, Francis S.  
 Johnson, Jerry R.  
 Kibler, Thomas C.  
 King, Charles E.  
 Kreimer, Robert M.  
 Kuhns, Howard E.  
 LaMade, John S.  
 Lamparter, Theodore A.  
 Lamppan, Charles M.  
 III  
 Lara, Harry L.  
 Larsen, James A.  
 Lemпка, Gerald A.  
 Lines, Lee R.  
 Lingenbrink, Robert A.  
 Littlefield, Belton J.  
 Looney, Richard G.  
 Love, Robert R.  
 Lunn, James W.  
 Lynch, David R.  
 Lynch, Thomas J.  
 MacDonald, Alan R.  
 Manning, Huey A.  
 Matalavage, Joseph A.  
 Matheny, Arthur L.  
 Maxon, Bruce E.  
 McKechnie, John J., Jr.  
 McLaughlin, Robert J.  
 Mendez, Ramon E.  
 Miller, Ernest B., III  
 Miller, Kenneth F.  
 Moore, Robert M.  
 Morgart, James A.  
 Morris, William R.  
 Munro, David R.  
 Myers, Cecil E., Jr.  
 Nolan, John W.  
 Nyenhuis, Keith E.  
 O'Hare, Shamus J.  
 Ostrom, Byron R.  
 Palmatier, Philip E.  
 Pankey, Beverly St. C.  
 Payne, Billy I.  
 Peffer, David J.  
 Perkins, Robert D.  
 Perry, William J.  
 Phillips, Garth V.  
 Prawl, Philip W.  
 Prescott, Gordon W.  
 Rech, Charles L.  
 Reed, William H.  
 Revere, Russell B., Jr.  
 Rhodes, William D., Jr.  
 Riddings, James, Jr.  
 Rogers, Allan B.  
 Roy, Roger C.  
 Runey, Leroy J., Jr.  
 Savage, Horace J.  
 Schroyer, Charles D.  
 Shahan, Robert R.  
 Shaw, Robert H., Jr.  
 Shreman, Huson B.  
 Singleton, Harold L.  
 Sledge, Allen H.  
 Smith, Leo L., Jr.  
 Smith, Wallace D.  
 Snyder, James R.  
 Starkey, Benjamin T., Jr.  
 Stegemann, John D.  
 Stevens, Jack O.  
 Stewart, James R., Jr.  
 Straw, Edward M.  
 Sullivan, Edward F.  
 Sullivan, Joseph M.  
 Taylor, Lynn C.  
 Turner, David B.  
 Varner, Robert N.

VonRadesky, Charles R., II  
 Wakefield, Terrance W.  
 Waller, Terry G.  
 Weber, Jerome J.  
 Welborn, James H.  
 Wheeler, Lawrence D.  
 Whitman, Carl D.

## To be Lieutenants, Chaplain Corps

Argonis, Alexander B.  
 Asher, William C. L.  
 Bohula, Edwin V.  
 Brannan, Curtis W.  
 Cram, Norman L., Jr.  
 Dillon, Thomas J.  
 Dowd, Patrick A.  
 Kane, Brian E.  
 Long, Richard A.

## To be Lieutenants, Civil Engineer Corps

Baker, John L.  
 Bell, Robert B., Jr.  
 Belson, Harold B.  
 Bilden, Richard P.  
 Block, Neil  
 Brennan, John P.  
 Brown, Gerald L.  
 Calkin, David A.  
 Callahan, James F.  
 Callender, Gordon W., Jr.  
 Campbell, Donald B.  
 Clarren, George  
 Coston, Vernie R.  
 Crumbley, Don C.  
 Cunningham, Robert B.  
 Davis, John M.  
 Doctor, Richard P.  
 Faulk, John R.  
 Fermo, Louis A., Jr.  
 French, Richard G.  
 Garbe, Warren M.  
 Gardiner, George H., Jr.  
 Gerdel, David H.  
 Goins, Philip A.  
 Hale, Hugh D. II  
 Hall, Royce H., Jr.  
 Jensen, Allen H.  
 Johnson, Howard G.  
 Karpis, John  
 Kasner, Jon B.  
 Kay, William H., Jr.  
 Kunz, Joseph D.  
 Kurtz, Lewis A., Jr.  
 Laufersweller, William J. III  
 Lenz, Eugene C.  
 Lockhart, Allen C.

## To be Lieutenants, Judge Advocate General's Corps

Byrne, Edward M.  
 Roach, Joseph A.  
 Ross, James E.

## To be Lieutenants, Dental Corps

Bennett, Steven L.  
 Burke, Robert S.  
 Cornell, Michael T.  
 Dally, Whitson L.  
 Davis, Norman L.  
 Ebert, Patrick C.  
 Frei, Newell R.  
 Hansen, George J.  
 Hawse, Richard A.  
 Kehoe, Joseph C.  
 King, Ronald C.  
 Lawrence, Robin M.  
 Lohr, John R.  
 Mansfield, Thomas W.  
 Martin, Richard L.  
 McDavid, Paul T., Jr.  
 Middlehauser, Donald L.  
 Moll, Richard S.  
 Morris, Don R.

Whittington, Richard G.  
 Wight, William H., Jr.  
 Wilcox, Harold E., Jr.  
 Wingard, Bobby N.  
 Wolf, Carl G.  
 Woodall, Marvin J.  
 Yeoman, William R.  
 Young, Everett B.

McHorse, George R.  
 Oregon, Hugh H.  
 Pegnam, John W.  
 Rubino, Salvatore  
 Schumacher, Gordon B.  
 Thompson, Joseph J.  
 Williams, James A.

Lukey, John G.  
 Luzum, Gerald D.  
 MacCall, Bruce L.  
 Matthews, George R.  
 McKibben, Don R.  
 Mergner, James T.  
 Miller, David B.  
 Moore, Richard S.  
 Mossman, James B.  
 Mumford, Gerald W.  
 Musselman, John F.  
 Myers, Larry D.  
 Nelson, John J.  
 Odum, Melton L.  
 Olsen, Allen N.  
 Opager, Ludwig H., Jr.  
 Pensyl "J" Dick  
 Quigley, Stephen J.  
 Quinn, Thomas P.  
 Redderson, Roy H.  
 Riffey, Alan K.  
 Robinson, George S., Jr.  
 Rugless, James M.  
 Sahlman, Claire G.  
 Sandrini, Louis M.  
 Schwartz, Henry J.  
 Shank, George E.  
 Simon, Charles E.  
 Smith, Alan E.  
 Stevens, Leo I., III  
 Struthers, Lynn C.  
 Tisdale, James L.  
 Vanroyen, William S.  
 Wallace, Richard J.  
 Watson, James P.  
 Wells, James L.  
 Williams, Richard L.  
 Wall, Jerry D.

Splitgerber, Thomas C.  
 Stanton, Herbert J.  
 Thetford, Oris H.

## To be Lieutenants, Medical Service Corps

Baumhofer, Anne H.  
 Behling, Daniel W.  
 Benedict, William H.  
 Bergner, John F., Jr.  
 Bolton, Ronald R.  
 Brouillette, Donald E.  
 Brumfield, Harker D., Jr.  
 Cassell, Dallas E.  
 Chan, Robert S.  
 Christian, Elgin R.  
 Conley, Walter R.  
 Cottet, Laverne E.  
 Coxe, Robert F.  
 Culver, Judith V.  
 Dalley, George L.  
 Dasler, Adolph R.  
 Diebner, William E.  
 Drozd, Joseph J., Jr.  
 Duckett, Jack  
 Faulkner, James A.  
 Fisher, David W.  
 Funderburk, Lester R., Jr.  
 Groce, William E.  
 Grothaus, Roger H.  
 Hempey, Ralph C.  
 Hendren, John E.  
 Holiman, Frederick L.  
 Horrobin, Robert W.  
 Hoss, William F., Jr.

Vaillant, Dennis P.  
 Wible, James H.  
 Young, Charles D.  
 Zendt, Robert R.  
 Houk, Marvin R.  
 Knight, John R.  
 Kozik, John R.  
 LaClair, Bernard W.  
 Lind, Marvin D.  
 MacConnell, Thomas W.  
 Machir, Daniel F.  
 Meek, Artie E.  
 Myrah, James L.  
 Pate, Clyde T., Jr.  
 Peterson, Robert V.  
 Pickering, James C. L.  
 Piersol, Eugene C.  
 Prelosky, Richard N.  
 Price, Charles A.  
 Robinson, George W.  
 Saine, Floyd D.  
 Scanlin, Patrick J.  
 Schoenmann, Donald L.  
 Shaver, Walter S.  
 Soule, George I.  
 Stewart, Shannon D.  
 Stout, Forrest D.  
 Taylor, Hollis B.  
 Turberville, Leslie H.  
 Turner, John R.  
 Walsh, John P.  
 Warren, Phyllis I.  
 Zentmyer, Robert K.

## To be Lieutenants

## Nurse Corps

Agrell, Diane J.  
 Auld, Barbara E.  
 Barkus, Phyllis M.  
 Bartik, Joan M.  
 Batchellor, Patricia A.  
 Beatty, Florence W.  
 Blank, Norma J.  
 Brown, Patricia B.  
 Bogdanski, Mary A.  
 Carroll, Maria K.  
 Covington, Norma A.  
 Farrell, Helen L.  
 Fleury, Phyllis J.  
 Gilligan, Mary E.  
 Griffiths, Marcia C.  
 Hicks, Elaine B.  
 Hudak, Geraldine J.

Hvizoo, Barbara A.  
 Lee, Mary A.  
 Leonard, Dorothy G.  
 Lopresto, Gail R.  
 Maxwell, Hattie E.  
 Miller, Barbara E.  
 Miller, Judith H.  
 Pawlak, Marcellene A.  
 Purinton, Ruth E.  
 Reynolds, Ann D.  
 Schultz, Cynthia A.  
 Shaw, Patricia P.  
 Stammer, "M" Ellen  
 Stangelo, Joan E.  
 Stewart, Carol A.  
 Teagle, Beverly E.  
 Thibodeaux, Bunice  
 Wills, Jacquelyn S.

## FEDERAL HOME LOAN BANK BOARD

Carl O. Kamp, Jr., of Missouri, to be a Member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1971, vice John E. Horne, resigned.

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 8, 1969:

## DEPARTMENT OF AGRICULTURE

Thomas K. Cowden, of Michigan, to be an Assistant Secretary of Agriculture.

## DEPARTMENT OF JUSTICE

William F. Clayton, of South Dakota, to be U.S. attorney for the district of South Dakota for the term of 4 years.

## U.S. COAST GUARD

The nominations beginning Robert C. Herold, to be lieutenant (junior grade), and ending William McPherson, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on Apr. 10, 1969.