that the granting of relief would not be contrary to the public interest, and that the applicant would not be likely to conduct his operations in an unlawful manner; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 9571. A bill to amend title II of the War Claims Act of 1948 to provide compensation for certain World War II losses in France; to the Committee on Interstate and Foreign Commerce.

By Mr. ULLMAN:

H.R. 9572. A bill to amend the Internal Revenue Code of 1954 to authorize refunds of gasoline taxes directly to aerial applicators with respect to gasoline used by them in providing services to farmers in farming operations; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 9573. A bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASHBROOK:

H.R. 9574. A bill prohibiting use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

H.R. 9575. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 9576. A bill to amend title II of the Social Security Act to increase from $1,200 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 9577. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 9578. A bill to provide for the establishment of the Hudson National Scenic Riverway in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FOGARTY:

H.R. 9579. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. FOLEY:

H.R. 9580. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAILLIARD:

H.R. 9581. A bill to amend the Shipping Act, 1916, and the Ship Mortgage Act, 1920, relating to certain mortgages, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PRICE:

H.R. 9582. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 9583. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 9584. A bill to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes; to the Committee on Agriculture.

H.R. 9585. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia, Virginia, Kentucky, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. YATES:

H.R. 9586. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.J. Res. 558. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary on August 4, 1965, of the founding of the U.S. Coast Guard; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.J. Res. 559. Joint resolution to amend the joint resolution of March 25, 1953, to increase the limitation on the value of equipment furnished to Members; to the Committee on House Administration.

By Mr. CHAMBERLAIN:

H.J. Res. 560. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

By Mr. HUOT:

H.J. Res. 561. Joint resolution to authorize the Secretary of the Army to furnish memorial headstones or markers to commemorate those civilians who lost their lives aboard the submarine U.S.S. *Thresher;* to the Committee on Armed Services.

By Mrs. DWYER:

H. Con. Res. 446. Concurrent resolution requesting the President to issue an Executive order prescribing a uniform rule for the daily display of the flag of the United States of America on buildings under the jurisdiction of the executive branch of the Federal Government; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ASPINALL:

H.R. 9587. A bill to provide for the free entry of a Craig countercurrent distribution apparatus for the use of Colorado State University, Fort Collins, Colo.; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 9588. A bill to provide for the free entry of an electrically driven rotating chair for the use of the Louisiana State University Medical Center, New Orleans, La.; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 9589. A bill for the relief of Sister Adelaide (Maria L. Chiriasi) and Sister Dorothy (Maria Cirigliano); to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9590. A bill for the relief of Esther Joseph; to the Committee on the Judiciary.

H.R. 9591. A bill for the relief of Angela Maria Rusolo; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 9592. A bill for the relief of the Beasley Engineering Co., Inc., Emeryville, Calif.; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 9593. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; to the Committee on Interior and Insular Affairs.

By Mr. LEGGETT:

H.R. 9594. A bill for the relief of Tara Singh Brar; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9595. A bill for the relief of Enid Ilena McCarty; to the Committee on the Judiciary.

H.R. 9596. A bill for the relief of Teresa and Leonardo LaMarca; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 9597. A bill for the relief of the Beasley Engineering Co., Inc., Emeryville, Calif.; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 30, 1965

(Legislative day of Tuesday, June 29, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Hon. DONALD S. RUSSELL, a Senator from the State of South Carolina.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God: From all our involvement in a turbulent social order which still—as of old—crucifies its prophets, for this quiet moment, turning from all the pomp and show of the fickle world, we would with contrition pour contempt on all our pride.

We come confessing that in the conceit of our self-sufficiency, too often with our burning thirsts we have trusted the broken cisterns of worldly wisdom and our own sophisticated cleverness. That delusive way has brought our anguished generation to tragedy and agony.

Our only prayer now, as we come with all our yearning need, is "Nearer, my God, to Thee, nearer to Thee." Keep us near to Thy love in all our inner motives and in all our attitudes to Thy other children, so that Thou canst use us to help Thee heal the open sores which mar our human life.

"God be in our head and in our understanding;
God be in our eyes and in our looking;
God be in our mouth and in our speaking;
God be in our mind and in our thinking."

And Thine shall be the kingdom and the power and the glory. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 30, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DONALD RUSSELL, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. RUSSELL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 29, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

AUTHORIZATION FOR COMMITTEES TO MEET DURING SENATE SESSION TODAY

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

The ACTING PRESIDENT pro tempore (Mr. RUSSELL of South Carolina). Without objection, it is so ordered.

Mr. DODD obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield briefly?

Mr. DODD. I yield.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the calendar be called commencing with Calendar No. 360.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The first measure on the calendar will be stated.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT AND THE INTERNATIONAL FINANCE CORPORATION—AMENDMENT OF ARTICLES OF AGREEMENT

The Senate proceeded to consider the bill (S. 1742) to authorize the U.S. Governor to agreement to amendments to the articles of agreement of the International Bank for Reconstruction and Development and the International Finance Corporation, and for other purposes, which had been reported from the Committee on Foreign Relations with amendments on page 2, at the beginning of line 14, to change the section number from "20" to "21"; and on page 3, line 1, after the word "against", to insert "the Corporation lending to or"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bretton Woods Agreements Act, as amended (22 U.S.C. 286–286k–1), is amended by:

(1) Deleting paragraphs (5) and (6) of subsection (b) of section 4 (22 U.S.C. 286b) and substituting therefor the following:

"(5) The Council shall transmit to the President and to the Congress an annual report with respect to the participation of the United States in the Fund and Bank.

"(6) Each such report shall contain such data concerning the operations and policies of the Fund and Bank, such recommendations concerning the Fund and Bank, and such other data and material as the Council may deem appropriate."

(2) Substituting a comma for the period at the end of section 5 (22 U.S.C. 286c) and adding the following: "if such increase involves an increased subscription on the part of the United States."

(3) Adding at the end thereof the following new section:

"SEC. 21. The United States Governor of the Bank is authorized to agree to an amendment to the articles of agreement of the Bank to permit the Bank to make, participate in, or guarantee loans to the International Finance Corporation for use in the lending operations of the latter."

SEC. 2. The International Finance Corporation Act, as amended (22 U.S.C. 282–282g), is amended by adding at the end thereof the following new section:

"SEC. 10. The United States Governor of the Corporation is authorized to agree to the amendments of the articles of agreement of the Corporation to remove the prohibition therein contained against the Corporation lending to or borrowing from the International Bank for Reconstruction and Development, and to place limitations on such borrowings."

Mr. MANSFIELD. Mr. President, I wish to say a few words about S. 1742, which amends the Bretton Woods Agreements Act primarily for the purpose of permitting the World Bank to give substantial support to the private enterprise activities of the International Finance Corporation. The bill contains two other more modest provisions: first, it allows the United States to vote in favor of increases in the World Bank's capital stock without express congressional approval when such increases do not affect in any way the subscription of the United States; second, S. 1742, in the interests of efficiency and economy, provides that there will be annual reports to the Congress from the National Advisory Council on International Monetary and Financial Problems in place of the current system, which seems to involve excessive duplication and expenditure of time and money. These two latter purposes are relatively modest in character and appear justified on the face of it without involved explanation.

It should be stressed that the effort to encourage IFC financing to productive private enterprises, when private capital is not otherwise attainable on reasonable terms, is the important question at stake in this bill. The IFC, with modest resources of about $100 million, has been taking an increasingly active role in encouraging and directly assisting the flow of private capital into the less developed countries. However, just as it is conducting its activities with mounting efficiency and effectiveness the IFC is running against the limits of its resources. On the other hand, as we all know, the World Bank has been such a successful institution that its total reserves have reached the point of exceeding $1 billion; the Bank is now considering various useful ways of employing its profits beyond that level within the framework of the overall development role assigned to it and its affiliated organizations. But in order to put these profits to work in support of the private enterprise functions of the IFC, the articles of agreement of both institutions must be amended for that purpose. The bill before us puts the United States in a position to approve such action.

The terms of S. 1742 do not require any appropriations, nor do they authorize any expenditure on the part of the United States. Indeed, if we were to fail to support the primary purpose of the bill, the IFC almost certainly in time would have to approach its 78 member countries, including the United States, for increased subscriptions. In effect, then, through approval of this bill we would be encouraging the use of existing World Bank profits instead of permitting a situation to arise in which the United States itself would have to make more money available.

Under the terms of resolutions which would be implicitly accepted through approval of S. 1742, a maximum of about $400 million under present conditions could be loaned by the World Bank to the IFC over a period of time. It should be emphasized that this total would constitute a drawing right or a credit, rather than a lump sum; judging from the nature of IFC operations to date, these resources should keep the IFC going for a number of years without further recourse to member governments. Since the top management of the IFC is the same as that of the World Bank, I am certain that members will not feel they need to be reassured about the efficiency and effectiveness of future operations in this area.

Mr. President, the Committee on Foreign Relations supported S. 1742 by a vote of 17 to nothing; I urge the Senate to give its approval in the same overwhelmingly favorable manner.

I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 372), explaining the purposes of the bill.

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

PURPOSES

S. 1742 amends the Bretton Woods Agreements Act, as amended, to accomplish three separate but generally related purposes. First, a new section would be added to the act to authorize the U.S. Governor—i.e., the Secretary of the Treasury—of the International Bank for Reconstruction and Development (hereinafter referred to as "the Bank") to agree to an amendment to the Bank's articles of agreement to permit loans to the International Finance Corporation (hereinafter referred to as "the IFC"). The International Finance Corporation Act accordingly would be amended to allow for a corresponding change in the IFC articles of agreement to permit borrowing from the Bank within limitations. Second, the Bretton Woods Agreements Act would be amended to allow the U.S. Governor of the Bank to vote in favor of proposed increases in the Bank's capital stock, without express

congressional approval on each such occasion, when these increases do not involve an increased subscription by the United States. Third, the reporting requirements placed by the act on the National Advisory Council on International Monetary and Financial Problems would be changed to substitute annual reports to the Congress for the present system of reports every 6 months and at 2-year intervals as well. The committee amendments to the bill are minor and technical in character and do not affect these purposes.

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

The amendments were agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILL PASSED OVER

A bill (S. 2069) to broaden the vessel exchange provisions of section 510(i) of the Merchant Marine Act, 1936, to extend such provisions for an additional 5 years, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

EQUALIZATION OF CERTAIN PENALTIES IN THE INTERCOASTAL SHIPPING ACT, 1933

The bill (H.R. 3415) to equalize certain penalties in the Intercoastal Shipping Act, 1933 was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 374), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of this legislation is to change the penalty provisions in the Intercoastal Shipping Act, 1933, to conform with similar penalty provisions in the Shipping Act, 1916, relating to requirements for water carriers to file tariffs with the Federal Maritime Commission.

GENERAL STATEMENT

Under the Shipping Act, 1916, which regulates primarily U.S. and foreign-flag water carriers engaged in the foreign commerce of the United States, a carrier which fails to comply with the tariff filing requirements is subjected to a possible penalty of not more than $1,000 for each day a violation continues. However, the Intercoastal Shipping Act, 1933, which is the primary regulatory act for domestic water carriers in the noncontiguous trade to Hawaii, Alaska, Puerto Rico, and other offshore possessions, provides a penalty of not less than $1,000 nor more than $5,000 for each act of violation of the tariff filing requirements and/or for each day such violation continues.

The purpose of this bill is to bring the penalty provisions in the Intercoastal Shipping Act into line with those of the Shipping Act, 1916.

The committee received favorable reports from the Federal Maritime Commission which administers the 1916 and 1933 acts. Favorable reports were also received from the Justice Department, Commerce Department, and the Comptroller General.

The Senate Subcommittee on Merchant Marine and Fisheries held hearings on the companion bill, S. 1141, on May 25 at which time no opposition was expressed to the favorable consideration of the legislation.

During the hearings a question was raised as to the possible effect of this legislation on pending litigation. The committee has been advised by the Department of Justice that several civil actions had been commenced by Justice Department for violations of the tariff filing requirements of the Intercoastal Shipping Act, 1933, but that the enactment of the bill would have no legal effect on any pending cases or violation that occurs prior to the effective date of the act.

During the hearings on the bill, the Chairman of the Federal Maritime Commission informed the committee that the Commission had referred to the Departent of Justice several cases of tariff violations under the 1933 act which had been recently settled. One settlement involved a sum of $1,000 and a second case was settled for a fine of $1,500. Although the committee felt that the penalties in the Intercoastal Shipping Act were highly excessive and should be brought in line with those in the 1916 act, the committee thought that the manner in which the Department of Justice had handled tariff requirement violations under the present provisions of the 1933 act was sufficiently reasonable to propose changing the law only prospectively.

CHARLES N. LEGARDE AND HIS WIFE, BEATRICE E. LEGARDE

The Senate proceeded to consider the bill (S. 853) for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde which had been reported from the Committee on the Judiciary with an amendment on page 1, at the beginning of line 7, to strike out "$75,000" and insert "$30,573.67"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles N. Legarde and his wife, Beatrice E. Legarde, of New Bedford, Massachusetts, the sum of $30,573.67 in full satisfaction of all claims against the United States of the said Charles N. Legarde and Beatrice E. Legarde for compensation for injuries sustained by them arising out of an automobile accident on September 2, 1961, caused by a United States Coast Guard truck operated by a member of the United States Coast Guard: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 375), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation, as amended, is to authorize and direct the Secretary of the Treasury to pay to Mr. and Mrs. Legarde the sum of $30,573.67 in full satisfaction of their claim against the United States for compensation for injuries sustained by them arising out of an automobile accident on September 2, 1961, caused by a Coast Guard truck operated by a member of the Coast Guard.

CARE AND PROTECTION OF CHILDREN THROUGH PUBLIC DAY CARE SERVICES—FOSTER HOME CARE FOR CERTAIN DEPENDENT CHILDREN

The bill (S. 2212) to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

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

TITLE I—PUBLIC DAY CARE SERVICES

SEC. 101. (a) In order to provide adequately for the care and protection of children whose parents are, for part of the day, working or seeking work, or otherwise absent from the home or unable for other reasons to provide parental supervision, the Commissioners of the District of Columbia are authorized, within the availability of appropriated funds, subject to the provisions of section 102 of this title, to establish and administer a plan providing for public day care services in the District of Columbia, including the provision of day care in facilities (including private homes) which are licensed by the District of Columbia.

(b) Any plan established by the Commissioners under subsection (a) of this section shall, subject to the provisions of section 102 of this title, provide—

(1) for the administration of such plan by the Department of Public Welfare, which shall set standards requiring operation of the program by personnel professionally trained in the fields of welfare, education, and health;

(2) for cooperative arrangements by the Department of Public Welfare with the Department of Public Health, Board of Education, Department of Recreation, and the National Capital Housing Authority to assure their maximum utilization in the provision of necessary services for children receiving day care and in the setting of standards for day-care agencies;

(3) that the Department of Public Welfare may purchase care from private organizations or individuals which are licensed by the District of Columbia and which are operating under standards approved by the Department of Public Welfare;

(4) for the payment by the parent of that portion of the fee which the Department of Public Welfare determines that the parent is able to pay; and

(5) that the Department of Public Welfare shall give priority to members of low-income groups and in particular to such members who are in work-training programs.

SEC. 102. In establishing any plan pursuant to this title, the Commissioners of the District of Columbia shall do so with a view to having such plan qualify for Federal funds under section 527 of the Social Security Act.

TITLE II—FOSTER HOME CARE FOR CERTAIN DEPENDENT CHILDREN

SEC. 201. The District of Columbia Public Assistance Act of 1962 (76 Stat. 914; D.C. Code, sec. 3-201), is amended by inserting immediately after section 22 the following new section:

"SEC. 22A. In administering the provisions of this Act relating to aid to dependent children, the Commissioners shall provide public assistance in the form of foster home care to dependent children who are described in subsection (a) of section 408 of the Social Security Act and who are considered to be dependent children under this Act. In providing public assistance to such children, the Commissioners shall meet all the requirements contained in such section 408, as a condition to Federal payments under title IV of such Act on account of expenditures with respect to such children; except that the Commissioners shall not deny such assistance to any child otherwise eligible therefor because of the failure or refusal of the unemployed parent of such child to seek or accept employment or to participate in any progam of vocational education, training, or rehabilitation."

SEC. 202. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 377), 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

S. 2212 is divided into two separate titles and has a twofold purpose as follows:

1. Title I provides specific authorization for the government of the District of Columbia to provide public day care services for children in such a manner as to enable it to qualify for allotments of Federal funds under section 527 of the Social Security Act, and

2. Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide public assistance in the form of foster home care to the dependent children described in section 408(a) of the Social Security Act, as amended in 1962.

TITLE I

In accordance with the authority contained in title I, providing for aid in the form of public day care services, the District of Columbia must amend its plan in such manner as to meet with the approval of the Secretary of the Department of Health, Education, and Welfare, so as to be eligible for allotments of Federal funds to help the needy recipients coming within the day care program.

The basic underlying concept of the day care program is to allow parents who are capable of working or who are engaging in vocational work training, to be absent from the home without impairing the adequate care and protection of the children. The fact that a parent is able to work or train for future employment with the assurance that the children are being adequately cared for, tends to maintain and strengthen the family life. Also, it promotes self-respect for the parent who is able in large measure to support the family by working.

Although the District government has not been specifically authorized through legislation submitted to the Congress by the appropriate legislative committees, to establish a day care program, the District, nevertheless, has implemented a day care program during the past 2 years pursuant to authority contained in District of Columbia Appropriation Acts. During this 2-year period more than 514 children have been provided day care service.

In fiscal years 1964 and 1965, $136,422 and $136,472 were respectively appropriated for day care programs. However, of these sums, $46,990 was unexpended in 1964, and in fiscal 1965, the unexpended sum is estimated to be $67,000.

The reason for these sums being unexpended in fiscal years 1964 and 1965 can be attributed to restrictive language contained in the Appropriations Committee reports. These reports limit day care services to the following groups of female recipients of aid for dependent children who are actively seeking employment and who furnish documentary evidence each month that they are doing so:

"1. Recipients who have completed training at the AFDC Residential Training Center after January 1, 1964. Day care should be limited to a maximum per family of 6 months. The 6-month period should start at the completion of the training period and end no later than 3 months after employment has been secured.

"2. Recipients whose cases are closed after January 1, 1964, because they have been found employable and have an adequate child care plan. Day care should be limited to a maximum of 6 months and should start at the beginning of the adjustment period and end no later than 3 months after employment has been secured.

"The Director of Public Welfare should be allowed to extend for a period of 1 month only those cases in the above categories which are hardship cases in the sense that this additional month will remove the possibility of the recipient's again becoming a welfare charge."

In the fiscal 1966 budget appropriation for the District of Columbia, approved by the committee and the Senate, a sum of $136,949 was approved for day care in the District of Columbia, and no reference was made in the committee report restricting such funds to certain time periods as was the case in fiscal years 1964 and 1965.

The limitations that were placed on day care services in the years prior to fiscal 1966 have tended to thwart the basic purposes of the program. The Congress, in enacting the Social Security Amendments of 1962, envisioned a broad use of day care services. Day care is a relatively inexpensive form of public assistance. Particularly is this the fact when compared with direct welfare grants.

On the basis of cost alone, it appears highly desirable that day care be offered an eligible recipient so long as the recipient is working, or enrolled in vocational training, but without any limitation being placed on the period of time that such services can be provided.

Aside from the monetary saving that will in all probability accrue to the community from this type of welfare assistance, the benefit to the family will be immeasurable. The important point is that day care assistance will produce a breadwinner, thus strengthening the family and giving renewed hope and initiative to the parent. It will also assure that children will not be neglected while their parent is out of the home during the day.

Title I provides for the District of Columbia an effective day care program and a program of sufficient scope to carry out the concepts of the day care program included in the 1962 amendment to the Social Security Act.

The program included in this bill will provide within the limits of appropriated funds for the care and protection of children whose parents are working, enrolled in training, or otherwise absent from the home. In accordance with the terms of the bill, the Commissioners of the District of Columbia are vested with authority to establish provisions for adequate day care facilities (including private homes) which are licensed by the District. The District of Columbia Department of Public Welfare is authorized to purchase day care from organizations or individuals who are licensed and operating under appropriate standards.

The bill also provides that the Department of Public Welfare shall administer the day care program with personnel professionally trained in the fields of welfare, education, and health.

Also, the Welfare Department shall arrange with the Department of Public Health, Board of Education, Department of Recreation, and National Housing Authority to assure their maximum utilization in establishing day care services.

In carrying out the program, the Department of Public Welfare shall provide priority for day care service to persons of low-income groups and those members who are in work training programs. Also, the Department shall determine cost of the day care service, fix fees for the service, and require payment of so much of the fee as the parent is able to pay.

TITLE II

Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide assistance, in the form of foster home care to the dependent children, as provided for under the 1962 amendments to the Social Security Act.

With the extension of foster home care for dependent children, the District of Columbia could amend its "State" plan, and if approved by the Secretary of the Department of Health, Education, and Welfare, it could become eligible for Federal funds to finance the program.

The basic objective of the aid to dependent children program, as provided for in the Social Security Act, is to maintain needy children in their own homes, and to assist parents to provide care for their children essential to their healthy growth and development.

In order to further this objective, the Congress in 1961 amended title IV of the Social Security Act so as to permit assistance to continue when a child receiving aid to dependent children is removed from his home to a foster home as a result of neglect on the part of the parents to adequately care for the child. The child, in accordance with the provisions of title IV, is removed from the custody of the parents pursuant to a judicial determination being made by a court that continuation in his own home is contrary to the welfare of the child. This amendment assures a child being properly cared for in a foster home which would not be the case if the child were required to remain with his neglectful parents, and who misappropriate the public assistance payments that are made for the child's benefit.

Under title II of the bill, the Commissioners of the District of Columbia are authorized to provide public assistance to dependent children who qualify as such under section 408 of the Social Security Act, and under this

act. In providing public assistance to recipients, the Commissioners shall meet the requirements of section 408 of the Social Security Act. It is also provided that the Commissioners shall not deny foster home care to any child otherwise eligible therefor because of the failure or refusal of the unemployed parent of such child to seek or accept employment or to participate in any program of vocational education, training, or rehabilitation.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent to reconsider the vote on the bill, S. 2212, which was passed recently.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at the point where the Senate this morning passed S. 2212, on the Unanimous Consent Calendar, a portion of the report of the committee. The bill, unanimously reported by the Committee on the District of Columbia, provides for day care for children and also for foster home care.

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

The Committee on the District of Columbia report favorably S. 2212, to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children, a clean bill introduced and reported by direction of the Committee on the District of Columbia following approval thereof.

There was referred to the committee S. 1817, introduced by Senator ABRAHAM RIBICOFF, to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients.

Hearings were held on this bill on May 10, 1965, by the Subcommittee on Public Health, Education, Welfare, and Safety, consisting of Senator WAYNE MORSE, of Oregon, chairman, and Senators ROBERT KENNEDY of New York, and WINSTON L. PROUTY, of Vermont. Detailed testimony was taken on the bill itself and a broad examination made of laws governing public assistance in the District of Columbia and the various categories of Federally aided assistance recipients provided for under such laws. Twenty-two witnesses representing the District of Columbia government and church, welfare, and political organizations were heard. Particularly significant was a report by Dean Inabel Lindsay, School of Social Work, Howard University, Washington, D.C., following a 2-year study of families in the District of Columbia faced with public assistance and welfare problems generally.

The broad areas of direct public assistance, day care, foster home care, and other areas covered by the Social Security Act, as amended in 1962, were subjects elicited from the hearing testimony and subjects for discussion at a meeting of the full Senate Committee on the District of Columbia held on June 16, 1965. After due consideration by the full committee, it was decided to report S. 1817, covering only aid for certain dependent children of unemployed parents in the District of Columbia, and to recommend that a clean bill be reported to the Senate to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children.

PURPOSE OF THE BILL

S. 2212 is divided into two separate titles and has a twofold purpose as follows:

1. Title I provides specific authorization for the government of the District of Columbia to provide public day care services for children in such manner as to enable it to qualify for allotments of Federal funds under section 527 of the Social Security Act, and

2. Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide public assistance in the form of foster home care to the dependent children described in section 408(a) of the Social Security Act, as amended in 1962.

TITLE I

In accordance with the authority contained in title I, providing for aid in the form of public day care services, the District of Columbia must amend its plan in such manner as to meet with the approval of the Secretary of the Department of Health, Education, and Welfare, so as to be eligible for allotments of Federal funds to help the needy recipients coming within the day care program.

The basic underlying concept of the day care program is to allow parents who are capable of working or who are engaging in vocational work training, to be absent from the home without impairing the adequate care and protection of the children. The fact that a parent is able to work or train for future employment with the assurance that the children are being adequately cared for, tends to maintain and strengthen the family life. Also, it promotes self-respect for the parent who is able in large measure to support the family by working.

Although the District government has not been specifically authorized through legislation submitted to the Congress by the appropriate legislative committees, to establish a day care program, the District, nevertheless, has implemented a day care program during the past 2 years pursuant to authority contained in District of Columbia Appropriation Acts. During this 2-year period more than 514 children have been provided day care service.

In fiscal years 1964 and 1965, $136,422 and $136,472 were respectively appropriated for day care programs. However, of these sums, $46,990 was unexpended in 1964, and in fiscal 1965, the unexpended sum is estimated to be $67,000.

The reason for these sums being unexpended in fiscal years 1964 and 1965 can be attributed to restrictive language contained in the Appropriations Committee reports. These reports limit day care services to the following groups of female recipients of aid for dependent children who are actively seeking employment and who furnish documentary evidence each month that they are doing so:

"1. Recipients who have completed training at the AFDC Residential Training Center after January 1, 1964. Day care should be limited to a maximum per family of 6 months. The 6-month period should start at the completion of the training period and end no later than 3 months after employment has been secured.

"2. Recipients whose cases are closed after January 1, 1964, because they have been found employable and have an adequate child care plan. Day care should be limited to a maximum of 6 months and should start at the beginning of the adjustment period and end no later than 3 months after employment has been secured.

"The Director of Public Welfare should be allowed to extend for a period of 1 month only those cases in the above categories which are hardship cases in the sense that this additional month will remove the possibility of the recipient's again becoming a welfare charge."

In the fiscal 1966 budget appropriation for the District of Columbia, approved by the committee and the Senate, a sum of $136,949 was approved for day care in the District of Columbia, and no reference was made in the committee report restricting such funds to certain time periods as was the case in fiscal years 1964 and 1965.

The limitations that were placed on day care services in the years prior to fiscal 1966 have tended to thwart the basic purposes of the program. The Congress, in enacting the Social Security Amendments of 1962, envisioned a broad use of day care services. Day care is a relatively inexpensive form of public assistance. Particularly is this the fact when compared with direct welfare grants.

On the basis of cost alone, it appears highly desirable that day care be offered an eligible recipient so long as the recipient is working, or enrolled in vocational training, but without any limitation being placed on the period of time that such services can be provided.

Aside from the monetary saving that will in all probability accrue to the community from this type of welfare assistance, the benefit to the family will be immeasurable. The important point is that day care assistance will produce a breadwinner, thus strengthening the family and giving renewed hope and initiative to the parent. It will also assure that children will not be neglected while their parent is out of the home during the day.

Title I provides for the District of Columbia an effective day care program and a program of sufficient scope to carry out the concepts of the day care program included in the 1962 amendment to the Social Security Act.

The program included in this bill will provide within the limits of appropriated funds for the care and protection of children whose parents are working, enrolled in training, or otherwise absent from the home. In accordance with the terms of the bill, the Commissioners of the District of Columbia are vested with authority to establish provisions for adequate day care facilities (including private homes) which are licensed by the District. The District of Columbia Department of Public Welfare is authorized to purchase day care from organizations or individuals who are licensed and operating under appropriate standards.

The bill also provides that the Department of Public Welfare shall administer the day care program with personnel professionally trained in the fields of welfare, education, and health.

Also, the Welfare Department shall arrange with the Department of Public Health, Board of Education, Department of Recreation, and National Housing Authority to assure their maximum utilization in establishing day care services.

In carrying out the program, the Department of Public Welfare shall provide priority for day care service to persons of low-income groups and those members who are in work training programs. Also, the Department shall determine cost of the day care service, fix fees for the service, and require payment of so much of the fee as the parent is able to pay.

TITLE II

Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide assistance, in the form of foster home care to the dependent children, as provided for under the 1962 amendments to the Social Security Act.

With the extension of foster home care for dependent children, the District of Colum-

bia could amend its "State" plan, and if approved by the Secretary of the Department of Health, Education, and Welfare, it could become eligible for Federal funds to finance the program.

The basic objective of the aid to dependent children program, as provided for in the Social Security Act, is to maintain needy children in their own homes, and to assist parents to provide care for their children essential to their healthy growth and development.

In order to further this objective, the Congress in 1961 amended title IV of the Social Security Act so as to permit assistance to continue when a child receiving aid to dependent children is removed from his home to a foster home as a result of neglect on the part of the parents to adequately care for the child. The child, in accordance with the provisions of title IV, is removed from the custody of the parents pursuant to a judicial determination being made by a court that continuation in his own home is contrary to the welfare of the child. This amendment assures a child being properly cared for in a foster home which would not be the case if the child were required to remain with his neglectful parents, and who misappropriate the public assistance payments that are made for the child's benefit.

Under title II of the bill, the Commissioners of the District of Columbia are authorized to provide public assistance to dependent children who qualify as such under section 408 of the Social Security Act, and under this act. In providing public assistance to recipients, the Commissioners shall meet the requirements of section 408 of the Social Security Act. It is also provided that the Commissioners shall not deny foster home care to any child otherwise eligible therefor because of the failure or refusal of the unemployed parent of such child to seek or accept employment or to participate in any program of vocational education, training, or rehabilitation.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar. Will the Senator from Connecticut yield further briefly?

Mr. DODD. I yield.

REPUBLICAN SUPPORT OF PRESIDENT IN VIETNAM CRISIS

Mr. MANSFIELD. Mr. President, until recently, leaders of the Republican Party—particularly those in the Congress—have given the President exceptional support in the Vietnamese crisis. I know the President is grateful for that support and the Nation, similarly, has reason to be.

That is why I am some what confused by the rash of recent Republican statements hinting that continuance of Republican support is contingent on the President following a course which conforms to a particular course of policy which they advocate.

Now, Mr. President leaving aside the nature of the course which is advocated for a moment—whether it is a good one or a bad one—the fact remains that support of the President is hardly support when the threat is made to withdraw it in midstream unless—A question arises at once as to who is supporting whom. Who is the Commander in Chief? Have we installed G–1 in a command post on Capitol Hill?

It may be that I have misunderstood what has been said to the press and radio and TV in the last few days by various Republican spokesmen. It may be that I have interpreted a vigorous and an appropriate contribution to the debate and discussion of the Vietnamese situation as the opening wedge of a political broadside against policies which the President has pursued or is trying to pursue to bring about a peace with some rational meaning in Vietnam. I hope that my own misinterpretation is all that is involved. I know, that the distinguished minority leader—and I mean this without any qualification—has no other aim than to help the President in this critical national situation. But certain of the expressions of others continue to disturb me.

I am somewhat at a loss to understand public expressions from Republicans in which it is advocated, in view of the extent of the air and naval activity already pursued against legitimate military targets, what can only amount to an indiscriminate slaughter of Vietnamese by air and naval bombardment—a slaughter of combatants and noncombatants alike, of friend and foe alike. Now can one advocate the course of the bombing of Hanoi or Peking or even Moscow and with or without nuclear weapons for that matter—in short, a course of virtually unrestricted violence as a suitable way for the United States to achieve some worthwhile end in Vietnam. If that course is advanced as a debatable proposition, as a contribution to public discussion, it is one thing; but it is another matter to say that unless the President adopts a military course more suitable to Genghis Khan or to the Communists in this situation than to the United States, he is not going to be supported.

And one can say, too, I suppose, that we want a total victory in Vietnam, but we want it at bargain basement rates in American lives. We want it by fire bombs or nuclear bombs and lead and steel or whatever but we do not want any talk about paying a bitter price in American lives on the ground. To advocate that course, too, may be a contribution to the debate and to public understanding of what is really involved in Vietnam, if the definition of "contribution" is stretched far enough. But it is one thing to say to the President: "Consider this course." It is another to say, "you get us a total victory in Vietnam and you get it cheap and with only a little American pain or else."

And I suppose, finally, Mr. President, one can say that negotiations are bad; that you cannot make peace by talking with the Vietcong or the North Vietnamese or anyone else for that matter; you can only make peace by war and more war. You can give the Vietnamese people freedom, but you had better dictate to them the terms of it and the forms of government which may emerge under it. That, too, is a debatable proposition, Mr. President, and I would see no objection to anyone arguing it. But I do see objection to requiring as the price of continued support, the foreclosing of any, repeat, any, possibility which the President may seek to explore to bring about a peaceful and constructive solution to this problem as soon as possible. I had thought that our purpose was to help the Vietnamese people themselves to find their way to peace and freedom, but not to decimate, destroy, and dominate them in the name of peace and freedom.

So, Mr. President, I repeat, I hope my interpretation of some of these recent statements by Republican leaders is faulty. I hope that I have misconstrued the vigor of their participation in the discussion of Vietnam as something more ominous.

But, at the moment, I must say that I do find in these recent statements a suggestion of something more ominous. Is it not a warning to the President that he play the game their way or they will not play? And, most unfortunate, that game, as I see it, whatever its intention may be, leads in the end to anything but a peace with meaning in 20th-century Asia or, indeed, in a 20th-century world. I hope I am wrong. I hope that as good Americans, which these leaders are, they will not seek to divide this Nation at a critical time. I hope that their support will be as warm for the President in November as it was in May. I hope that all that is involved is vigorous advocacy and not partisan politics because there is no room for partisan politics in this situation. With the familiar words being heard again, it is time to point out that the margin for catastrophic error has been cut sharply since Korea and, drastically, since China.

That may be ancient history, Mr. President, but the scars of partisan politics are still with us years afterward. Let no one doubt that we have paid a massive price for the politics of foreign policy of an earlier day. We have paid for its divisiveness with lives and with billions of dollars of foreign aid—much of which has vanished without a constructive trace into the maw of Asia—and I hope we are not now beginning to pay for it, once again, in many lives. So while we are concerned, as we must be, with what we do now, day to day, in Vietnam, some historic perspective is in order, recognizing with Santayana:

> Those who cannot remember the past are condemned to repeat it.

I repeat to the minority leader that I know that his concern is with the welfare of the Nation and that, insofar as differences may arise on this question, they are the differences of opinion and view —entirely to be expected in a complex situation of this kind. But I know that he subscribes fully to the principle that the interests of the Nation come first and that, in the end, the course by which these interests are safeguarded is set by the President. He needs advice and counsel from Congress. But he is not likely to win the fight for an effective peace in Vietnam with one hand tied behind his back by partisan politics.

The ACTING PRESIDENT pro tempore. Under the unanimous-consent agreement, the Senator from Connecticut is now recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield further to me, so that I may yield to the distinguished Senator from Vermont?

The ACTING PRESIDENT pro tempore. Does the Senator from Connecticut yield further to the Senator from Montana?

Mr. DODD. I yield.

Mr. AIKEN. I thank the Senator from Connecticut and the Senator from Montana.

I, too, have been somewhat disturbed over reported statements of certain Republican leaders in recent days and weeks which might be interpreted as urging the President to broaden and intensify the war in Asia. I have also observed that it is not entirely Republicans who have been urging that course of action.

I hope that war or no war will not become a political issue between the two major parties of this country. I hope that my own party, the Republican Party, will not acquire the title of "War Party," because I do not believe it deserves that title. Its record over the past century would not indicate that the Republican Party is a war party. But I recognize the dangers inherent in some of the statements made by leading Republicans recently.

War should not be the issue between the parties. We should not attempt to discredit the President, who is the only President we have, merely because he does not precipitate us into a great war. We should not discourage him from working for peace and from having peace as the ultimate objective.

I hope that President Johnson has the courage not to respond to the needling which he may receive and which tends to encourage him to thrust the population of the country into a great war. He will need much courage not to respond to the needling which he receives from members of both parties.

There are plenty of other issues which can be used in the next campaign. The President has made numerous mistakes from which the Republicans can create issues. They are mistakes which ought to be publicized before the country by the opposition party. But I reiterate the hope that the President will have the courage not to be needled into precipitating a great war upon the people of the world and also the courage not to forget that the ultimate objective of our Nation is world peace.

The President has difficult decisions to make. He could easily make the wrong one, one that could cause the world's population to suffer and regret for generations to come. He has taken some action in the war in southeast Asia of which I do not approve. Nevertheless, I do not intend to urge him to make greater mistakes.

Mr. MANSFIELD. I thank the distinguished Senator from Vermont, who always shows good, hard, sound commonsense in his remarks. I would hope that the admonition advanced by him would be given the most serious consideration, because it is worthwhile and much to the point.

Mr. DODD. Mr. President, under the unanimous consent agreement of yesterday, I was to have the floor from 11 to 11:30 o'clock. It is now 11:15. I ask the majority leader if I may have a few more minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time allotted the Senator from Connecticut be extended to 11:40.

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

Mr. DODD. I thank the Senator from Montana.

Mr. President, I yield to the Senator from Missouri.

THE CHINESE THREAT

Mr. SYMINGTON. Mr. President, a recent article entitled "U.S. Scorned on Viet Buildup" written from Algiers as of June 27, states:

ALGIERS, June 27.—Marshal Chen Yi, Foreign Minister of Communist China, today defied the United States to continue its buildup of military forces in Vietnam.

"I hope the United States sends in 2 million troops" he said.

"The bigger the intervention, the bigger the defeat will be," he added.

He was cool to any talk of negotiations and only laughed when asked to comment on President Johnson's proposal at the United Nations commemorative meeting last Friday for new initiatives for peace in southeast Asia through the United Nations.

It is interesting to note the difference between the attitude of the leaders of Red China with respect to South Vietnam as against the attitude of President Johnson.

On June 15, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] said on the Senate floor:

There have already been pressures from various sources for expanding the war. President Johnson has resisted these pressures with steadfastness and statesmanship and remains committed to the goal of ending the war at the earliest possible time by negotiations without preconditions.

* * * * *

The United States has been patient and remains patient in its efforts to bring about a negotiated settlement of the Vietnamese war.

It is obvious that these Chinese imperialists are interested in the future. If they are interested in the past, they would know from history that those who have continued their aggression at the same time they laughed at the efforts of the United States to avoid conflict, invariably had ultimate cause to regret their actions.

It becomes steadily more evident that the greatest challenge to the future of this country is contained in the attitudes and actions of the Chinese. Let us hope that the policies and programs of the United States give full recognition to this development.

I ask unanimous consent that the article by Louis B. Fleming, of the Los Angeles Times, from Algiers, 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 (D.C.) Post, June 28, 1965]

UNITED STATES SCORNED ON VIET BUILDUP

(By Louis B. Fleming)

ALGIERS, June 27.—Marshal Chen Yi, Foreign Minister of Communist China, today defied the United States to continue its buildup of military forces in Vietnam.

"I hope the United States sends in 2 million troops," he said.

"The bigger the intervention, the bigger the defeat will be," he added.

He was cool to any talk of negotiations and only laughed when asked to comment on President Johnson's proposal at the United Nations commemorative meeting last Friday for new initiatives for peace in southeast Asia through the United Nations.

Chen Yi was interviewed by U.N. correspondents, here for the postponed Afro-Asian conference, in the Palais du Peuple. Then he joined a state luncheon given for more than 400 diplomats and foreign ministers by the Algerian Foreign Minister, Addul Aziz Bouteflike.

The Chinese Foreign Minister declined to comment directly on reports that he had proposed bilateral negotiations solely between the regime in Saigon and North Vietnam. But he dismissed as nonexistent the Saigon regime.

"They represent no one," he said. "They have had 11 changes of government," he added.

NOT CHINA'S PROBLEM

He repeatedly said that the problem of Vietnam is not China's problem but the problem of the people of Vietnam.

"This is a national liberation movement," he said. "We do not speak for them."

Then, turning toward the nearby representative of the Vietcong, he added: "They are here. It is for the Vietnamese people to decide. Of course, we support them. This thing can end only with the independence of Vietnam and its unification. He was pressed twice on whether he was advocating solely a military solution, but he avoided a direct answer.

"If you are attacked, will you not counterattack?" he asked, directing the remarks to a correspondent from India.

His responses on the question of negotiations appeared intentionally ambiguous.

The last question asked for his reaction to President Johnson's speech to the United Nations in San Francisco. He did not wait for the translation but laughed heartily, saying in an offhand manner, "There is nothing we can do about that here." Then he left for consultations with other ministers.

It was understood that Chen Yi will remain here for several more days. His confident remarks were in contrast with the general impression here that China had suffered a setback in its leadership ambitions with the collapse of the conference.

If China gained anything, it appeared to be a warmer and closer association with Pakistan.

Pakistani Foreign Minister Bhutto flew here unexpectedly Saturday morning and immediately conferred with Chen Yi. Shortly thereafter, the two foreign ministers, joined by the foreign ministers of Syria, Egypt, Indonesia, and Mali, met with Boutefika for almost 3 hours. From this meeting emerged the plan to postpone the conference and have the preparatory committee meet instead to issue a communique.

Pakistan appears to have been a key instrument in this plan.

One immediate effect was to keep the control of the plans for the next meeting in the hands of this 15-nation committee in which China has a slight advantage of sympathy.

Mr. SYMINGTON. I thank the Senator from Connecticut.

THE CRISIS IN THE U.N. AND THE QUESTION OF THE DOMINICAN REPUBLIC

Mr. DODD. Mr. President, last week we observed the 20th anniversary of the founding of the United Nations.

At the risk of violating the rules of etiquette which tend to govern such occasions, I wish to pose the proposition that on the 20th anniversary of the United Nations we who believe in it can best serve its cause not by blind Pollyanna statements, pretending that all is wonderful, but by a frank, critical examination of its strong points and its weaknesses, its accomplishments and its failures.

Those fundamentalist supporters of the United Nations who take the position that the United Nations is always right, and who resist criticism of the United Nations, no matter how restrained or how warranted, as something akin to treason, are, in reality, rendering the greatest disservice to the cause of the United Nations.

THE IDEAL OF THE UNITED NATIONS

I have been a supporter of the United Nations from its inception, and I have voted in the House and Senate for every measure submitted by the Administration for its support.

I believe profoundly in the United Nations and the ideals to which it is dedicated, as set forth in the United Nations Charter. The United Nations Charter, indeed, is one of the noblest and most significant documents ever penned by man.

Essentially, the charter calls for the rule of law in the relations between nations.

It commits the member nations to respect the dignity and worth of the human person and the equal rights of men and of nations.

It calls for respect for treaty obligations and other sources of international law.

It calls for the self-determination of peoples.

It stipulates that force is to be banished as an instrument of policy; and it authorizes the Security Council to take whatever action may be necessary against nations guilty of aggression or of violating the peace.

With these principles, no reasonable person can disagree.

THE RECORD OF ACCOMPLISHMENT

Nor can any reasonable person deny that the United Nations has a number of significant accomplishments to its credit.

The Security Council's discussion of Soviet military intervention in northern Iran in 1946 provided the moral background for President Truman's stern warning to Stalin which, in turn, led to the Soviet evacuation of Iranian soil.

Similarly, when the United Nations set up a committee to investigate the evidence that Communist guerrilla activity in Greece was inspired from Albania, Yugoslavia, and Bulgaria, the report of this committee gave important assistance to the American rescue operation by indicting the Communist satellites in the eyes of world opinion.

United Nations intervention against Communist aggression in Korea must be considered an important part of the positive record.

The United Nations has unquestionably served the cause of peace in the Gaza Strip by throwing buffer forces between the Arab and Israeli armies.

The United Nations Special Committee on Hungary, the United Nations committee which visited West Borneo to ascertain the desires of its inhabitants, and the United Nations committee which visited Vietnam to investigate the accounts of the persecution of the Buddhist religion, have all functioned with complete impartiality and have produced reports and records of the greatest significance.

This is only part of the positive record.

But today, despite the lofty principles on which it is founded, despite its major accomplishments in a number of situations, despite the good will of the great mass of the free people of the world, the United Nations is passing through a crisis of survival.

THE FINANCIAL CRISIS

Most of the discussion in the press has centered on the United Nations' financial crisis. This, in itself, would be grave enough because the United Nations deficit has been growing with every passing year.

The Soviet Union and the satellite nations are primarily responsible for this deficit.

They have thus far refused to pay a single cent toward the United Nations peacekeeping operation in the Gaza Strip or toward the cost of the Congo operations.

Between them, the Communist nations are in arrears on their various assessments to the tune of some $85 million.

Other nations are also heavily in arrears on their payments.

Needless to say, the United States, which alone provides almost 30 percent of the United Nations operating funds, is completely up-to-date on its payments.

If the United Nations' deficit continues to increase by $20 or $30 million a year, somewhere along the line it will either have to cease to operate or else cut back on its operations drastically.

Only the most rigid insistence that the member nations meet their obligations can save the United Nations from insolvency. I was pleased to note in this connection that the Department of State earlier this year notified the Communist bloc that unless they pay up on their arrears measures will be instituted to deprive them of their votes.

THE CRISIS OF PRINCIPLE

But as grave as the financial crisis may be, it is of minor importance compared to the growing crisis of principle which now afflicts the United Nations.

In situation after situation in recent years, member nations belonging to the Communist or Afro-Asia blocs have acted in open contravention of the United Nations Charter.

In situation after situation, the Afro-Asian and Communist nations, voting together, have substituted their arbitrary conceptions for the principles so clearly enunciated in the charter.

And, either by inaction or by active complicity, the United Nations has several times served as a force, not for the self-determination of peoples, but for their enslavement by alien imperialisms.

If the tendencies apparent in the United Nations in recent years are permitted to develop unchecked, if certain essential reforms are not instituted, if the United Nations does not return to the principles on which it was founded, then nothing can save the United Nations as originally conceived in San Francisco in 1945.

In its suppression of the Hungarian revolution, the Soviet Union not only flouted the United Nations Charter, but openly ignored 19 successive resolutions of the General Assembly.

But apart from the general resolutions of condemnation, nothing happened.

The United Nations Committee was refused admission to Hungary.

By way of reaction, the United Nations Special Committee on Hungary was dissolved, the question of Hungary was dropped from the agenda, the Committee on Hungary was disbanded, and 2 years ago the delegates of the Kadar quisling government were finally accredited, despite the official finding that this government has been imposed on the Hungarian people by Soviet bayonets.

The United Nations Charter has been openly flouted by India in its military action against Portuguese Goa. A very strong case could be made for Indian possession of Goa. But this fact in no way justifies the violation of the United Nations Charter to achieve possession.

Ambassador Stevenson spoke for the American people when he warned that this failure by the United Nations might be "the first act in a drama that could end in its death." But in the United Nations itself, Ambassador Stevenson's words fell on deaf ears.

Beyond manifesting our indignation, we did not dare to bring the matter to a vote in the General Assembly because there were clear indications that almost two-thirds of the Assembly would have supported India's action.

The United Arab Republic has openly flouted the charter by sending 50,000 troops into Yemen to impose a quisling regime on the Yemeni people.

But by the time this happened, in September, 1962, the process of erosion had already gone so far that no one in the United Nations dared raise the issue.

Instead of condemning the United Arab Republic's action, the United Nations, with, I regret, the supine support of the United States, morally sanctioned this act of aggression by calling upon both sides—the victorious Egyptian Army and the Yemeni Government in the mountains which is seeking to recover its country's lost freedom—to refrain from importing more arms.

India has denied self-determination to the people of Kashmir and has ignored resolutions of the General Assembly calling for a plebiscite to terminate the problem.

Indonesia has openly flouted the charter by its military commitment to the destruction of Malaysia and by mounting guerrilla invasions of Brunei and North Borneo. Indonesia has now left the United Nations. But this in no way alters the fact that the United Nations did nothing about Indonesian aggression.

Castro's Cuba has openly flouted the charter by its shipment of arms and ammunition to the Venezuelan terrorists and by its subversive activities through the hemisphere.

The United Arab Republic has repeatedly violated the spirit of the charter by its inflammatory propaganda calling for the overthrow of King Hussein of Jordan and by its repeated calls for the military destruction of the State of Israel.

I could go on and on listing action taken by the Communist nations or by members of the Afro-Asian bloc that are in clear contravention of the United Nations Charter.

The proof is overwhelming that only the United States and the minority of Western nations show respect for the charter and for the decisions of the General Assembly.

Instead of an organization committed to the rule of law and governed by a set of agreed principles, the United Nations has become an organization with no guiding principles, governed by an arbitrary majority that seeks to substitute its own will for the rule of law.

In large part, this situation is due to the rapidly growing membership of the United Nations. When the United Nations was founded in San Francisco, there were exactly 50 members. Today, in consequence of the rapid liquidation of the European colonial empires, 114 nations are represented in the General Assembly.

Some of the new member nations—in particular those that were properly prepared for independence by the colonial powers which previously governed them—have shown surprising maturity and responsibility. But many of the new member nations were ill-prepared or hardly prepared at all for independence. They do not understand the fundamental issues involved in the conflict between the free world and the Communist world; and they are too often prone to follow the lead of the Communist world because of their residual resentment against Western colonialism.

In addition, they have been led to believe that violent attacks against Western colonialism pay off in the form of increased foreign aid, while attacks on Soviet colonialism are best avoided because the Soviets are quick to respond in anger and to take political and economic countermeasures.

Moreover, under U.N. voting procedures, minor Asian or Latin American nations and even an African nation of 500,000 still emerging from tribalism, has precisely the same vote as the United States and the Soviet Union.

In this grotesque U.N. calculus, one citizen of a minor and still backward country may become the equivalent of 100 Frenchmen or 400 Americans. And although many plans have been advanced for "weighting" votes by population and other factors, there is not the remotest chance that the nations of Asia, Africa, and Latin America will agree to anything less than the present formula of "one nation, one vote."

Under the stimulus of the growing Afro-Asian majority, acting in concert with the Communist bloc, the General Assembly in recent years has interpreted "self-determination" to mean self-determination for only African and Asian nations, no matter how small or backward or ill prepared for independence.

Apart from one or two passing references by the British and American delegations, no one any longer talks about the right of self-determination for Poland and Hungary and the other ancient nations of Europe that have fallen victim to Soviet imperialism.

Not even peoples of Afro-Asian stock have been exempt from the arbitrary interpretation of self-determination that has become current in the United Nations. This was dramatically demonstrated in the case of West New Guinea.

The Netherlands in the postwar period had been conscientiously preparing the Papuan people of West New Guinea for genuine independence.

But President Sukarno of Indonesia looked upon West New Guinea as a territory that belonged within an Indonesian imperialist empire.

He demanded that the territory be turned over to him, although the Papuan people had nothing in common racially or culturally, with the Indonesian people.

Refusing to submit the case to the International Court in The Hague, Sukarno threatened force if West New Guinea were not turned over to him and actually sent in commando units while the matter was still under discussion.

The people of West New Guinea were never consulted before the decision was made in the summer of 1962.

The dispute wound up with Sukarno completely triumphant and with the United Nations and the United States reduced to the role of accessories to an act of imperialist expansion that stood the United Nations Charter on its head.

The United Nations again stood the charter on its head in its handling of the Congo crisis.

I believed in the desirability of a unified Congo, and I worked with President Kennedy and with the Department of State in attempting to promote a peaceful settlement of the Katanga dispute. I was dead opposed, however, to the successive military actions against Katanga because they were in complete violation of the United Nations Charter.

Indeed, I challenge anyone to defend the thesis that the United Nations has the right to intervene by force to compel the acceptance of a government of its choice or to support this government in suppressing elements who ask for a greater degree of autonomy or even for secession. The United Nations Charter could not be clearer on this point. Article II, paragraph 7, reads:

> Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state.

I was also opposed to the United Nations action in the Congo because I feared that it would lead to nothing but chaos and disintegration.

This fear, unfortunately, was borne out by events.

Because virtually its entire effort was directed toward the overthrow of the Tshombe government in Katanaga, all the United Nations had to show for its vast expenditure of money and effort in the Congo at the time it left was a continuing downward spiral of law and order and economic well-being in a country that is potentially the richest in Africa.

All it had to show for approximately $400 million spent on the Congo operation was $400 million worth of chaos.

When the United Nations forces left the Congo in June of last year, the country stood on the verge of a complete Communist takeover.

But fortunately for the cause of freedom in Africa the solution which the United Nations had put together at such great cost and with so much blood, fell apart on the day of its departure.

The completely inept Adoula government, which had been installed under United Nations patronage and which owed its survival primarily to the United Nations, was dismissed; and, in its place, a new government was formed under the Premiership of Moise Tshombe, the man whom both the political and military representatives of the United Nations had fought so hard to destroy.

I think it is now commonly agreed that the Congo was saved from the catastrophe which threatened, thanks only to the courage and wisdom and determination of Prime Minister Tshombe.

THE UNITED NATIONS AND THE DOMINICAN REPUBLIC

While the United Nations has shown itself to be completely ineffective in upholding the rule of law against the transgressions of the Communist states on the one hand and the Afro-Asian states on the other hand, while it has failed to intervene where it could and should have intervened, the United Nations Secretariat and the majority of the General Assembly apparently seem bent on intruding themselves into the affairs of the American states, where their presence is not needed and not wanted.

I refer specifically to the situation in the Dominican Republic.

When it was first proposed that the United Nations set up its factfinding mission, Ambassador Stevenson strongly opposed the proposal on the grounds that this mission would be competitive with that of the OAS and that it would, by the nature of things, serve to undermine its authority and in this way hinder rather than promote a settlement.

When I spoke on the subject of the Dominican Republic this last May 24, I expressed my wholehearted concurrence in the reservations set forth by Ambassador Stevenson.

I consider it most regrettable that, despite these reservations, Ambassador Stevenson voted with the rest of the Security Council on May 14 to approve the Jordanian resolution calling on Secretary General U Thant to send a representative to the Dominican Republic for the purpose of reporting on the situation.

I am opposed to the veto in principle. But as long as it exists on the books and as long as the Soviets continue to use it, on small issues and big issues, whenever

their own interests are affected, I think that we should not hesitate to utilize the veto power in defense of our own interests, at least where issues of great importance are involved.

Our Government has made a very heavy commitment to the restoration of peace and order in the Dominican Republic. Because of our desire to function through the OAS and in harmony with them, we have subordinated our own substantial forces in the Dominican Republic to an OAS command, and we have agreed to channel our economic and financial assistance through the OAS.

Because of the continuing crisis in the Dominican Republic, I feel that we must resolutely oppose any effort to undermine or undercut the endeavors of the OAS to achieve a settlement there, no matter what the source of these efforts.

The fears expressed by Ambassador Stevenson have, regrettably, been more than justified by the record of the United Nations mission since its arrival.

From the moment of its arrival in the Dominican Republic, the United Nations mission entered into immediate conflict with Senor Mora, the head of the OAS mission, and with Ambassador Tapley Bennett.

Without taking any time to look into this complex situation, the United Nations mission established immediate contact with the Camaano rebels but avoided contact with the Imbert junta.

The reports they have sent out since that time have all been characterized by the same militant bias in favor of the Camaano-Bosch forces.

That this is so is not surprising for several reasons.

First of all, the dispatch of two competitive peacemaking teams to any crisis area violates all the rules of commonsense and diplomacy.

If the United Nations team has simply come to the Dominican Republic for the purpose of supporting and paralleling the efforts of the OAS team, there would be no justification for its existence.

And if the United Nations team has come to the Dominican Republic for the purpose of competing with the OAS representative, this creates a situation that can only do damage to the OAS, to the Dominican Republic, and to the United Nations itself.

Either way, the appointment of the United Nations team makes absolutely no sense.

In addition, the composition of the United Nations commission by itself was bound to bring it into basic conflict with the peacemaking efforts of the OAS.

The representative of the Secretary General, Mr. Jose Antonio Meyobre, a Venezuelan economist, has a lifelong record of association with various radical movements. He is an old personal friend of Juan Bosch, and just about as far to the left of center in his personal views. The best that may be said about him is that he is like Bosch, the kind of non-Communist radical who refuses to condemn communism or to take a stand against it.

Mayobre's chief assistant, Cesar Ortiz, a Mexican, has also made no efforts to conceal his pro-Bosch sympathies, nor has he made any effort over a long political past to conceal his strong anti-American sentiments.

The third member of the team, the Indian General Rikhye, served as Commander of the United Nations forces in the Congo.

As I have pointed out, these forces, instead of promoting order, squandered their energies on military actions that only promoted more disorder, and almost resulted in the loss of the country.

Only the reemergence of Moise Tshombe as Prime Minister saved the country from a complete Communist takeover.

These were the three men selected by Secretary General U Thant to report impartially on the Dominican situation.

The original mission of the United Nations team was supposed to be to investigate and report back.

In practice, the team has far exceeded this mandate.

In competition with the OAS group, it has sought to enter into discussions with Dominican citizens with a view to organizing a government that meets with its own criteria.

Recently there has been some evidence of a concerted push to expand the functions and personnel of the United Nations team. Participating in this effort are certain of the Afro-Asian nations, the Communist bloc, and France. This push assumed particularly vigorous proportions after the exchange of fire with the OAS forces, initiated by rebel extremists on June 15. As I understand the matter, the United Nations team rushed to the scene, interviewed Camaano, and forwarded Camaano's version of the events to its headquarters.

So one-sided was the United Nations version that Soviet representative Federenko was able to charge that we were using methods "reminiscent of Hitler's hangmen," while the French delegate was moved to propose that the United Nations should increase the size of its observer team and expand its function.

It is my understanding that the American delegates to the United Nations were extremely indignant over the one-sided report sent back to the United Nations by its observer team.

In the light of the facts I have here detailed, I am more than ever convinced that United Nations intervention in the Dominican Republic has already done grave harm and that its continued presence there is bound to have a further unsettling effect.

I hope that our delegates to the United Nations will do everything in their power to resist any expansion of authority and numbers on the part of the United Nations team.

THE WAY OUT

I would be willing to go along with the most generous measures to help bail the United Nations out of its financial crisis.

But I consider it necessary to state for the record that I am becoming increasingly fed up with the double standard of behavior that leads the United Nations to intervene in situations where effective peacekeeping machinery already exists and where its own presence can do nothing but harm, while it fails to intervene or even to take notice of clear-cut cases of military aggression involving the nations of either the Communist bloc or the Afro-Asian bloc.

I am certain that this concern is shared by the overwhelming majority of the American people.

This is the real crisis of the United Nations, and not the financial crisis.

If the United Nations is again to become an instrument of law and a force for peace, many things must be done.

In addition to creating some kind of mechanism that can protect and improve the United Nations by submitting its operations to periodic scrutiny, it is essential that we ourselves and the member nations who share our values face up to the disastrous erosion of the United Nations Charter in recent years and embark on a campaign for a return to the Charter.

If the Charter calls for "respect for the obligations arising from treaties," the unilateral repudiation of any treaty by a member nation should at the very least call for the unanimous censure of the General Assembly.

If the Charter calls for the "self-determination of peoples," the United Nations should use its moral authority impartially to promote self-determination for the captive peoples of Europe as well as for those Asian and African peoples still living under colonial rule.

If the Charter calls upon all members to "refrain in their international relations from the threat or use of force," this must not be construed as applying only to the Western nations and not to the nations of the Communist bloc or Afro-Asian bloc.

It must not be construed as meaning that India is free to invade Goa, that the United Arab Republic is free to invade Yemen, that the Brazzaville Congo and Tanganyika, and Tunisia, and Algeria are free to organize and harbor guerrilla armies for operations elsewhere in Africa.

If the United Nations General Assembly is no longer prepared to condemn such blatant use of force or such outspoken threats of force as Khrushchev's Berlin ultimatum, then I say that the United Nations has lost a large part of the justification for its existence.

If the Charter prohibits intervention in domestic matters, the General Assembly must abide by this clause, too.

I believe that we must make every effort to save the United Nations as an area of contact between the Communist world, the free world, and the uncommitted nations; as a forum from which we can plead the cause of freedom and solicit the support of the world community for the objectives of our foreign policy; as a medium for the conciliation of disputes; as a vehicle for cooperative nonpolitical activities like the World Health Organization; as an organization whose functions may be progressively enlarged if the world situation improves.

The United Nations can be saved, and should be saved.

The United Nations will not be saved if we continue to ascribe to it virtues

which it cannot possibly possess and assign to it executive tasks that it is functionally incapable of fulfilling.

It will not be saved if we continue to sweep its misdemeanors and weaknesses under the rug instead of airing them frankly.

But above all, the United Nations will not be saved unless we are prepared to provide the leadership for an all-out campaign to return to the principles enunciated in the United Nations Charter, and to give these principles the force of law in the relations between nations.

This, as I see it, is the prime task that confronts us.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. It was my honor to represent the United States as a delegate to the United Nations in this session. I cannot disagree with what the Senator is saying today. Frankly—I say this as a Senator; I have no privilege to say it as a member of the U.S. delegation—there is a serious doubt in my own mind that the United Nations can succeed in its purposes as a peacekeeping organization so long as it has so many elements in it that are really there for the purpose of keeping it from working.

One can say anything he wishes, the fact remains that the Communist nations do not serve the purpose of the United Nations. The U.N. was formed as a group of nations joining to work together for peace, to preserve the peace of the world, and provide peaceful means of solving international crises.

There is a growing doubt in this Senator's mind as to whether the organization can be as effective a peacekeeping organization of free people as it would be if it were limited to nations that shared similar purposes.

I do not say we should abolish the United Nations, but I doubt whether we should entrust to the United Nations such peacekeeping functions as have been delegated to it.

It seems to me that if we had to keep the peace an organization of nations that really intended to do just that, and let the United Nations be the debating society which it has always tended to be, we might more effectively achieve our purposes.

The Organization of American States is an organization of states with similar goals and philosophies. There are not the same problems in that organization as there are in the United Nations. The OAS wishes to keep the peace, to see that each neighbor lives within its own boundaries. It wants no aggression, and will brook no aggression. We can in good conscience have the OAS send a commander to command our forces in the Dominican Republic, knowing that the organization has the same purpose that we have. We want to have peace. We do not want to have overthrown any peaceful government, particularly a government that follows the will of its people.

The Senator has made a good argument, namely that the United Nations will have to do a better job of accomplishing the purposes of the charter, or we shall have to find something to take its place in carrying out its functions, and let the organization exist as a debating society, where we can bring together all those who do not agree, and let them debate and debate, without conclusion. Its place may have to be taken by an organization that can settle disputes among nations, an organization that can arrive at a consensus and then get nations to agree to that decision. I regret to say that the United Nations has at times proved disappointing.

Mr. DODD. I am grateful for the Senator's comments. I am sure that he and I and the vast majority of the people want the United Nations to succeed.

Our point is that the way to bring that about is to have it operate as it was intended to operate, by not going beyond its charter, and by not failing to live up to the requirements of its charter. For example, the U.N. should have acted in the case of Yemen. When Nasser invaded Yemen with 50,000 troops, the United Nations did not show any interest. Goa is another case.

In addition, the U.N. must learn that it has no right to go into a sovereign country and interfere in matters which must be settled domestically. That is the lesson of the Congo.

I am grateful to the Senator from Louisiana for his contribution.

BARBARISM IN VIETNAM

Mr. DODD. Mr. President, in a concise, pointed editorial on Monday, June 28, the Hartford Times commented on the execution last week of Sgt. Harold Bennett.

The editorial concluded with these words:

> The execution of Sergeant Bennett * * * was illegal, an act of murder. The U.S. Government should promptly and publicly serve notice that every person who had a hand in it will be considered a criminal and so treated, and the word and power of the United States should be pledged to that end.

I agree fully, and ask unanimous consent that this editorial be printed in the RECORD at this point.

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

BARBARISM IN VIETNAM

The Hanoi government of North Vietnam says Sgt. Harold George Bennett, U.S. Army, was executed as "an aggressor who had committed many crimes against the South Vietnamese people."

Just for the record:

Sergeant Bennett, like all other American soldiers in Vietnam, was there at the invitation of the legal government of that country. He was a uniformed member of a regular military force, acting under the lawful orders of his superiors. By international law and age-old custom, he was entitled to humane treatment from his captors.

His execution was in reprisal against the executions of several Vietcong members by the South Vietnamese Government.

The Vietcong is considered by the Government of South Vietnam to be an illegal organization. Its members are legally traitors. The Government of the United States, the U.S. Army, and Sergeant Bennett had no part in the treatment of Vietcong members by the Government of South Vietnam.

The execution of Sergeant Bennett, therefore, was illegal, an act of murder. The U.S. Government should promptly and publicly serve notice that every person who had a hand in it will be considered a criminal and so treated, and the word and power of the United States should be pledged to that end.

NEW HAVEN RAILROAD

Mr. DODD. Mr. President, I commend to the attention of my colleagues, especially the Senators from the lower New England-New York area, an excellent series of three articles that appeared in the Hartford Times last week.

These articles are important and informative not only because they cover the background and recent developments concerning the New Haven Railroad but because the articles go into the possibility of private enterprise stepping in and bringing services back to a high level.

What good private management can do to straighten out a failing railroad is too often left out of discussions and proposals on how to keep the New Haven from going under.

Railroads in worse trouble than the New Haven have been not only saved but turned into profitable ventures by private means.

Why not the New Haven?

I ask unanimous consent to have these Hartford Times articles, written by Don O. Noel, Jr., printed in the RECORD at this point.

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

EXPERTS DISAGREE ON NEW HAVEN RAILROAD SURVIVAL

(Who will buy the New Haven Railroad? Until recently, there have appeared only two choices: The merging Penn-Central Railroad, or else the States themselves. There now appears a third choice: New England private enterprise. In this series, the Hartford Times explores the facts and figures which lead a growing number of businessmen to believe the bankrupt New Haven could make money.)

(By Don O. Noel, Jr.)

Can the New Haven Railroad's commuter operations turn a profit?

"No," says Stuart T. Saunders, chairman of the Pennsylvania Railroad, one of the merging Penn-Central leaders now negotiating to run that very commuter service on a contract basis.

Mr. Saunders told his stockholders in May that "there is no way on earth" that commuter railroads, such as the Long Island, and presumably the New Haven as well, can be made profitable.

"Yes," says a brandnew engineering study of the New Haven, made public Monday. It forecasts a profit margin of $1½ million a year, including amortization of new equipment and stations. Still more efficiency, it said, could come with gradual installation of automatic fare collection.

This sharp difference of opinion is one of the reasons private, New England interests are weighing a bid to buy the New Haven Railroad, including its commuter service, away from the Penn-Central.

Even before the New Haven Commuter Study Group made its findings public Monday, there were strong arguments on the side of profitable commuter service.

The strongest: the CNW, or Chicago and North Western Railway.

Five years ago, the CNW began a massive development program. Faced with competition from three new expressways, the line spent $50 million for new equipment, double-deck cars, better timetables, rebuilt stations.

Its chairman, Ben W. Heineman, told a New York meeting of security analysts this month that his commuter operation will clear $1 million profit in 1965. It has already begun a second, 10-percent increase in commuter equipment investment, and Mr. Heineman said another go-around lies ahead, with indefinite growth.

Mr. Heineman carefully refrained from saying a dose of CNW medicine could cure New York commuter deficits.

But a comparison of the systems suggests it might.

LENGTH OF RIDE

The CNW carries about half again as many commuters as does the New Haven. They must be picked up at three times as many stations as the New Haven's riders. Their average ride is a third shorter than the New Haven average, and therefore theoretically less efficient.

(Pennsy's Saunders told his stockholders the CNW's commuter profit is largely due to the fact that its hauls are longer than most Pennsy commuter runs. But the average New Haven commuter rides 30 miles, compared to a 21-mile average on the CNW.)

Despite these apparent handicaps, the CNW operation has been turned from loss to profit. Some of the techniques:

A new fleet of double-deck cars (160 passengers, compared with 110 on the New Haven) cut car maintenance and reduced crew size.

The CNW thus delivers to the city on each rush-hour train the same number of riders as a New Haven train, 650–700. But it uses an average of 3.8 cars instead of 6. With less train weight, less locomotive power is needed.

Greater reliance on nonstop express runs attracts passengers. It also allows less powerful (and less costly) locomotion with less frequent acceleration from stops to running speed.

The CNW uses more efficient push-pull locomotives, rather than self-propelled units. Commuter trains are backed into terminals, so two cars can be left for the evening rush, while the other one or two shuttle back and forth to give frequent midday service.

The result: it costs the CNW $6.21 for each mile each train runs, and revenue per train-mile is $6.40, a 19-cent profit.

It costs the New Haven $15.30 for each train-mile, and revenues are only $13.30, or a $2 loss.

COST PER MILE

The CNW's operating efficiency can be viewed another way. The New Haven carries its average commuter 30 miles, one way at a cost of $1,100 a year. The CNW carries its average rider 21 miles one way, for $470. That's 70 percent of the distance for 43 percent of the cost.

Could the New Haven do as well?

Two separate studies, in fact, say yes. The most recent, announced this week by the New Haven Commuter Study Group, proposed spending $15 million for 75 new self-propelled cars, and $15 million more for new stations, maintenance yards, signaling and engineering.

The study also recommends eliminating commuter service east of Westport, and providing sharply-increased express runs.

The projected outcome: a commuter system whose trains would shave 5 to 20 minutes off present runs to Grand Central, attract new riders, and earn a profit of $1,580,000 before taxes. Still further profit should be possible, the report said, by developing off-peak (mid-day) traffic, and by gradually automating fare collection.

Much the same result, but with slightly different techniques, was predicted in an earlier study presented the trustees in 1962. It proposed a 3-year program during which the railroad would refurbish its present cars, and gradually install double-deck, 200-passenger cars.

Included in this early study was a similar refurbishing of intercity (long-haul) service, with a bar-galley in each car served by a stewardess, more use of reserved-seat trains, and institution of unitized three-to-four car expresses, running nearly nonstop to Hartford, Providence, Boston, and a few other cities.

The estimated capital cost of such a program was $16 million, with an $8 million Government subsidy needed during the 3 years it would take to complete the conversion.

Trustees of the bankrupt New Haven, when presented this early refurbishing program, said they had already decided on a program to trim back the railroad, try to show a profit, and win inclusion of the slimmer, trimmer New Haven in the Penn-Central merger.

Expansion, they said, would be reversing the direction of their trusteeship.

But expansion is very much in the minds of the private business interests, now looking at the New Haven.

No one pretends a glamorized, rescheduled New Haven Railroad will begin making impressive profits right away. The CNW's $1.2 million profit is a very poor return on investment.

Some of those now studying the railroad believe some Government subsidy will continue to be needed, particularly if the line were forced to continue operation on lines (like the commuter lines east of Westport) which not even better service could make profitable.

In any case, they believe, the future lies with mass rail transit which will be handsomely profitable. Aggressive management, they believe, will bring that future nearer.

The alternative: contracting with the Penn-Central (buying passenger service) or else fighting that merger before the ICC, in hopes of forcing Penn-Central to accept the New Haven with all its present service, freight and passenger.

Trustee Richard Joyce Smith has warned that "coercion will not work," and has urged the States to negotiate for service. The States have in fact begun tentative negotiations for long-haul service, although those talks have so far made very little progress.

One reason: the trustees claim a passenger deficit this year of $11.5 million. The States' effort inevitably centers on chipping that figure down to something they can afford.

NEW HAVEN RAILROAD, CENTRAL SPLIT ON PROFIT FROM TERMINAL

(Who will buy the New Haven Railroad?

(Until recently, there have appeared only two choices: The merging Penn-Central Railroad, or else the States themselves.

(There now appears a third choice: New England private enterprise.

(In this series, the Hartford Times explores the facts and figures which lead a growing number of businessmen to believe the bankrupt New Haven could make money.)

(By Don O. Noel, Jr.)

The New Haven and New York Central Railroads are historic competitors. Though often allied, they have been partners at arms' length.

The Central, as part of the merging Penn-Central, now proposes to absorb the New Haven's freight operations, and the corporate identity of the New Haven. It would run whatever passenger service the States were prepared to subsidize.

The history of competition, coupled with the fear that the Penn-Central has no regional stake in New England, lies behind some of the private business interest in buying the New Haven away from the merging giants.

The competition began during the hectic battle of railroads after the Civil War. The New York and Harlem, trying to stay alive long enough to get to Albany before Commodore Vanderbilt's Central completed its water-level route, allied itself with the New Haven.

The commodore, to get his trains into midtown Manhattan had to buy the New York and Harlem. With it came the New Haven, with the right in perpetuity to use Grand Central Terminal.

It has been a right jealously guarded. When the terminal yards became too crowded, it was the Central—not the New Haven—which took its cars to a new yard out of town to service them.

Today the New Haven provides about 40 percent of the terminal's traffic, and shares 40 percent of the costs.

TERMINAL PROFITS

Offsetting costs is the income from the sprawling complex above the underground terminal yards, from 42d to 52d Street, between Madison and Lexington: Six hotels, and several major offices, including the giant Pan Am Building. They lease "air rights" over the railroad.

Last year, the New Haven's 40 percent of this was $5.3 million.

Also last year, for the first time, some of this income was profit, above costs. The New Haven claims a $1 million share. The Central disputes the claim. It says the New Haven is entitled to share the income only up to the break-even point, but not profits. If the merger-purchase falls through, a court case will decide the issue.

If the Penn-Central buys the New Haven, the dispute will be moot. The merged line will acquire all the New Haven's historic, and valuable interest in the terminal properties.

An income of $5.3 million (or at least $4.3 million if the Central wins the court case), which last year offset passenger deficits, will be lost to whatever interests are paying for New England passenger service.

The more direct competition is for freight. Freight is the lifeblood of a railroad, the major share of its business and its solid revenue producer. Most U.S. railroads claim a passenger deficit, which is offset by freight revenues.

(There is room for argument. Both the Pennsy and Central last year reported passenger losses; $35 and $14 million. But Fortune magazine estimated in an article this month that "if only costs directly attributable to passenger trains are reckoned almost surely the Central and possibly the Pennsy are more than breaking even on passengers."

(It can also be argued that it is proper for freight to help foot the passenger bill. The Canadian National's vice president, Pierre Delagrave, says his dramatic improvements of passenger service, though he hopes they will make money someday, are meanwhile a form of advertising.

(If it is worthwhile advertising to attract freight, he says, then it is worthwhile pumping money into a new, vital passenger service as another kind of advertising "image.")

The State of Connecticut has argued, in fighting the Penn-Central merger before the ICC, along similar lines. If every other railroad "helps" its passengers with freight, why not the New Haven? Why should Penn-Central be allowed to take over the freight, but not the passengers?

TWO-WAY LOSER

At the moment, the argument is academic. The New Haven has been losing money on both freight and passengers since 1958.

Could the freight make money?

Probably not without some major changes. The trustees have already abandoned about

160 miles of light-density freight line, 9 percent of their system, and propose abandoning another 400 miles before the Penn-Central takes over. Like most U.S. railroads, the New Haven is stymied by overregulation which makes it extremely difficult to adapt its rates or its routes to changing times.

The New Haven has some special problems, too, in the unusually high number of freight cars it must send back across the country empty. It is now seeking in a legal test to rid itself of unequal cost burdens thus imposed on New England railroads.

But even with these burdens eased, the New Haven has a special freight problem, which goes back to the historic competition.

There are two main rail lines to New England: The New Haven's, along the Sound and then up the river valleys; and the Central's, across Massachusetts and then north or south on branch lines.

The New Haven's has always been more costly.

COSTLY TRANSFER

Freight received from the Pennsy must be ferried across New York Harbor to New Haven tracks, or else rolled up Erie tracks to Maybrook, halfway up the Hudson, where the New Haven receives freight direct from the Erie, Lackawanna, and Lehigh.

The Central can deliver Midwest freight along its "water level" route through upstate New York, and then across the Boston and Albany. It now has a huge electronic sorting yard to make the Albany operation still more efficient.

One of the trustees' principal arguments for the Penn-Central purchase is that the Pennsy's freight would more economically go up to Albany, bypassing the New Haven main line, if the merger did not include the New Haven.

But inclusion, said Trustee Richard Joyce Smith in Hartford recently, will lead to "a new era for rail transportation in New England * * * faster and more efficient service, with new and specialized equipment."

Critics of the Penn-Central proposal challenge this. A New Haven division of the Penn-Central, like a Boston and Albany division, would have to stand on its own feet. If it were not run efficiently, the Penn-Central would still not use it in preference to a more economical route.

MANAGEMENT CRITICS

These critics say the New Haven's freight business (like, they assert, its passenger business) is badly managed. They say the New Haven uses a freight-sorting yard in Cedar Hill (New Haven) to break up and redistribute long trains from Maybrook.

Running smaller trains direct from the Hudson, they argue, would provide faster delivery, cut down the time the railroad must rent other lines' cars, and be more profitable.

The way to maintain rail freight service for Connecticut, the critics assert, is to run it well. Since it will compete with Penn-Central's other routes anyway, they argue, it might as well compete directly, for profit, under management with a regional interest in seeing it grow.

Are the critics right, or are they pipedreaming? Could aggressive management overcome the regional difficulties of the New Haven's freight operation, and the long-standing deficits in passenger service?

What attitude will the States take toward the growing private interest in running the railroad? Will they encourage it? Or will they decide that the States' best option is their present course: To formally insist that the ICC force Penn-Central to accept New Haven passenger service, while negotiating subsidy terms to sweeten the pill?

RESCUE OF NEW HAVEN RAILROAD SPURS VARIETY OF PLANS

(Who will buy the New Haven Railroad?

(Until recently, there have appeared only two choices: The merging Penn-Central Railroad, or else the States themselves.

(There now appears a third choice: New England private enterprise.

(In this series, the Hartford Times explores the facts and figures which lead a growing number of businessmen to believe the bankrupt New Haven could make money.)

(By Don O. Noel, Jr.)

Who will buy the railroad?

In New York, a group of commuter businessmen want to run the New Haven's suburban service, renting tracks and stations, with indirect Government backing.

In Boston, Frederic C. Dumaine, former New Haven president, has offered to raise $150 million from insurance companies and banks, in a frank move to keep the railroad out of Penn-Central hands.

In Hartford, E. Clayton Gengras is buying Union Station—and along with it options to use the rails for suburban rail-buses here. In the year since he bought the ailing Connecticut Co. from the New Haven, he has turned it to a profit, and has become the area's most vocal apostle of sound management to cure transit deficits.

Meanwhile, the State of Connecticut is following several courses, some apparently conflicting, which assume the eventual owner will be the merging Penn-Central:

Within 10 days of an ICC (Interstate Commerce Commission) examiner's recommendation that Penn-Central be allowed to merge with New Haven freight but not passenger operations, Connecticut filed a strong plea that the full ICC make the Penn-Central accept passenger obligations.

Meantime, the State is dickering with New York, Rhode Island, Massachusetts, and Penn-Central officials to agree on subsidies the four States might pay for long-haul passenger service. The talks appear to be far from agreement, but all parties refuse to discuss the levels of service proposed or the subsidies asked.

With New York, Connecticut is backing a $4.5 million stopgap program (with $3 million Federal aid) to keep commuter service going while a long-range solution is worked out.

The Connecticut Transportation Authority has been authorized to spend up to $2.3 million a year in direct rail subsidies, and up to $40 million to bond long-range capital improvements.

New Haven trustees, in defending their moves to abandon passenger service, have blamed the States' reluctance to assume responsibility for long-range planning. The current subsidy plans, they say, come almost too late.

In much the same way, the States' attitude may govern the eventual sale of the New Haven. Even though a sale in bankruptcy will wipe out past debts, any modernization of the rails will require new infusions of capital, and certainly a period of continued deficits. Despite growing optimism, it would still be a gamble.

What are the options?

STATE OWNERSHIP

The Canadian National, probably the most aggressive railway on the continent in going after passengers, is owned by the Government, but run as a private enterprise, paying taxes, bound by all the rules governing the private Canadian Pacific. But the Canadian Government now underwrites a hefty annual deficit, which it hopes will eventually disappear.

Connecticut and New York, now authorized to contract with a private owner for rail service, soon may have augmented powers offered by Congress, although Washington isn't expected to get around to transit problems until late summer.

One bill, by Rhode Island Senator CLAIBORNE PELL, would pledge Federal backing up to $500 million for a four-State authority to take over the rails. The Federal support would only insure low interest rates; the States would have to pledge themselves to underwrite deficits.

The San Francisco Bay Area transit system will, in effect, be publicly owned; the multi-town authority established to create the system has taxing power.

CONTRACTED SERVICES

The Canadian National, despite its belief in passenger service, is getting rid of its commuter operations by two techniques. In Montreal, where the single, relatively short line ties naturally into a new subway system a-building, CN has offered to give the line outright to the city, at no cost. It is expected to make money.

In Toronto, CN will operate a new 52-mile commuter rail service for the provincial government of Ontario. The government will buy the rolling stock, and CN will run the service at cost. It is expected to cost $2 million a year in government subsidy.

The New Haven Commuter Study Group proposes contracting privately to run services into New York, but would in effect have a subcontract from the States to underwrite deficits. It is confident it could break even, probably make a small profit in two years.

Public agencies also contract with railroads for commuter services in many other U.S. cities, including Boston and Philadelphia.

PENN-CENTRAL OPERATION

They all differ, however, from the proposed relationship of the Penn-Central and the New England States in two important respects.

First, nowhere else does a government agency underwrite long-haul, or inter-city, passenger service, as the four States are now negotiating to do.

Secondly, there has usually been more public discussion of what kind of service public money will buy.

New Haven Trustee Richard Joyce Smith has been emphatic in his endorsement of Penn-Central operation. He says those who believe New England remains a separate region with regional interests are wrong; that New England's future belongs as part of the massive northeast rail network of the Penn-Central.

Inclusion in Penn-Central, he says, could make the difference between $5 million profit and $5 million loss for New Haven operations.

But Stuart T. Saunders, chairman of the Pennsy, has been reluctant to offer details of the service New England could expect. For more than 6 weeks he has declined an interview by the Hartford Times until negotiations with the States can be completed.

Mr. Saunders told the Times today he just can't go into details on proposed service.

His vice president for public relations, William Lashley, said in a telephone interview:

"We are negotiating * * * to find some reasonable basis on which we could include the essential passenger services. We do expect that we can make the New Haven's freight services a very viable part of the planned system.

"I expect that there would be some revision of the services, of course."

PRIVATE ENTERPRISE

The final suggestion is for a private group to outbid the Penn-Central. It is late in the game; but perhaps not too late. Even if New Haven trustees follow through with their plans to ask ICC permission to abandon all passenger service, approval could not come before December. ICC approval of the Penn-Central merger, and with it the terms of New Haven acquisition, will come even later.

Meanwhile, there is time for private businessmen to begin a serious discussion of pooling interests to buy the railroad.

The history of American railroading is studded with lines which went broke—or were squeezed broke—and then became part of immensely profitable rail empires.

With the future need for mass transit increasingly evident, and with growing evidence that rails can make money, chances that the Penn-Central purchase will go unchallenged appear slim.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

The ACTING PRESIDENT pro tempore. Under the previous unanimous-consent agreement, the Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. A bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. TYDINGS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. TYDINGS. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Mr. TYDINGS. Mr. President, S. 1666 is the result of the recommendations of the judicial conference of the United States at its session in March, when it recommended the creation of 42 additional judgeship positions in the U.S. courts of appeals and in the U.S. district courts. These recommendations include seven judgeships for the courts of appeals, four of which would be on a temporary basis. Recommendations for district judgeships totaled 35, including 6 on a temporary basis. These recommendations are embodied in S. 1666, 89th Congress, introduced by the late Senator Olin Johnston on April 1.

The basis for the recommendations of the conference was a systematic and comprehensive statistical study and review of the judicial business of the circuit and district courts undertaken by two separate conference committees with the assistance of the Administrative Office of the U.S. Courts. The study was made in the light of the policy adopted by the conference in September 1964 of making a comprehensive report to the Congress approximately every 4 years on the need for additional judgeships. The recommended positions are considered by the conference to be for current need.

There have been no additional judgeships created by the Congress since the Omnibus Judgeship Act of May 19, 1961, authorizing 10 additional circuit judgeships and 63 additional district judgeships. The number of district judgeship positions has actually decreased by two in the last 4 years due to the expiration of two judgeship positions in the State of Ohio that were provided on a temporary basis.

Overall the caseload in the U.S. courts of appeals has increased more than 50 percent in the last 4 years, rising from a total of 3,899 in the fiscal year 1960 to 6,023 in the fiscal year 1964. The district courts have experienced an increase of 13 percent in civil cases filed since 1960. Overall they have risen from 59,284 to 66,930. The caseload of criminal cases has remained about the same.

The original judicial conference report provided for one additional judgeship for the Court of Appeals for the Fourth Circuit, four additional temporary judgeships for the Fifth Circuit, one additional judgeship for the Sixth Circuit, and one additional judgeship for the Seventh Circuit.

Insofar as the district courts were concerned, the report provided for one additional judgeship for the Middle and Southern Districts of Alabama; one temporary judgeship for Alaska; one additional judgeship for the District of Arizona. It also provided for the creation of two new districts in California, the Eastern and Central Districts, and for the creation of four new district judgeships in California.

The report also provides in the State of Florida for one additional judge for the Northern District, one additional judge for the Middle District, and two additional judges for the Southern District.

It provides for one additional judgeship for the Southern District of Georgia; one additional judge for the Northern District of Illinois; one for the Southern District of Indiana; one temporary judge for the District of Kansas; four judges for the Eastern District of Louisiana; one for the District of Maryland; one for the Northern District of Mississippi; one for the Western District of New York; one for the Northern District of Ohio; one for the Southern District of Ohio; three temporary judgeships for the Eastern District of Pennsylvania; one for the District of Rhode Island; two for the Southern District of Texas; one for the Western District of Texas; one for the District of Vermont; two for the Eastern District of Virginia; and one temporary judgeship for the Eastern District of Wisconsin.

The Judiciary Committee deleted four temporary judgeships—three for the Eastern District of Pennsylvania at the request of the Senator from Pennsylvania [Mr. SCOTT], and one in the District of Alaska, at my request, since the committee favorably reported on H.R. 5283, which will be taken up immediately after S. 1666, which eliminates the need for an additional temporary judge in Alaska.

The committee also deleted one permanent judge for the Southern District of Georgia at the request of the two Senators from Georgia, and added one judge for the Southern District of Mississippi.

Mr. LAUSCHE. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to know to what degree the present provisions of the bill conform to the recommendations made by the Judicial Council?

Mr. TYDINGS. As I stated a moment ago, the present terms of the bill are identical with the recommendations of the Judicial Conference, with the exception of the three judgeships in the Eastern District of Pennsylvania, which were removed at the request of the Senator from Pennsylvania [Mr. SCOTT]; the one temporary judgeship from Alaska, which was removed at my request, and at the request of the Judicial Conference, because we knew at the same time that H.R. 5283 would take care of the retirement provisions for the existing judge there and would eliminate the need for the new judge. We eliminated one district judge in the Southern District of Georgia at the request of the two Senators from Georgia, and added one district judge for the Southern District of Mississippi, at my request and by action of the committee.

Aside from the judges which I have just enumerated, the bill before us is identical with the bill recommended by the Judicial Conference.

Mr. LAUSCHE. Will the Senator from Maryland state what the procedure is with reference to the Judicial Council and the Administrative Office of the U.S. Supreme Court in analyzing and finally making its recommendations as to what the needs are?

Mr. TYDINGS. I shall be happy to do so.

There are two committees of the Judicial Conference primarily concerned with the preparation of statistics and the recommendations for additional judges. One is the Committee on Judicial Statistics, headed by the Chief Judge of the eighth circuit, Judge Harvey Johnson, and the other is the Committee on Judicial Administration, headed by Chief Judge John Biggs, of the third circuit.

These two committees, but basically the Committee on Judicial Statistics, made six surveys at various times, studying the caseloads of different judges over a period of time, as to the average time taken by each particular type of case. They came forth with what is known as the "weighted caseload." For example, a patent case would take more time on the average than Dyer Act cases or negotiable instrument cases. According to the results of these studies and the work of the Administrative Office of the Courts, headed by Mr. Warren Olney, the Judicial Conference has been able to take into account the relative difficulty and the resulting time required by a court for this disposition of various types of civil and criminal litigation.

In addition, they considered other factors such as the number of cases pending, the number of days in court, the cases terminated per judge, and the time interval from issue to the trial of the case.

Upon its analysis of these factors, the Judicial Conference was able to make the recommendations and the determinations which resulted in the bill which is before the Senate today.

Mr. LAUSCHE. Has a target been set in the district courts as to what would be considered a reasonable time to elapse between the day on which the issues were made up on the trials had?

Mr. TYDINGS. They have not made any recommendation as to what should be the time. They have found a median time interval, but they have not said what the ideal time should be.

Mr. LAUSCHE. My understanding is that three new judges will be appointed in Ohio, one in the northern district, one in the southern district, and one judge of the Circuit Court of Appeals.

Mr. TYDINGS. The Senator is essentially correct.

Mr. LAUSCHE. These three judgeships are recommended by the Judicial Conference. Is that correct?

Mr. TYDINGS. The Senator is correct.

I ask unanimous consent that all committee amendments be agreed to en bloc, with the exception of the amendment appearing at page 8, line 10, which is the amendment deleting the provision for 3 additional temporary judges for the eastern district of Pennsylvania, and that the bill, as so amended, be treated as original text for the purpose of further amendment.

Mr. SCOTT. Mr. President, I wish to be certain that the Senator is reserving the amendment pertaining to Pennsylvania, so that there may be some discussion of it.

Mr. TYDINGS. Yes.

The PRESIDING OFFICER. Is there objection? The chair hears none, and the committee amendments, with the exception of the one appearing at page 8, line 10, through line 4 on page 9, are agreed to en bloc.

Mr. CLARK. I hope very much that the Senator in charge of the bill, the able Senator from Maryland, will be willing to withdraw the amendment dealing with the three temporary judges for the eastern district of Pennsylvania.

There have been some discussions of this subject. With the Senator's permission, I should like to read into the RECORD the recommendation of the Judicial Conference with respect to the eastern district of Pennsylvania:

EASTERN DISTRICT OF PENNSYLVANIA

This district which has had a serious backlog of civil cases for some years continues to face an ever increasing pending caseload. Except for one other court, eastern district of Louisiana, this district had the highest number of pending cases per judge. The overall increase in pending civil cases for the last 5 years has been 36 percent. The major areas of increase occurred in private contract and marine personal injury suits. To reduce this sizable backlog the Judicial Conference recommends the creation of 3 temporary judgeships to assist the 11 judgeships in this district.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point in my remarks a telegram and a letter which I have received from Marvin Comisky, chancellor of the Philadelphia Bar Association, urging the restoration of these three judgeships.

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

PHILADELPHIA, PA.,
June 10, 1965.

Senator JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.:

The board of governors of the Philadelphia Bar Association in executive session have requested on behalf of the association that I urge you to request three additional judgeships for the District Court for the Eastern District of Pennsylvania. Additional judges will be in the best interests of the citizens of Pennsylvania.

Letter follows.

MARVIN COMISKY,
Chancellor,
Philadelphia Bar Association.

PHILADELPHIA BAR ASSOCIATION,
Philadelphia, Pa., June 10, 1965.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CLARK: The board of governors of the Philadelphia Bar Association, in executive session, have resolved on behalf of the association that I write you, urging that there be an amendment in the proposed legislation for additional judges for the district courts of the United States, which would authorize the creation of three additional temporary Federal judgeships for the District Court for the Eastern District of Pennsylvania. With all the seriousness and conviction we can muster, we state that the additional judgeships are vital for the public and for the effective administration of civil and criminal law.

We are concerned, not with statistics, not simply with time intervals between the start and end of litigation, but we are concerned with citizens. Moreover, we are faced with a growing determination by responsible members of our business and professional community to work for all possible alternatives to litigation. This must be overcome.

It is a verity that justice delayed is justice denied. Despite the valiant efforts of all the hardworking, consicentious, and highly regarded judges of the U.S. District Court for this district and the very effective administration of this court by Chief Judge Thomas J. Clary, the increasing volume of litigation has continued to lengthen the time interval between the date of filing and the date of trial. The only permanent solution to court congestion is additional judicial manpower.

One of the most significant activities during 1964 of the Joint Committee for the Effective Administration of Justice, of which the presiding chairman is Justice Tom C. Clark, of the U.S. Supreme Court, was the convening of a national conference on metropolitan courts in Philadelphia at historic Congress Hall in Independence Square. A finding in that report of significance is: "* * * The creation of additional judgeships is the only satisfactory permanent solution to the need which many metropolitan courts now have for additional manpower."

Our own independent analysis of the solution for court congestion confirms that finding. Based upon that determination, the Philadelphia Bar Association played an active role this year in obtaining State legislative approval for 10 new judges in the courts of common pleas and county court of Philadelphia and in convincing the Governor of Pennsylvania of the need for this legislation. The appointments to these 10 additional judgeships are now being considered by the Governor of Pennsylvania, the Honorable William W. Scranton.

We regard as equally important the addition of new judges to the District Court of the United States for the Eastern District of Pennsylvania. There is a demonstrated need for this additional judicial manpower. We urge you to support an amendment to the omnibus judgeship bill, to include these additional temporary judgeships for the district court sitting in Philadelphia.

The Philadelphia Bar Association stands ready to render any assistance which may be requested to accomplish this vital, immediately needed objective.

Respectfully,

MARVIN COMISKY,
Chancellor.

Mr. CLARK. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point a letter I have received from Honorable Thomas J. Clary, chief judge of the U.S. District Court for the Eastern District of Pennsylvania, under date of June 7, 1965, entitled "Need for Additional Judges"; and a letter which I have received from Hon. John Biggs, Jr., Chief Judge of the U.S. Court of Appeals for the Third District.

These judges urge that the temporary judgeships be approved by the Senate.

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

U.S. DISTRICT COURT,
EASTERN DISTRICT OF PENNSYLVANIA,
Philadelphia, Pa., June 7, 1965.

The Honorable JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CLARK: I read, in yesterday's Philadelphia Inquirer, Jerome S. Cahill's story about three additional Federal district judgeships at Philadelphia proposed in the omnibus bill.

This matter has had the serious consideration of our court over a long period of time and at our regular meeting of November 10, 1964, it was unanimously agreed by all 10 active judges, with 2 senior judges also present and concurring, that we should request the Chief Judge of the U.S. Court of Appeals for the Third Circuit to present a recommendation to the Judicial Conference of the United States for 5 additional judgeships in this district or for a total of 16 authorized active judges.

We had a survey of the entire court operation made during the past year by the Administrative Office and we find that we are doing everything possible to process the cases entrusted to us and that we are falling behind solely because of (a) lack of judge power and (b) courtrooms.

A very close analysis of our request was made by the Judicial Conference of the United States and the recommendation, of course, was not for our requested number but for three additional temporary judgeships. The need for this is completely evident when if the cases were assigned on an individual basis each judge would be responsible for over 630 individual cases, our backlog now exceeding 6,300 cases. We feel that the following factors support our position:

A. Table C 6a, appearing in the 1964 Annual Report of the Director of the Administrative Office of the U.S. Courts and showing civil cases pending on June 30, 1964, by district and length of time pending (excluding land condemnation cases), discloses that 3,194 cases had been pending in our court for more than 1 year, whereas the only other district where more such cases than this had been pending was the southern district of New York, which had 6,003 such cases, even though that court has more than twice as many judges.

B. At page 31 of the above-mentioned 1964 annual report, it is pointed out that the pending civil caseload in this district increased by 570 cases during the year ended June 30, 1964, whereas the increase of such cases in other districts did not exceed 242 such cases.

C. Table C 5 (pp. 209–213) of the 1963 Annual Report of the Director of the Administrative Office of the U.S. Courts shows that the median time interval in months from filing to disposition in civil cases terminated during the fiscal year ended June 30, 1963, in our court was 21 months, which is a greater number of months than was applicable to any other multiple-judge district court. This table is not yet available for the fiscal year ended June 30, 1964, but we feel sure that our median will be even greater when the figures for that year have been compiled, in view of the statistic mentioned in paragraph B above.

D. During the past 5 years, Judges Allan K. Grim, John W. Lord, Jr., and Harold K. Wood have suffered serious heart illnesses due to the heavy burden of judicial work. Judge Thomas C. Egan also suffered a fatal heart attack, which we all believe was definitely caused by overwork.

I am sending a copy of this letter to Senator SCOTT so that he may be apprised of the unanimous position taken by this court.

With kindest personal regards,

Sincerely,

THOMAS J. CLARY.

U.S. COURT OF APPEALS
FOR THE THIRD CIRCUIT,
Philadelphia, Pa., June 8, 1965.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: I was informed yesterday afternoon, and read in the Philadelphia Inquirer this morning, that the proposed three additional temporary judgeships for the U.S. District Court for the Eastern District of Pennsylvania had been stricken from the omnibus judgeship bill when it was reported out by the full Judiciary Committee of the Senate.

In my opinion this omission will effect a most unfortunate result. The U.S. District Court for the Eastern District of Pennsylvania is well behind on its docket. The original recommendation made by the judges of that court to the Judicial Council of the Third Circuit was for five additional judgeships. The Judicial Council of the Third Circuit after reviewing the statistical background approved this recommendation. After very careful consideration by the Committee on Judicial Statistics of the Judicial Conference of the United States and further careful consideration by the Committee on Court Administration of the Judicial Conference of the United States, of which latter committee I am the chairman, the original recommendation was cut to three temporary judgeships.

The Judicial Conference of the United States, which you are aware is the top policy body of the Federal courts, approved the recommendations of the Committee on Judicial Statistics and the Committee on Court Administration in respect to the three temporary judgeships for the eastern district of Pennsylvania and the omnibus bill as originally proposed contained these proposed judgeships.

It appears from the 1964 Annual Report of the Director of the Administrative Office of the U.S. Courts that 3,194 cases had been pending in that court for more than 1 year, whereas the only other district which has more such cases pending is the southern district of New York which, while it had pending 6,003 cases of the kind indicated, nonetheless has two times more judges than the eastern district of Pennsylvania.

It is a fact that the eastern district of Pennsylvania has been plagued by both illnesses of judges and by prolonged vacancies and it should be observed, as is shown by the 1963 Annual Report of the Director of the Administrative Office of the U.S. Courts, that the median time interval in months in civil cases terminated during the fiscal year ended June 30, 1963, was 21 months, which is a greater number of months than that consumed by any other multiple-judge court in the United States. I believe that the median figure for the year ended June 30, 1964, will show an even greater increase.

Judge Allan K. Grim, Judge John W. Lord, Jr., and Judge Harold K. Wood have suffered serious heart attacks and other judges have been incapacitated, due to what I deem to be a very heavy burden of judical work.

I believe that if the U.S. District Court for the Eastern District of Pennsylvania could avail itself of the recommended additional judgeships and employ the courtrooms which will be presently available to the total number of 11, within a reasonable time the court could make a substantial showing toward cutting down its backlog and could, before long, eliminate most of its arrears.

I have not had time to canvass all the judges of the court of appeals in active commission comprising the judicial council of this circuit but I am sure that I represent their views in writing you this letter.

It is an often repeated, but nonetheless true, adage that justice delayed is justice denied and there is no question in my mind that the public interest will suffer unless the judgepower of the U.S. District Court for the Eastern District of Pennsylvania is increased as recomended.

I am mailing a copy of this letter to Senator HUGH SCOTT so that he may be informed of its content.

With my high regards, I am,

Very sincerely yours,

JOHN BIGGS, JR.,
Chief Judge.

Mr. CLARK. Mr. President, I hope very much that in the light of this testimony the Senator from Maryland will be willing to have the committee amendment withdrawn, thus reinstating the recommendations of the Judicial Conference.

The ACTING PRESIDENT pro tempore. The committee amendment not agreed to will be stated.

The LEGISLATIVE CLERK. On page 8, beginning at line 10, it is proposed to strike out:

(c) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the eastern district of Pennsylvania. The first three vacancies occurring in the office of district judge in said district shall not be filled.

Mr. SCOTT. Mr. President, the provision for adding three temporary judges to the eastern district of Pennsylvania was opposed by me in the Committee on the Judiciary for very good and sufficient and well-warranted reasons.

In the first place, I am glad to note that these judgeships are temporary in nature. The normal history of temporary appointments is that we later receive, in the Judiciary Committee, a request that they be made permanent.

If I had to act on that question at this time I would certainly oppose any such judgeships being made permanent. The workload in the future might cause me to change my mind.

My reasons for moving to strike these judgeships, as the committee did, were that, first of all, no hearings had been held on the bill. Second, the minority members of the committee, so far as I am aware, were not advised that the bill would come up until it appeared on our formal notice, served on us the day before. I, as a minority member, was not advised.

That notice, in turn, did not mention any additional judges in Pennsylvania.

Also, there had been no information furnished me by the judges of the District Court of the Eastern District of Pennsylvania, or by the bar association or its chairman or anyone else, indicating the necessity for the three additional judges. I was expected to approve a recommendation which would cost about $150,000 and upward a year for the salaries of these three judges and for various additional court employees.

I was faced also with the problem that our present courthouse does not have sufficient accommodations for additional courtrooms. There has been much delay in the matter of erecting a new courthouse.

Therefore, I did not feel that I was called upon, on the basis of receiving no information whatever, or the courtesy of any advice from any person, to agree that the workload would justify the appointment of these judges.

I also felt that the Judicial Conference owed a responsibility, and, in my judgment, an obligation, to advise the Senators from Pennsylvania of their recommendation in ample time for the Senators to inform themselves of the need for these additional judges.

I have since been advised by the judges of the eastern district that they had known since March of the intention of the Judicial Conference to make these recommendations. I asked why I was not advised, and I was told that they had been put under a seal of confidence by the Judicial Conference; in other words, the Senate, which is expected to act upon judgeships, and the Senators from the Commonwealth of Pennsylvania involved who are expected to act upon the information, were carefully excluded, or at least the junior Senator from Pennsylvania was carefully excluded, from receiving that information. I objected to the secretive nature of the action.

I do not object to the members of the Judicial Conference themselves. I have the highest regard for Judge Biggs, who has been a remarkably fine judge, and is a personal friend of mine.

I again serve notice that if the Judicial Conference attempts to put members of the bench of the Federal courts in the Commonwealth of Pennsylvania under a seal of confidence, so that they cannot advise us of what they have said and what the Judicial Conference has indicated it will do in the matter of judgeships, I shall in the future, as I did in this case, oppose the addition of any judges to the Federal bench from the Commonwealth of Pennsylvania.

This is not a way for the Judicial Conference to act. It has our respect, and we rely upon it. We cannot rely upon it

fully unless it deals with us on the same basis of confidence with which they deal with the judges in the courts affected.

When I made some of these statements following the meeting of the Committee on the Judiciary, I received letters from various individuals in the Philadelphia area, but the letters were addressed to the senior Senator from Pennsylvania, with a carbon copy being sent to me.

I did not reply to these letters because I expect to have mail intended for my information to be addressed to me. This may seem small and minute, but I believe every Member of the Senate prefers to be addressed directly as a Senator by those who write to him.

I again serve notice that any attempt to furnish information to me by carbon copy will not be attended to by this Senator from Pennsylvania.

Having learned of my opinion, various members of the bench in Pennsylvania began to send original letters speaking in terms of the proper administration of justice. I agree with them. Many of the judges were appointed after long, active and worthwhile careers in political life. I am glad that they have discarded their recollections of the past and are interested purely in justice.

Because of that fine attitude—and I commend them—I advised them that I, too, was interested in justice, and particularly interested in the bipartisan administration of the courts of this land.

I had some correspondence with the distinguished chairman of the Philadelphia Bar Association, Mr. Marvin Comisky, an able and distinguished lawyer. I asked him whether the workload justified additional judges. He advised me that in his opinion it did. So did judges now serving on that bench. I addressed to the chancellor of the Philadelphia Bar Association a letter in which I asked him to answer certain questions.

I ask unanimous consent to have printed at the conclusion of my remarks my letter to the chancellor of the bar association and his reply to me.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. SCOTT. In my letter I ask the chancellor eight questions. I concluded by saying:

As a member of the Judiciary Committee of the U.S. Senate, I am full well aware of the importance of judgeships to the proper functioning of our democratic society. This is why I wish to give the same time and mature thought to judgeships as I try to give to all important problems which come before me.

The chancellor was good enough to reply in detail. He said:

As chancellor, I make the following answers:

1. Question: That a Senator should approve additional judges with no information from the Department of Justice on the need for these judges?

Answer: No. However, there is a real need for additional judges, and we hope the relevant statistics, some of which were contained in my letter—

Referring to an earlier letter—

will now be presented for your review and analysis.

2. Question: That a bill of this importance should be decided without holding hearings and within 30 minutes?

Answer: No. Again this is a matter for mature and serious consideration.

3. Question: That judgeships should be made so political that only one party is awarded these positions?

Answer: The Philadelphia Bar Association has for years supported the "sitting judge principle," which is not political and is based upon bipartisan support for qualified jurists whether they were elected as Democrats or Republicans or whether they were elevated to the bench by Republican or Democratic governors. We are concerned with qualified judges, not with party affiliations which are the responsibility of the appointing authority.

4. Question: That 14 judgships since January 20, 1961, in Pennsylvania should have gone to just one political party?

The number is 14. A present vacancy exists, and the addition of 3 judges would raise the number to 18 should the same conditions endure in addition to reporting posible vacancies in the near future in the circuit court of appeals.

The other questions explain themselves.

7. Question: That Governor Scranton is correct when he appoints outstanding State judges chosen from both political parties.

Answer: Yes.

I might add that certain recent designations by our Governor were made equally, or were announced as intended to be made equally, 5 to 1, one lawyer from one political party and five from another.

Mr. President, since with some difficulty I have received the information that the workload justifies additional judges, I shall not ask for the yeas and nays. I shall not further delay the progress of the bill. But I believe I should serve notice that many in government as well as outside have agreed with the position I have taken. One Member of this body, not a Senator from Pennsylvania, formerly associated with the Governor, said some years ago that there should be several judges appointed by the Justice Department of the Republican faith in the Commonwealth of Pennsylvania.

Comment has been made in my Commonwealth that my position is partisan. I find no fault with that statement, because the editorial goes on to say that "Senator SCOTT has a case, and he has made out his case." What he is asking is that there be some bipartisanship. To that extent, I have made a partisan statement. The major partisanship, in my judgment, occurs when one party assumes the position that it can find no lawyers in our Commonwealth of the Republican faith to designate as members of the judiciary.

Therefore, I sincerely hope that after the bill passes, no appointments will be recommended by the Department of Justice without equal consultation with the senior Senator from Pennsylvania and the junior Senator from Pennsylvania. The junior Senator from Pennsylvania is a member of the Committee on the Judiciary, and he will feel very much hurt indeed if he is not supplied with such information as is necessary for him to make a proper judgment as to the qualifications of members to be appointed to the bench from Pennsylvania; and since the chancellor of the bar association has suggested that the junior Senator from Pennsylvania use mature thought and perhaps due deliberative speed, the junior Senator from Pennsylvania desires to be extremely careful and would want to consume whatever time might be necessary to consider how best we should staff with well qualified lawyers the Federal courts of Pennsylvania. I am sure that no Senator would disagree with my view that maturity of thought is a responsibility of a Senator.

I conclude my statement with these friendly remarks.

EXHIBIT 1

JUNE 10, 1965.

MARVIN COMISKY, ESQ.,
Chancellor, Philadelphia Bar Association, Suburban Station Building, Philadelphia, Pa.:

Am in receipt of your telegram urging additional judgeships for the District Court for the Eastern District of Pennsylvania. Respectfully request your opinion on following points:

As chancellor, do you feel:

1. That a Senator should approve additional judges with no information from the Department of Justice on the need for these judges?

2. That a bill of this importance should be decided without holding hearings and within 30 minutes?

3. That judgeships should be made so political that only one party is awarded these positions?

4. That 14 judgeships since January 20, 1961, in Pennsylvania should have gone to just one political party?

5. That justice is best served when judges, learned in the law, are chosen from both political parties?

6. That President Eisenhower was right during his tenure in office when he appointed distinguished Federal judges from both political parties?

7. That Governor Scranton is correct when he appoints outstanding State judges chosen from both political parties?

8. That appointments so vital to the citizens of Pennsylvania as judgeships (as you correctly stated in your telegram) should be thrust in front of a Senator for a decision within 30 minutes, but with no advance notice whatsoever of the bill itself?

As a member of the Judiciary Committee of the U.S. Senate, I am full well aware of the importance of judgeships to the proper functioning of our democratic society. This is why I wish to give the same time and mature thought to judgeships as I try to give to all important problems which come before me.

HUGH SCOTT,
U.S. Senator.

PHILADELPHIA BAR ASSOCIATION,
Philadelphia, Pa., June 17, 1965.

Hon. HUGH D. SCOTT, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SCOTT: We respectfully reply seriatim to your telegram. Perhaps one or more of your questions may have been largely answered by my letter to you dated June 10, which I know you did not receive until after your telegram was sent to me.

As chancellor, I make the following answers:

1. Question: That a Senator should approve additional judges with no information from the Department of Justice on the need for these judges?

Answer: No. However, there is a real need for additional judges and we hope the relevant statistics, some of which were contained in my letter, will now be presented for your review and analysis.

2. Question: That a bill of this importance should be decided without holding hearings and within 30 minutes?

Answer: No. Again, this is a matter for mature and serious consideration.

3. Question: That judgeships should be made so political that only one party is awarded these positions?

Answer: The Philadelphia Bar Association has for years supported the "sitting judge principle," which is nonpolitical and is based upon bipartisan support for qualified jurists whether they were elected as Democrats or Republicans or whether they were elevated to the bench by Republican or Democratic governors. We are concerned with qualified judges, not with party affiliations which are the responsibility of the appointing authority.

4. Question: That 14 judgeships since January 20, 1961, in Pennsylvania should have gone to just 1 political party?

Answer: We respectfully submit that the answer to question 3 is equally applicable here.

5. Question: That justice is best served when judges, learned in the law, are chosen from both political parties?

Answer: The Philadelphia Bar Association's sole interest is in the effective and proper administration of civil and criminal justice. In screening candidates for judicial appointment, the association's judiciary committee takes into consideration only those factors bearing on judicial qualifications. I know there are qualified applicants in each of the political parties for almost all judicial vacancies.

6. Question: That President Eisenhower was right during his tenure in office when he appointed distinguished Federal judges from both political parties?

Answer: The Philadelphia Bar Association took no official position then nor should it now. The decision of President Eisenhower did receive the acclaim of the American Bar Association and, I believe, at that time Bernard G. Segal, a former chancellor of the Philadelphia Bar Association, was chairman of the American Bar Association's Standing Committee on the Federal Judiciary.

7. Question: That Governor Scranton is correct when he appoints outstanding State judges chosen from both political parties?

Answer: Yes.

8. Question: That appointments so vital to the citizens of Pennsylvania as judgeships (as you correctly stated in your telegram) should be thrust in front of a Senator, for a decision within 30 minutes, with no advance notice whatsoever on the bill itself?

Answer: We respectfully submit that the answer to questions 1 and 2 are equally applicable here.

In conclusion, may I restate that in my opinion based upon the experience of the bar as well as the available statistics, there is real need for the additional judgeships. We earnestly invite your reconsideration and hopefully your approval.

Respectfully,

MARVIN COMISKEY,
Chancellor.

Mr. TYDINGS. I thank the Senator from Pennsylvania. I am delighted to accept the suggestion of the senior Senator from Pennsylvania, which in effect would restore the three temporary judgeships for the eastern district of Pennsylvania, judgeships which were originally recommended by the Judicial Conference.

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

Mr. TYDINGS. I yield.

Mr. CLARK. As a procedural matter and as a parliamentary inquiry, I should like to ask whether it would not be proper procedure for the committee amendment to be withdrawn.

The ACTING PRESIDENT pro tempore. Unanimous consent would be required to withdraw the amendment.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the committee amendment beginning on page 8, line 10, to page 9, line 4, be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. SCOTT. Mr. President, reserving the right to object—and I shall not object—I wish to have the RECORD show at this point in the proceedings of the Senate that I could have objected.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is withdrawn. The bill is open to further amendment.

Mr. TYDINGS. Mr. President, I offer amendments which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendments of the Senator from Maryland will be stated.

The LEGISLATIVE CLERK. On page 1, lines 4 and 5, it is proposed to strike out "one additional circuit judge for the fourth circuit" and insert in lieu thereof "two additional circuit judges for the fourth circuit."

On page 1, lines 5 and 6, it is proposed to strike out "one additional circuit judge for the sixth circuit" and insert in lieu thereof "two additional circuit judges for the sixth circuit."

On page 1, line 6, it is proposed to strike out "and".

On page 1, line 7, before the period it is proposed to insert a comma and the following: "and one additional circuit judge for the eighth circuit".

On page 2, it is proposed to strike out the table between lines 2 and 3 and insert in lieu thereof the following:

Circuits	*Number of judges*
* * * * *	
4th	7
* * * * *	
6th	8
7th	8
8th	8
* * * * *	

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments of the Senator from Maryland.

Mr. TYDINGS. Mr. President, the original report of the Judicial Conference on Senate bill 1666, which was adopted by the committee, provided for one new judge for the Court of Appeals for the Fourth Circuit, one new judge for the Court of Appeals for the Sixth Circuit, and one new judge for the Court of Appeals for the Seventh Circuit. A study and analysis of the caseload and the workload and the pending cases in the fourth and sixth circuits, as well as in the eighth circuit, for which no recommendation was made in the original report, indicate that the fourth, sixth, and eighth circuits should have, in order properly to handle their caseload, one additional judge over and above the number specified by the committee in Senate bill 1666.

The fourth circuit had the highest percentage of increase in number of cases of any circuit in the United States between 1960 and 1964. There has been a 108.5-percent increase in the number of cases pending in that circuit in the past 4 years.

The sixth circuit has the second highest rate of increase of pending cases in the United States from 1960 to 1964—82.3 percent.

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

Mr. TYDINGS. I yield.

Mr. BASS. I express personal appreciation to the Senator from Maryland and the members of the Committee on the Judiciary for providing an additional judge for the sixth circuit, which considers cases in Tennessee. My senior colleague [Mr. GORE] has been discussing the situation with members of the committee in order to accomplish this result. We believe that an additional judge is vitally necessary to handle the heavy caseload of the sixth circuit. We appreciate the action of the committee.

Mr. TYDINGS. I thank the Senator from Tennessee.

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

Mr. TYDINGS. I yield.

Mr. COOPER. May I ask if the additional judgeships which the Senator is proposing in the amendment were recommended by the Judicial Conference?

Mr. TYDINGS. They were not. They are recommendations I have made as a result of a study of the situation existing in these three circuits. The number is above the number recommended by the Judicial Conference.

Mr. COOPER. Two Federal judgeships would be provided by the amendment for the sixth circuit.

Mr. TYDINGS. Yes.

Mr. COOPER. My State is in the sixth circuit and I know additional judgeships are needed. As the committee accepted the recommendation of the Judicial Conference I believe that we should stand by the Judicial Conference recommendations. Although two additional judges may be needed in that circuit—I do not know—the Judicial Conference recommended only one. Other judgeships would be created by this amendment. I feel that the recommendations of the Judicial Conference and the committee deserve respect. I do not believe it proper procedure to create judgeships on the floor of the Senate. This could be subject to great abuse. For that reason, I shall have to vote against the amendments.

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

Mr. TYDINGS. I yield.

Mr. HART. When the bill was discussed in committee, I suggested that there was a basis for appointing an additional judge for the sixth circuit. I am

delighted that the Senator in charge of the bill, after an analysis, makes the recommendation of an additional judge for the sixth circuit. I feel that that would be desirable.

Mr. President, I ask unanimous consent to have printed in the RECORD a resolution by the Judicial Council of the Sixth Circuit and a resolution by the members of the bar who were members of the 26th Annual Conference of the Sixth Circuit. The resolutions demonstrate vividly the necessity for a second judge.

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

RESOLUTION OF JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

Whereas the caseload in the U.S. Court of Appeals for the Sixth Circuit is increasing substantially from year to year. A total of 561 appeals were docketed during the fiscal year 1964, an increase of 147 appeals and 36 percent over 1963; and

Whereas the docketing of cases for the first 5 months of the fiscal year 1965, beginning July 1, 1964, shows a substantial increase over the corresponding months of 1964 and 1963. If this volume continues for the balance of the current fiscal year, there will be a total of 700 or more appeals docketed during the 1965 fiscal year, approximately double the number docketed in 1960. The number of appeals docketed per month during 1953, 1954, 1955, 1963, 1964, and the first 5 months of the fiscal year 1965 are as follows:

	1965	1964	1963	1955	1954	1953
July	55	40	27	24	24	19
August	55	59	46	24	25	24
September	73	26	33	22	36	18
October	43	43	31	20	32	33
November	43	37	32	16	14	24
December	------	49	30	27	24	18
January	------	53	34	25	27	16
February	------	45	29	18	16	34
March	------	57	32	46	32	31
April	------	50	41	24	29	41
May	------	57	37	38	19	23
June	------	45	38	34	28	23
Total	269	561	410	318	306	304

Whereas the omnibus bill of 1961 added six new permanent district judgeships and two new temporary judgeships in the sixth circuit, an increase of approximately one-third in the number of district judges in the court of appeals. In addition to the new district judges appointed under the omnibus bill, there have been several senior district judges in the sixth circuit who have carried a considerable workload. From 1939 to date there have been only six authorized circuit judges on the court of appeals for this circuit; and

Whereas the volume of cases per judgeship has more than doubled during the past 15 years, having increased from 40 in 1950 to 93 in 1964. The 93 cases per judgeship in 1964 compared to an average of 77 in all circuits and was exceeded only by the fifth circuit. The comparison with the other comparable circuits for the fiscal year 1964 is as follows:

Circuit	Number of authorized judges	Cases per judgeship
3d	8	57
6th	6	93
7th	7	66
8th	7	50
10th	6	70

The total number of cases filed, terminated, and pending in the sixth circuit and comparable circuits for the fiscal years 1960 through 1964 is as follows:

	Filed	Terminated	Pending
3d circuit:			
1960	296	294	144
1961	334	309	169
1962	437	352	254
1963	410	384	280
1964	457	473	275
6th circuit:			
1960	306	283	199
1961	340	324	215
1962	412	347	280
1963	411	378	313
1964	561	449	422
7th circuit:			
1960	329	298	140
1961	328	320	148
1962	394	333	209
1963	434	419	224
1964	464	446	242
8th circuit:			
1960	237	226	127
1961	246	243	130
1962	297	262	165
1963	290	269	186
1964	349	343	192
10th circuit:			
1960	234	222	135
1961	286	279	142
1962	288	275	155
1963	313	331	137
1964	418	325	230

Whereas the six circuit judges of the sixth circuit carried an extremely heavy workload during the fiscal year 1964. Four judges heard from 139 to 146 cases each. The chief judge of the court heard 115 cases, in spite of the fact that he was incapacitated for 3 months and was absent one term because of a heart attack. The sixth member of the court took his oath of office on December 20, 1963, and heard 89 cases between that date and June 30, 1964. The highest number of cases heard by any judge on comparable circuits was as follows: Third circuit, 108; seventh circuit, 112; eighth circuit, 94; tenth circuit, 114; and

Whereas in addition to the heavy workload carried by its six circuit judges, the Court of Appeals for the Sixth Circuit during the 1964 fiscal year used the services of the 1 senior judge of the circuit who is physically able to serve, and who heard 66 cases, 1 senior judge from another circuit, and 16 district judges. This practice of calling for assistance from district judges interferes with their regular work in disposing of their own congested dockets. For example, Judge John W. Peck, judge of the U.S. District Court for the Southern District of Ohio, who has a heavily congested docket of his own, heard 31 cases on the court of appeals during the fiscal year 1964; and

Whereas during the fiscal year 1964 the court disposed of 449 cases, more than any previous year of its history, and in addition handled 92 miscellaneous matters; yet it fell further behind in its caseload and had 442 cases pending as of June 30, 1964. The median time interval from the filing of the complete record to final disposition during the fiscal year 1964 was longer in the sixth circuit than an in any other circuit; and

Whereas in addition to their regular duties, the circuit judges of the sixth circuit served as members of statutory three-judge district courts in a substantial number of cases including reapportionment and other difficult actions; and

Whereas the Judicial Council for the Sixth Circuit heretofore has requested that provision be made by the Congress for one additional judge, or an increase from six to seven authorized circuit judges on the court. It is now apparent that seven judges will not be sufficient to carry the case load, and that two additional judges will be required: Now, therefore, be it

Resolved by the Judicial Council for the Sixth Circuit, That it is the considered judgment of this council that the number of authorized judges on the Court of Appeals for the Sixth Circuit should be increased from six to eight; and be it further

Resolved, That the chief judge of this circuit is authorized to furnish copies of this resolution to the Committees on Court Administration and Judicial Statistics of the Judicial Conference of the United States, and to the Director of the Administrative Office of the U.S. Court; and to take all appropriate steps to effectuate the addition of two circuit judges to the Court of Appeals for this Circuit.

RESOLUTION ADOPTED AT A MEETING OF MEMBERS OF THE BAR WHO ARE MEMBERS OF THE 26TH ANNUAL CONFERENCE, SIXTH JUDICIAL CIRCUIT OF THE UNITED STATES, HELD MAY 6, 7, AND 8, 1965, AT CINCINNATI, OHIO

Whereas this meeting of members of the bar who are members of this conference has reviewed and considered a six-page resolution adopted by the Judicial Council for the Sixth Circuit on December 3, 1964; such resolution concluding and resolving that it was the considered judgment of such council "that the number of authorized judges on the Court of Appeals for the Sixth Circuit should be increased from six to eight," and "that the chief judge of this circuit is authorized to furnish copies of this resolution to the Committees on Court Administration and Judicial Statistics of the Judicial Conference of the United States, and to the Director of the Administrative Office of the U.S. Courts; and to take all appropriate steps to effectuate the addition of two circuit judges to the court of appeals for this circuit"; and

Whereas the number of appeals docketed this year continues to exceed the number of appeals docketed in any prior year, and based upon the first 9 months of the current year, the number of appeals docketed this year will be double the number docketed 10 years ago; and

Whereas although the circuit judges of this circuit individually have heard substantially more cases than the judges of any other circuit, and although they also have enlisted such aid and assistance as circumstances have permitted, the number of cases pending continues to increase and such number is now substantially greater than in any comparable circuit; and

Whereas the median time interval from the filing of the complete record to final disposition also continues to increase and such time interval is now longer than in any other circuit; and

Whereas the constantly increasing number of pending appeals, and the progressively extended delay in the disposition of the same, invites and encourages the filing of questionable and trivial appeals solely for the purpose of delay, thus compounding the problems faced by the court of appeals; and

Whereas the effective and expeditious administration of justice in this circuit is substantially impaired and seriously jeopardized by the lack of an adequate number of judges on the court of appeals: Now, therefore, be it

Resolved, That it is the considered judgment of the members of the bar present at this 26th Annual Conference of the Sixth Judicial Circuit of the United States that the number of authorized judges on the Court of Appeals for the Sixth Circuit should be increased from six to not less than eight; and be it further

Resolved, That copies of this resolution be forwarded to the Committees on Court Administration and Judicial Statistics of the Judicial Conference of the United States, to the Director of the Administrative Office of the U.S. Courts, to the U.S. Senators and Members of the House of Representatives representing the four States comprising the sixth circuit, to the chairmen of the Judiciary Committees of the U.S. Senate and House of Representatives; and that each per-

son present at this meeting take all appropriate steps to effectuate the addition of at least two circuit judges to the court of appeals for this circuit.

Mr. TYDINGS. Mr. President, no new circuit judges were appointed for the sixth circuit in 1961. The median time involved in the sixth circuit from the hearing of a case to its conclusion is more than double the median time for the United States. The sixth circuit has the second highest rate of increase in caseload in the past 4 years—82.3 percent. The sixth circuit did not receive a new judge in 1961.

Mr. COOPER. I read about the caseload. What reason did the Judicial Conference ascribe for providing only one new judge?

Mr. TYDINGS. I believe the Judicial Conference recommended one for the same reason I am recommending two—that additional help is needed. I feel that two new judges are needed. The Judicial Conference report is a basis for recommendation, but I do not believe the Judicial Conference is infallible. For the reasons I have stated, I believe two additional judges are needed.

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

Mr. TYDINGS. I yield.

Mr. LAUSCHE. What has happened between June 9, when the bill was reported recomending that only one judge be appointed in the sixth circuit, and today, when it is suggested that there be two? Only 21 days have passed, and the judgment of the committee has changed. What indication is there now that two judges are needed that the committee did not have on June 9, when it recommended only one judge?

Mr. TYDINGS. At the time of the committee hearing, it was understood that a number of amendments would be offered by various Senators, including, as I recall, the Senator from Kentucky [Mr. COOPER] requesting Federal judges above the number encompassed in the Judicial Conference report. On principle, I opposed them all, with one exception, with the proviso that I would attempt to study any additional information and that if, in my judgment, I felt it was fair, I would offer on the floor of the Senate, at the time the bill was considered, an amendment to provide an additional judge where I felt the statistics and the facts supported such an addition. This is the exception.

Mr. LAUSCHE. It appears odd to me that the judgment has changed in 21 days. When the committee made its recommendations 21 days ago, it said that only one additional judge was needed in the sixth circuit. Today it is suggested that two are needed. I point out that Judge Cecil, of the sixth circuit, has tendered his resignation and will go on the retired list, with the statement accompanying his resignation that he will continue to serve in the capacity of a sixth circuit judge on the retirement list.

It is rather odd that I have not been consulted about this proposal. This morning I was asked whether there were to be two additional circuit judges in the sixth circuit. My answer was that I knew of no purpose of establishing two, but that I understood an amendment would be offered by a certain Senator.

I am in a rather difficult position, especially so since I had asked the Senator from Maryland earlier today whether the recommendation regarding sixth circuit judges conformed with the recommendation of the Judicial Conference.

Mr. TYDINGS. With respect to the district courts, it does.

Mr. LAUSCHE. The bill as reported conforms with the recommendation of the Judicial Conference as to circuit judges. I felt contented that I was not asking to have an additional judge nominated. I asked the question to demonstrate that the bill as reported was in accordance with the study made by the Judicial Conference. Now, instead of the conference report being followed, a proposal is submitted today for another judge.

I suppose I ought to support the amendment. I could recommend a new judge and gain prestige by the recommendation. If the Judicial Conference means anything, I believe that it has been constituted to study the caseload and to ascertain the time that elapses between the formation of the issues and the eventual disposition of the case. So the Judicial Conference ought to be accorded the trust that it was intended to have in the beginning.

I shall oppose the creation of another judgeship in the sixth circuit because the Judicial Conference committee and the Judicial Council have not recommended it.

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

Mr. TYDINGS. I yield.

Mr. MORSE. So far as the senior Senator from Oregon is concerned, neither the Judicial Conference nor the American Bar Association is going to legislate for him in the selection of judges for the Federal courts. It is one thing to have the Judicial Conference and the American Bar Association submit recommendations; but I do not propose to abdicate my responsibilities as a Senator and substitute for them the judgment of others.

Furthermore, on the basis of some of my past experience with both the Judicial Conference and the American Bar Association, we as Members of Congress had better keep them in a status of recommending, not legislating.

Mr. TYDINGS. I thank the Senator from Oregon.

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

Mr. TYDINGS. I yield.

Mr. BREWSTER. Mr. President, I congratulate my distinguished colleague for the very able manner in which the judgeship bill is being presented to the Senate.

I note with interest that additional judgeships are to be provided in the fourth circuit.

It is our obligation in Congress to provide the legal machinery by which litigants can have able and quick adjudication of their disputes. We are doing this now by virtue of the action of the Committee on the Judiciary and my very able colleague.

I commend the junior Senator from Maryland. On behalf of the people who reside in the State of Maryland, I thank the Senator.

Mr. TYDINGS. I thank the senior Senator from Maryland.

U.S. CONFERENCE OF MAYORS SUPPORT FEDERAL AID FOR IMPROVED LOCAL LAW ENFORCEMENT TRAINING

Mr. JAVITS. Mr. President, I ask unanimous consent that a resolution of the U.S. conference of mayors endorsing Federal support for improved police training, in line with S. 1409, which I introduced, along with Senators KUCHEL, CASE, FONG, and SCOTT be printed at this point in the RECORD. S. 1409, entitled the "State and Local Law Enforcement Assistance Act of 1965," would provide a Federal matching grant-in-aid program to assist in the improvement of training, education, and recruitment of local and State police officers. The Senator from Michigan [Mr. HART] has introduced a similar bill which is pending before the Judiciary Committee.

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

RESOLUTION ON LOCAL LAW ENFORCEMENT ASSISTANCE

Whereas our cities have increasingly been faced with a higher crime rate than rural areas; and

Whereas during the last decade 80 percent of the growth of our population has occurred in metropolitan areas; and

Whereas Census Bureau data reveals that 54 percent of the families with incomes of less than $3,000 and over three-fourths of the unrelated single individuals with similar incomes live in urban areas; and

Whereas progress has been made by local government in strengthening and in improving local law enforcement as evidenced by the increase in numbers of personnel, the growing number of local police training academies and the increasing number of hours devoted to both recent and inservice training; and

Whereas there is need for further expansion of police training and improvement in local law enforcement techniques; and

Whereas the experimentation, research and development as well as demonstration projects that are needed in this field is beyond the resources of most individual cities: Now, therefore, be it

Resolved, That the U.S. conference of mayors endorses Federal financial support for improved police training and increased efforts at developing citizen support for local law enforcement; and be it further

Resolved, That all local government be encouraged to expand their police-community relations programs as a basis for enlarging citizen understanding and cooperation with local law enforcement agencies.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

The Senate resumed the consideration of the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

Mr. TYDINGS. Mr. President, the eighth circuit had no additional judgeship created in 1961. The caseload has increased from 232 in 1953 to 349 in 1963.

In the 4 years since 1961, the caseload in the eighth circuit has increased by some 47.2 percent. The number of cases pending in the eighth circuit has increased from 116 in 1954 to 192 in 1964, a total of more than 70 percent.

I felt that an additional judgeship was desirable for the eighth circuit.

I yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I thank the distinguished Senator from Maryland.

His statement confirms something that I intended to suggest for the record. When the bill was enacted in 1961, I checked at that time, being a member of the Committee on the Judiciary, and ascertained that the judges on the eighth circuit felt that they did not need another judge. For that reason, I made no request at that time for the creation of an additional judgeship.

Subsequently, possibly 6 months ago, someone informed me that conditions have now changed and that they do need another judge on that circuit. I had forgotten this matter at the time this bill was being considered and when it was reported by the committee.

Later, I asked the distinguished Senator from Maryland to check out the information which I had supplied him to indicate that an additional judge was badly needed on that circuit. I am very glad that the Senator found my information to be correct and that the need for an additional judgeship does exist. Therefore I am pleased that an additional judge for that circuit has been included in his amendment.

I hope that the amendment will be agreed to. I have never sought a judgeship for a district court or a circuit court of appeals, unless there has been an absolute need for it.

When the bill came up in 1961, we foresaw a developing need for an additional district judge in Arkansas. I thought that it would probably be another 10 years before an omnibus judgeship bill would be before us again. I asked the committee to recommend an additional judgeship for Arkansas, contingent on the appointment being made when the need arose. That judge has not yet been appointed. However, he will be appointed soon because the need has now developed to the point where it is becoming acute.

Mr. TYDINGS. Mr. President, I yield to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I confirm what the Senator from Arkansas has said concerning the need of an additional judge for the eighth circuit.

It had come to my attention that the manner in which the eighth circuit keeps its statistics differs from the statistical method used in other circuits.

Habeas corpus cases and proceedings under section 2255 of the Criminal Code are not included in the formal docket in the eighth circuit. These cases are substantial in number and have increased in number over the last few years. They are handled, in the main, directly by the chief judge of that circuit. He feels that, by handling those cases in that fashion, a great deal of time, procedural entry, and paperwork is avoided.

I ask the chairman of the subcommittee whether, if the statistics on habeas corpus cases and proceedings under section 2255 were added to the cases on the docket, it would make a difference in the rating of the Judicial Conference as to the priority for an additional judgeship.

Mr. TYDINGS. I believe that is a very fine point. There is no question in my mind that, had those statistics been added, the Judicial Conference would have recommended an additional judgeship when they submitted their report for the eighth circuit. The point that the Senator from Nebraska has made is very cogent and important.

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

Mr. TYDINGS. I yield.

Mr. EASTLAND. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Does the Senator yield for that purpose?

Mr. TYDINGS. I yield for that purpose.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

SENATOR BREWSTER URGES SETTLEMENT OF NCAA–AAU DISPUTE

Mr. BREWSTER. Mr. President, events over the weekend and yesterday have illustrated the serious situation which confronts those of our collegiate athletes who wish to represent the United States in international competition.

On Sunday, Gerry Lindgren, the fine runner from Washington State University, competed in a meet at San Diego. He bettered the world record for the 6-mile run, and won a place on the team which will represent this country against the Russians at Kiev next month.

According to dispatches in today's Baltimore Sun and Washington Post, however, the National Collegiate Athletic Association wants Washington State University to take action against Lindgren, because the San Diego meet was not sanctioned by the NCAA.

The NCAA has further indicated that Washington State University may be punished itself if it does not take action against Lindgren.

Mr. President, the existing feud between the NCAA and the Amateur Athletic Union has had this result. One of our fine, record-setting—and patriotic—young athletes is about to be punished for trying to qualify to represent this country against the Russians. If Washington State University does not punish him, that great institution will be penalized itself—all this—to satisfy the selfish claims of one of our national athletic organizations.

I am not trying to fix the blame on either of the organizations involved. Both of them share the responsibility for the chaotic situation of amateur athletics.

I repeat what I said on the Senate floor last Friday.

I, and many other Senators, feel that it is a national disgrace not to have our finest athletes representing us abroad, or to punish them for trying to represent us abroad. It is up to the organizations involved to settle this bickering, and quickly. If they cannot, then Congress should take appropriate action.

Mr. JACKSON subsequently said: Mr. President, earlier today the distinguished senior Senator from the State of Maryland commented on the serious situation that confronts our Nation because of the dispute between two important athletic bodies, the Amateur Athletic Union and the National Collegiate Athletic Association.

He pointed out that Gerry Lindgren, a young man of 18 who is a freshman student at Washington State University, competed in an AAU-sponsored track and field meet at San Diego last week although it was not sponsored by the NCAA. It is reported in the press that young Lindgren may have jeopardized his collegiate standing because of this participation.

I believe it should be pointed out that Gerry Lindgren has amazing athletic credentials for a boy of his age. He was the first American to defeat the Soviets in long-distance running while still a student at John Rogers High School in Spokane. He was a member of the U.S. Olympic team in Japan.

By participating at San Diego, where he established a new record in the 6-mile run, Gerry Lindgren earned a trip to Kiev where he will again challenge Soviet runners next month.

I would like to quote from a letter I have received from this young Olympian:

> When I started running track some 4 years ago, I wanted only to be an inspiration to distance running in America. We've always had a bad record in America because we couldn't produce distant runners. The Communist world has given us the name "lazy Americans" because they have always been so superior to us. In the first annual United States versus U.S.S.R. track and field meet in Philadelphia, both Americans had to drop out of the 6-mile run because of exhaustion; a big victory for the Russians to say the least.
>
> Last summer I had the good fortune to defeat the Russians in the United States versus U.S.S.R. track meet for the first time. Since that time, the United States placed first in the 10,000 meter run in the Tokyo Olympiad. I have received many letters from potential runners wanting to know how to train for distance running, and from mothers of potential runners wanting to know how they can help. Everywhere I go now I see people running. I can't help but feel proud that I have been a small part of this new move in America for a desire to win.

Mr. President, I cannot believe that Gerry Lindgren will be penalized in his collegiate athletic career because of his

participating with our American team abroad.

I believe that this long-time dispute between the AAU and the NCAA must be resolved. I would not want to take sides. But there must be some areas of compromise that can assure the United States its strongest representation in international events without subjecting the participants to discipline on their campuses.

President Kennedy, calling upon the late Gen. Douglas MacArthur, helped in resolving a dispute between these same groups prior to the 1964 Olympics. But must the President of the United States constantly be called upon to correct these disputes on each occasion?

It strikes me that both the NCAA and the AAU must meet and negotiate these differences so that young men such as Gerry Lindgren can utilize their talents in world competition without sanction.

This has been a distressing situation for a number of decades, and these men who administer our Nation's amateur athletics must now demonstrate the same willingness to uphold America's standards as does the young men from my State.

Mr. MAGNUSON subsequently said: Mr. President, I concur in Senator JACKSON'S statement. Gerry Lindgren, a young athlete from Spokane, Wash., and a student at Washington State university broke the World record for 6 miles last Saturday.

Because this meet was not sanctioned by the NCAA, he and his university were subject to penalties imposed by this organization. Gerry was not running for personal glory but for his country.

If he did not compete and qualify in this meet he could not gain a berth to compete against the Russians this month. Because of his desire to advance this country's image, he entered and won this berth even if it meant loss of his scholarship.

Yesterday the NCAA said they would not impose any penalties against Gerry or his university—today it is a different story.

Mr. KENNEDY of New York subsequently said: Mr. President, last year I had the privilege of being in attendance at the American-Russian track meet in Los Angeles and seeing Gerry Lindgren, of Spokane, Wash., score his incredible upset over the Russians. This young man has again done the unexpected and with great courage has defied the National Collegiate Athletic Association by running in an Amateur Athletic Union meet so that he could represent our country against the Russians this summer in Kiev.

The NCAA and the AAU have been locked in a silly and destructive dispute in recent years which has disrupted our track program, caused great harm to many young men, and done no credit to either organization.

To prevent this dispute from ruining our team which was to represent the United States at the Olympic games in Tokyo last year, President Kennedy had to exert considerable pressure to persuade the leaders of the AAU and the NCAA to sit down with General MacArthur who, after considerable difficulty, was able to arrange a truce until after the Olympic games. Immediately after the Olympic games, the dispute resumed and I was most distressed this morning to read that the NCAA may take action to penalize Gerry Lindgren for entering the AAU meet. There is some indication that the NCAA may wait until the fall and penalize Gerry Lindgren's school Washington State College, and, in effect, prevent Gerry Lindgren from competing for Washington State.

The NCAA has no business and no right to penalize Jerry Lindgren, or any athlete, for wishing to represent his country. I join with Senator Jackson in calling the situation to the attention of the Senate and I call upon the NCAA to say here and now that it will not penalize Jerry Lindgren or his school. That is the least it can do.

What it can and should do, and what the AAU can and should do, is resolve this dispute before there is further threat to the careers of our young athletes. The country is being hurt, track is being hurt, but most of all and most important of all, many fine young men are being hurt through no fault of their own.

There have been suggestions that the way out of this impasse is for the Government to establish a sports organization. I have some reservations about this, but I certainly think that as time goes by and the NCAA-AAU dispute deepens to the point where a boy like Jerry Lindgren may be penalized for wishing to represent his country against the Soviet Union, then I think that perhaps the time is here for the Congress to look into this alternative very closely.

MOBILE TRADE FAIRS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 367, H.R. 4525.

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

The LEGISLATIVE CLERK. A bill (H.R. 4525) to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an extract from the report on the bill (Rept. No. 380) be printed in the RECORD at this point.

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

PURPOSE OF THE BILL

The purpose of the bill is to extend for 3 years the expiration date of the mobile trade fairs program administered by the Secretary of Commerce.

LEGISLATIVE BACKGROUND

The mobile trade fairs program was initiated under Public Law 87–839, approved October 18, 1962. It expires on June 30, 1965, unless extended. The Secretary of Commerce submitted a draft bill proposing the 3-year extension of the program on February 16, 1965. H.R. 4525 passed the House of Representatives on May 17. The Senate Subcommittee on Merchant Marine and Fisheries held hearings on the companion bill, S. 1772, on May 27. The legislation received the support of all agencies and Government departments concerned. No opposition was expressed either during the House of Representatives consideration of the bill or in the Senate committee hearing.

GENERAL DISCUSSION

Under the mobile trade fairs program, the Secretary of Commerce is authorized to encourage and promote the development and use of mobile trade fairs. The program is focused on showing and selling American industrial and agricultural products in foreign ports and trade centers served by American-flag vessels and aircraft.

The act specifically authorized the Secretary of Commerce to offer technical and financial assistance to the operators of mobile trade fairs in those instances in which the Secretary determines that such operations provide an economical and effective means of promoting U.S. exports. The Secretary has defined the kinds of expenses which would be defrayed by the Department to be limited to: (1) Expenses relating to the entrance and clearance of foreign ports of entry when they are directly attributable to the mobile trade fairs project; (2) advertising expenses incurred in the foreign countries for the purpose of attracting visitors to the fair; (3) expenses for exhibit space and facilities; and (4) transportation in the foreign countries and related services.

The present law authorizes an annual appropriation of $500,000. However, no funds were appropriated for the mobile trade fairs program for fiscal year 1963. An appropriation of $200,000 was made for the fiscal year 1964 and $400,000 for fiscal year 1965. In fiscal year 1964 the Department approved contracts in an aggregate amount of $177,000 and approved contracts for $346,000 for fiscal year 1965. In both fiscal years, applications for contracts substantially exceeded the amount of money available.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

The Senate resumed the consideration of the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

Mr. TYDINGS. Mr. President, I understand the Senator from Ohio [Mr. LAUSCHE] has an amendment to offer.

Mr. LONG of Missouri. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield to the Senator from Missouri.

Mr. LONG of Missouri. Mr. President, I commend my able colleague from

Maryland, chairman of the Senate Subcommittee on Improvements in Judicial Machinery, for offering this amendment to provide sufficient manpower on the Court of Appeals level of our Federal judiciary.

It is most gratifying to witness in recent years the development across our country of a real concern for day-to-day justice. Traditionally, our Nation has prided itself over our system of justice. As a Nation, we possess a high sense of justice and have developed the world's finest processes for insuring justice. On the other hand, our justice has not necessarily been available to all on an equal basis. The poor have not enjoyed the same protections and treatment as the more well to do. It is in this area that we are now concentrating to improve the administration of justice. The vitality and validity of our democracy will be determined by our success in this endeavor to bring equal justice under law to all Americans. It is a tremendous challenge and will test our full abilities. The pending bill and the pending amendment are an integral part of this effort. The adequacy of judicial machinery is critical to our success. I have closely studied the data and information available and am convinced that the pending amendment is sorely needed particularly as it applies to the Eighth Circuit if we are to have the necessary judges to handle the work of our courts.

As of December 31, 1961, the Eighth Circuit Court of Appeals had 173 cases pending—by December 31 last year this pending caseload had risen to 252. This congestion seems to have resulted from several factors, first, the increasing number of appeals in both civil and criminal cases; second, the large number of appeals in cases filed under title 28, section 2255, State habeas corpus proceedings, and other miscellaneous matters; third, the change in the quality of cases—more protracted criminal cases and more hard-core civil cases.

There does not seem to be much hope for the reversal of this upward trend unless an additional judge is added to the court of appeals bench. The expansion of population, the enactment of the Criminal Justice Act, and the increasing petitions for review of decisions of governmental agencies all indicate a continual upward movement of the court's caseload.

Mr. President, I urge the Senate to approve this amendment and to approve the bill.

Mr. TYDINGS. I thank the Senator from Missouri.

AN ADDITIONAL JUDGE NEEDED IN EIGHTH CIRCUIT COURT OF APPEALS

Mr. McGOVERN. Mr. President, will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield to the Senator from South Dakota.

Mr. McGOVERN. Mr. President, let me first commend the distinguished junior Senator from Maryland [Mr. TYDINGS] for his outstanding performance as chairman of the Subcommittee on Improvements in Judicial Machinery. As a former U.S. district attorney, he is keenly aware of the responsibilities and functions of the judicial system.

It is with special satisfaction that I cosponsor with Senator TYDINGS an amendment to the act which would create an additional permanent judgeship in the Fourth, Sixth, and Eighth Circuit Courts of Appeal. The junior Senator from Maryland has effectively stated the need for additional judges in all three circuits. Because I am especially familiar with the eighth circuit, which includes my own State of South Dakota, I shall confine myself to a discussion of the problems facing that court.

The situation in the eighth circuit today is critical. Statistics tell part of the story: The number of pending cases has increased from 173 on December 31, 1961 to 252 on December 31, 1964. But statistics cannot fully demonstrate the gravity of overloaded dockets. The great number of miscellaneous petitions, although time consuming in disposition, do not appear as docketed cases in the eighth circuit.

At this time, each of the seven judges of the Eighth Circuit Court of Appeals has a substantial backlog of cases. An overwhelming majority of the judges on this court feel that the addition of another permanent judge is absolutely necessary if justice is to be administered efficiently.

Mr. President, the causes of this critical problem are clear. There has been an increasing number of civil and criminal appeals. Many appeals have been filed under title 28, section 2255, State habeas corpus proceedings. Also, the past 3 years in the eighth circuit have witnessed a series of protracted criminal cases—several requiring approximately 3 months to hear.

Furthermore, the chief judge of the eighth circuit has served diligently on committees of the Judicial Conference of the United States. Therefore, he has not been able to spend as much time actively with the eighth circuit as he might like.

A final cause for the eighth circuit's present backlog has been the increasing demand for review of decisions of Government agencies. And the situation has been complicated recently by two of the judges being physically incapacitated for a time—perhaps because of the tremendous workload they have been forced to carry.

In response to the pressing challenge of an overloaded docket, the judges have been forced to adopt internal measures. The permissible length of the brief has been shortened, and oral arguments have been restricted to 30 minutes for each side. In addition, district court opinions are adopted by this court whenever possible. Despite these efforts, the situation has been increasingly more difficult. No judge of this court is completely current with his work. Mr. President, I agree with the majority of the present justices that the only solution is the addition of another judge to the court.

If the amendment is adopted, then the naming of the new judge will be a matter of great importance. Since the death of the eminent Judge A. K. Gardner of Huron, S. Dak., a great legal figure, my State has been the only State in the circuit not represented on the court. My fellow South Dakotans join me in hoping that a son of our State may be considered for a place on this high bench.

Again, I would like to commend the chairman of the subcommittee [Mr. TYDINGS] for his dedicated work in this vital area. I urge the Senate to act favorably on the amendment offered by Senator TYDINGS and others to create additional needed judgeships. In this way the efficient administration of justice will be strengthened in both of these courts.

Mr. LAUSCHE. Mr. President, I send to the desk amendments which I ask to have stated and considered.

The ACTING PRESIDENT pro tempore. The amendments offered by the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 1, lines 5 and 6, to strike out "one additional circuit judge for the Sixth Circuit" and insert in lieu thereof "two additional circuit judges for the Fourth Circuit".

On page 2, between lines 2 and 3, it is proposed to strike out the words:

Fourth	6.

and insert in lieu thereof:

Fourth	7.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendments of the Senator from Ohio.

Mr. LAUSCHE. Mr. President, my amendments would leave the bill in the same form as that in which it came to the Senate floor. To the Sixth Circuit there would be added one new judge instead of two judges. That is the simple issue.

I have offered the amendment because I know of no pressing demand in Ohio for either litigants or lawyers that there be provided two new judges in the Sixth Circuit.

The strongest support for my position is the fact that on June 9, when the report was filed inferentially through full and adequate consideration of the caseload, the committee recommended one judge. Since June 9, there has been a change of judgment. I know of no new demand. The Senator from Kentucky [Mr. COOPER] knows of no new demand, nor does the junior Senator from Kentucky [Mr. MORTON].

Mr. President, I will not ask for a yea-and-nay vote. I should like to have the issue submitted to the Senate for disposition.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment was rejected.

Mr. TYDINGS. Mr. President, I move the adoption of my amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Maryland [Mr. TYDINGS] for himself and other Senators.

The amendment was agreed to.

Mr. LAUSCHE. Mr. President, let the RECORD show that I voted "nay" on the adoption of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, the RECORD will so show.

Mr. COOPER. Mr. President, let the RECORD show that I voted "nay" on the adoption of the amendment.

The ACTING PRESIDENT pro tempore. The RECORD will so show.

The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

ANOTHER JUDGE FOR WISCONSIN

Mr. NELSON. Mr. President, S. 1666 should be passed. The need for additional circuit and district judges is obvious. In far too many parts of the country justice is delayed, and as it is so often said, justice delayed is justice denied.

I support this bill because it would be a big help in ending the delay in the disposition of many cases in the eastern district of Wisconsin. The heavy workload in this district requires the services of another judge.

I would prefer that we were considering S. 620, a bill I introduced in January of this year. This proposal would provide for the appointment of one permanent additional district judge for the eastern district of Wisconsin. S. 1666, the bill before us today, only provides for a temporary additional district judge in the eastern district of Wisconsin.

We clearly need a third judge in the eastern district of Wisconsin. The addition of a new judgeship is urged by those most familiar with the workings of the Milwaukee court. Our two eastern district judges, Kenneth P. Grubb and Robert E. Tehan, both testify to the need for an additional judge. They are supported by Circuit Court Judges John S. Hastings and F. Ryan Duffy.

In addition, a third eastern district judge is endorsed by the Board of Governors of the Wisconsin Bar, the Junior Bar of Milwaukee, the Milwaukee Patent Law Association, and the State AFL–CIO convention. Support also comes from many of the county and district bar associations in Wisconsin.

In the absence of a third permanent judge in the eastern district, I am fully prepared and would be happy to have a temporary judge as has been recommended by the Judicial Conference of the United States.

Mr. YARBOROUGH. Mr. President, an ancient axiom of the law is that "justice delayed is justice denied." There have been no additional judgeships created by Congress since 1961. But since 1960 the caseload in the U.S. courts of appeals has increased more than 50 percent. The district courts have experienced an increase of 13 percent in the number of civil cases filed. Cases and appeals pending have also increased. We must have more judges in our Federal courts if our judicial system is to handle its business in an expeditious manner.

The 38 new judgeship positions created by S. 1666 will go a long way toward meeting this need.

The most overworked court of appeals in the Nation is the fifth circuit, of which Texas is a part and which contributes 40 percent of the caseload. During 1964, there were 78 appeals disposed of per judgeship. This is almost twice the national average of 46 per judgeship. S. 1666 will create four additional fifth circuit judges on a temporary basis. It is to be hoped that the experience gained with these additional judgeships over the next few years will indicate how many of these judgeships should be made permanent.

As far as criminal cases are concerned, the most overworked district court in the land is the U.S. District Court for the Western District of Texas. On either a weighted or a nonweighted criminal case filing per judgeship basis, in 1964 the district topped all other districts. This bill will create one additional permanent judgeship for the western district of Texas.

In addition, two additional district judges are authorized for the southern district of Texas. This district has experienced a considerable increase in its workload; it includes Houston and most of the golden gulf coast of Texas; its population and its problems grow apace. It needs these new judicial positions.

In creating these additional judgeships we are taking an important step along the road to a Great Society, which is by definition a just society.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1666) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the President shall appoint, by and with the advice and consent of the Senate, two additional circuit judges for the fourth circuit, two additional circuit judges for the sixth circuit, one additional circuit judge for the seventh circuit, and one additional circuit judge for the eighth circuit.

(b) In order that the table contained in section 44(a) of title 28 of the United States Code will reflect the changes made by subsection (a) of this section in the number of circuit judges for said circuits, such table is amended to read as follows with respect to said circuits:

"Circuits	Number of judges
* * * * *	
Fourth	7
* * * * *	
Sixth	8
Seventh	8
Eighth	8
* * * * * ".	

(c) The President shall appoint, by and with the advice and consent of the Senate, four additional circuit judges for the fifth circuit. The first four vacancies occurring in the office of circuit judge in said circuit shall not be filled.

SEC. 2. (a) The President shall appoint, by and with the advice and consent of the Senate, one district judge for the middle and southern districts of Alabama, one additional district judge for the district of Arizona, one additional district judge for the northern district of Florida, one additional district judge for the middle district of Florida, two additional district judges for the southern district of Florida, one additional district judge for the northern district of Illinois, one additional district judge for the southern district of Indiana, four additional district judges for the eastern district of Louisiana, one additional district judge for the district of Maryland, one additional district judge for the northern district of Mississippi, one additional district judge for the southern district of Mississippi, one additional district judge for the western district of New York, one additional district judge for the northern district of Ohio, one additional district judge for the southern district of Ohio, one additional district judge for the district of Rhode Island, two additional district judges for the southern district of Texas, one additional district judge for the western district of Texas, two additional district judges for the eastern district of Virginia, and one additional district judge for the district of Vermont.

(b) The existing district judgeship for the northern, middle and southern districts of Florida heretofore provided for by section 133 of title 28, United States Code, shall hereafter be a district judgeship for the middle district of Florida only, and the present incumbent of such judgeship shall henceforth hold his office under section 133, as amended by this Act.

SEC. 3. (a) Section 84 of title 28, United States Code, is amended to read as follows:

"§ 84. California

"California is divided into four judicial districts to be known as the Northern, Eastern, Central, and Southern Districts of California.

"NORTHERN DISTRICT

"(a) The Northern District comprises the counties of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, and Sonoma.

"Court for the Northern District shall be held at Eureka, Oakland, San Francisco, and San Jose.

"EASTERN DISTRICT

"(b) The Eastern District comprises the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Inyo, Kern, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

"Court for the Eastern District shall be held at Fresno, Redding, and Sacramento.

"CENTRAL DISTRICT

"(c) The Central District comprises the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.

"Court for the Central District shall be held at Los Angeles.

"SOUTHERN DISTRICT

"(d) The Southern District comprises the counties of Imperial and San Diego.

"Court for the southern district shall be held at San Diego."

(b) The two district judges for the northern district of California holding office on the day before the effective date of this section and whose official station is Sacramento shall, on and after such date, be district judges for the eastern district of California. All other district judges for the northern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the northern district of California.

(c) The district judge for the southern district of California, residing in the northern division thereof and holding office on the day before the effective date of this section, shall, on and after such date, be a district judge for the eastern district of California. The two district judges for the southern district of California holding office on the day before the effective date of this section and whose official station is San Diego shall, on and after such date, be the district judges for the southern district of California. All

other district judges for the southern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the central district of California.

(d) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the northern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for such district as constituted by this Act.

(e) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the southern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for the central district of California.

(f) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the southern district of California.

(g) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the eastern district of California.

(h) The President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the central district of California, and two additional district judges for the northern district of California.

(i) The provisions of this section shall become effective one hundred and twenty days after the date of enactment of this Act.

SEC. 4. In order that the table contained in section 133 of title 28, of the United States Code will reflect the changes made by sections 2 and 3 of this Act in the number of permanent judgeships for certain districts, such table is amended to read as follows with respect to said districts:

"Districts

	Judges
Alabama:	
* * * * *	
Middle and Southern	1
* * * * *	
Arizona	4
* * * * *	
California:	
Northern	9
Eastern	3
Central	12
Southern	2
* * * * *	
Florida:	
Northern	2
Middle	5
Southern	5
* * * * *	
Illinois:	
Northern	11
* * * * *	
Indiana:	
Southern	4
* * * * *	
Louisiana:	
Eastern	8
* * * * *	
Maryland	5
* * * * *	
Mississippi:	
Northern	2
Southern	3
* * * * *	
New York:	
* * * * *	
Western	4
* * * * *	

Districts—Continued

	Judges
Ohio:	
Northern	7
Southern	4
* * * * *	
Rhode Island	2
* * * * *	
Texas:	
* * * * *	
Southern	7
* * * * *	
Western	4
Vermont	2
* * * * *	
Virginia:	
Eastern	5."

SEC. 5. (a) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Kansas. The first vacancy occurring in the office of district judge in said district shall not be filled.

(b) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the eastern district of Pennsylvania. The first three vacancies occurring in the office of district judge in said district shall not be filled.

(c) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the eastern district of Wisconsin. The first vacancy occurring in the office of district judge in said district shall not be filled.

Mr. TYDINGS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. EASTLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

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

AMENDMENT OF SECTION 510(a)(1) OF MERCHANT MARINE ACT, 1936

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 510(a)(1) of the Merchant Marine Act, 1936 (with accompanying papers); to the Committee on Commerce.

REPORT ON U.S. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

A letter from the Secretary of State, transmitting, pursuant to law, a report on U.S. Contributions to International Organizations, for the fiscal year 1964 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF FOREIGN CLAIMS SETTLEMENT COMMISSION

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting, pursuant to law, a report of that Commission, as of December 31, 1963 (with an accompanying report); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on the purchase of residence in Tokyo for financial attaché from Exchange Stabilization Fund, Treasury Department, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General to the United States, transmitting, pursuant to law, a report on failure to obtain and consider cost data in the procurement of HY80 steel plate used in the construction of nuclear submarines, Department of the Navy, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on patent royalty costs improperly charged for use of auxiliary fuel tank invention developed under Government contracts with Lockheed Aircraft Corp., Burbank, Calif., Department of Defense, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting pursuant to law, a report on unnecessary procurement of air passenger service on scheduled commercial airliners from Europe to the United States, Department of Defense, dated June 1965 (with an accompanying report; to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unwarranted construction-differential subsidy payments resulting from inadequate implementation of value engineering program, Maritime Administration, Department of Commerce, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred in accelerating construction of Polaris submarines, Department of the Navy, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

RECORDATION OF MINING CLAIMS

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to provide for the recordation of mining claims (with an accompanying paper); to the Committee on Interior and Insular Affairs.

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.

REPORT ON EXAMINATION OF ACCOUNTS OF NATIONAL COUNCIL ON RADIATION PROTECTION AND MEASUREMENTS

A letter from the law offices of LeBoeuf, Lamb & Leiby, Washington, D.C., transmitting, pursuant to law, a report on the examination of accounts of the National Council on Radiation Protection and Measurements, as of December 31, 1964 (with an accompanying report); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PROXMIRE, from the Committee on Banking and Currency, without amendment:

H.R. 7847. An act to amend the Small Business Act (Rept. No. 382).

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment.

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors (Rept. No. 385).

By Mr. MAGNUSON, from the Committee on Commerce, with an amendment:

S. 1098. A bill to amend section 1(14)(a) of the Interstate Comerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes (Rept. No. 386); and

S. 1975. A bill to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission (Rept. No. 383).

By Mr. MAGNUSON, from the Committee on Appropriations, with amendments:

H.R. 7997. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 384).

By Mr. PASTORE, from the Joint Committee on Atomic Energy, without amendment:

S. 2103. A bill to amend section 271 of the Atomic Energy Act of 1954, as amended (Rept. No. 390).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 621. A bill for the relief of Marija Malnar (Rept. No. 391);

S. 861. A bill for the relief of Alva Arlington Garnes (Rept. No. 392);

S. 869. A bill for the relief of Yom Tov Yeshayahu Briszk (Rept. No. 393);

S. 971. A bill for the relief of Mrs. Elena B. Guira (Rept. No. 394);

S. 1111. A bill for the relief of Pola Bodenstein (Rept. No. 395);

S. 1164. A bill for the relief of Cristina Franco (Rept. No. 396);

H.R. 1236. An act for the relief of Salvador Munoz-Tostado (Rept. No. 397);

H.R. 1306. An act for the relief of Loretta Negrin (Rept. No. 398);

H.R. 3634. An act for the relief of CWO Edward E. Kreiss (Rept. 399):

H.R. 3638. An act for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel (Rept. No. 389); and

H.R. 5184. An act for relief of the port of Portland, Oreg. (Rept. No. 400).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1113. A bill for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano, the minor children of a permanent resident (Rept. No. 401); and

S. 1120. A bill for the relief of Dr. Ortelio Rodriguez Perez (Rept. No. 402).

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

S. 611. A bill for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska (Rept. No. 403).

By Mr. HAYDEN, from the Committee on Rules and Administration, without amendment:

S. Res. 119. Resolution authorizing the printing as a Senate document of a report on Water Resources Developments in Spain (Rept. No. 405).

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

S. 1474. A bill to create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government (Rept. No. 408);

S. Con. Res. 37. Concurrent resolution authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration (Rept. No. 406);

S. Con. Res. 38. Concurrent resolution to authorize the printing of additional copies of a committee print of the Committee on the Judiciary entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power" (Rept. No. 407);

H. Con. Res. 400. Concurrent resolution to provide for printing additional copies of House document entitled "Documents Illustrative of the Formation of the Union of the American States" (Rept. No. 411);

H. Con. Res. 411. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y., Area," 88th Congress, 1st session (Rept. No. 412);

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House Report No. 1739, 88th Congress, 2d session, entitled "Annual Report for the Year 1963, Committee on Un-American Activities" (Rept. No. 413);

H. Con. Res. 413. Concurrent resolution authorizing the printing of additional copies of "Violation of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States, Parts 1 Through 5" (Rept. No. 414);

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area," 88th Congress, 2d session (Rept. No. 415);

H. Con. Res. 415. Concurrent resolution authorizing the printing as a House document of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, and of additional copies thereof (Rept. No. 416);

H. Con. Res. 428. Concurrent resolution authorizing the printing of a revised edition of "History of the House of Representatives," and for other purposes (Rept. No. 417); and

S. Res. 113. Resolution authorizing the printing of additional copies of the hearing entitled "Communist Forgeries" (Rept. No. 413).

IMPROVEMENT OF NATIONAL TRANSPORTATION SYSTEM—REPORT OF A COMMITTEE (S. REPT. NO. 387)

Mr. MAGNUSON. Mr. President, on behalf of the distinguished senior Senator from Ohio [Mr. LAUSCHE], from the Committee on Commerce, I report favorably, with amendments, the bill (S. 1727) to provide for strengthening and improving the national transportation system, and for other purposes, and I submit a report thereon. This bill was ordered reported by the committee unanimously at its meeting on yesterday. If the bill is enforced, as I hope it will be by the Interstate Commerce Commission, the common carriers we are discussing will be in a better position to finance the building of some boxcars.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar.

REPORT ENTITLED "FINANCIAL, BUSINESS, OR OTHER INTERESTS OR ACTIVITIES OF PRESENT OR FORMER MEMBERS, OFFICERS, OR EMPLOYEES OF THE SENATE, WITH PARTICULAR EMPHASIS ON THE ALLEGATIONS RAISED IN CONNECTION WITH THE CONSTRUCTION OF THE DISTRICT OF COLUMBIA STADIUM, AND MATTERS RELATED THERETO—SUPPLEMENTAL REPORT OF A COMMITTEE—MINORITY AND SUPPLEMENTAL VIEWS" (S. REPT. NO. 388)

Mr. JORDAN of North Carolina. Mr. President, from the Committee on Rules and Administration I submit a supplemental report pursuant to Senate Resolution 212 and Senate Resolution 367 of the 88th Congress, authorizing an investigation into the financial, business, or other interests or activities of present or former Members, officers, or employees of the Senate, with particular emphasis on the allegation raised in connection with the construction of the District of Columbia Stadium, and matter related thereto.

I ask unanimous consent that the minority views of Senators CURTIS, COOPER, and SCOTT, together with the supplemental views of Senators PELL, CLARK, and COOPER may be included in the printed report.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from North Carolina.

SOCIAL SECURITY AMENDMENTS OF 1965—REPORT OF A COMMITTEE—SUPPLEMENTAL, ADDITIONAL, AND INDIVIDUAL VIEWS (S. REPT. 404)

Mr. LONG of Louisiana. Mr. President, from the Committee on Finance, I report favorably to the Senate with amendments the bill H.R. 6675, to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

I ask unanimous consent that the report be printed in two parts, part 1 to contain the explanation of the bill as amended by the Committee on Finance, together with supplemental, additional, and individual views; part 2 to contain the changes in the existing law.

The ACTING PRESIDENT pro tempore. 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 Louisiana.

ADMINISTRATION OF TITLE III OF LEGISLATIVE REORGANIZATION ACT OF 1946 BY COMPTROLLER GENERAL—REPORT OF A COMMITTEE (S. REPT. No. 419)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original bill (S. 2233) to provide for the administration of title III of the Legislative Reorganization Act of 1946 by the Comptroller General of the United States, and for other purposes, and submitted a report thereon; which report was ordered to be printed, and the bill was read twice by its title, and placed on the calendar.

AMENDMENT OF STANDING RULES OF THE SENATE WITH RESPECT TO OUTSIDE ACTIVITIES OF OFFICERS AND EMPLOYEES OF THE SENATE—REPORT OF A COMMITTEE (S. REPT. NO. 409)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 122) to amend the Standing Rules of the Senate with respect to outside activities of officers and employees of the Senate, which was placed on the calendar, as follows:

S. RES. 122

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new Rule:

"RULE—

"Outside employment

"No officer or employee of the Senate shall engage in any business, financial, or professional activity or employment for compensation or gain unless—

"(1) such activity or employment is not inconsistent with the conscientious performance of his official duties; and

"(2) he has reported such activity or employment to the Member of the Senate charged with supervision of such officer or employee."

AMENDMENT OF STANDING RULES OF THE SENATE TO REQUIRE MEMBERS, OFFICERS, AND EMPLOYEES OF THE SENATE TO FILE CERTAIN REPORTS AS TO THEIR FINANCIAL INTERESTS—REPORT OF A COMMITTEE (S. REPT. NO. 410)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 123) amending the Standing Rules of the Senate to require Members, officers, and employees of the Senate to file certain reports as to their financial interests, which was placed on the calendar, as follows:

S. RES. 123

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE —

"Reporting of financial interests

"1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate compensated at a gross rate in excess of $10,000 per annum, shall file annually with the Comptroller General of the United States for that year a written report containing a list of the names of all corporations, companies, firms, or other business enterprises and partnerships:

"(a) with which, as of the close of the calendar year, he is connected as an employee, officer, owner, director, trustee, partner, adviser, or consultant; or

"(b) in which, as of the close of the calendar year, he has any continuing financial interests, through a pension or retirement plan, shared income, or otherwise, as a result of any current or prior employment or business or professional association; or

"(c) in which, as of the close of the calendar year, he has any financial interest through the ownership of stocks, bonds, or other securities.

"2. (a) In the event any information required to be included in a statement required by or pursuant to this rule is not known to the person required to submit such statement but is known to other persons, the person concerned shall request such other persons to submit the required information on his behalf.

"(b) This rule shall not be construed to require the submission of any information relating to any person's connection with, or interest in, any professional society or any charitable, religious, social, fraternal, educational, recreational, public service, civic, or political organization or any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise.

"3. Except as otherwise hereinafter provided, each individual who is required by this rule to file a report for any calendar year shall file such a report with the Comptroller General of the United States not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1965. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate before the close of any calendar year shall file such report as of the last day of such service, and such report shall be filed with the Comptroller General of the United States not later than 30 days thereafter. Whenever there is on file with the Comptroller General of the United States a report made by any individual in compliance with this rule for any calendar year, the Comptroller General may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1 of this rule, a statement containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding year, or a statement to the effect that no change in such report is required for compliance with the provisions of Section 1 for that succeeding year.

"4. Reports and statements filed under this rule shall be made upon forms which shall be prepared and provided by the Comptroller General of the United States, and shall be made in such manner and detail as he shall prescribe.

"5. All reports and statements filed with the Comptroller General of the United States in accordance with this rule shall be kept strictly confidential by him and shall not be disclosed except that upon receipt of a request in writing from the chairman of the Senate Select Committee on Standards and Conduct, certifying by majority vote the pertinence of the report or statement requested and the necessity for use by the committee in an inquiry pending in the Senate Select Committee on Standards and Conduct, the Comptroller General shall deliver to the chairman of the committee an accurate copy of the report or statement requested."

BILLS INTRODUCED

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

By Mr. HARTKE:

S. 2228. A bill to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act; to the Committee on Post Office and Civil Service.

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

By Mr. McGOVERN:

S. 2229. A bill to amend section 203 of Public Law 480 of the 83d Congress, as amended; to the Committe on Agriculture and Forestry.

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

By Mr. SIMPSON:

S. 2230. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

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

By Mr. RIBICOFF:

S. 2231. A bill to establish a National Highway Traffic Safety Center to promote research and development activities for highway traffic safety, to provide financial assistance to the States to accelerate highway traffic safety programs, and for other purposes; to the Committee on Commerce.

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

By Mr. PELL (for himself and Mr. MUSKIE):

S. 2232. A bill to amend the act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. JORDAN of North Carolina:

S. 2233. A bill to provide for the administration of title III of the Legislative Reorganization Act of 1946 by the Comptroller General of the United States, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. JORDAN of North Carolina, which appears under the headings "Reports of Committees".)

By Mr. McCARTHY:

S. 2234. A bill to amend the National Defense Education Act of 1958 in order to authorize institutes for elementary and secondary school teachers of classical languages; to the Committee on Labor and Public Welfare.

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

RESOLUTIONS

AMENDMENT OF STANDING RULES OF THE SENATE WITH RESPECT TO OUTSIDE ACTIVITIES OF OFFICERS AND EMPLOYEES OF THE SENATE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 122) to amend the Standing Rules of the Senate with respect to outside activities of officers and employees of the Senate, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading "Reports of Committees.")

AMENDMENT OF STANDING RULES OF THE SENATE TO REQUIRE MEMBERS, OFFICERS, AND EMPLOYEES OF THE SENATE TO FILE CERTAIN REPORTS AS TO THEIR FINANCIAL INTERESTS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 123) amending the Standing Rules of the Senate to require Members, officers, and employees of the Senate to file certain reports as to their financial interests, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading "Reports of Committees.")

OVERSEAS TEACHERS' PAY

Mr. HARTKE. Mr. President I introduced a bill which would require the Secretary of each military department to fix the basic compensation for teachers and teaching positions in our overseas dependents schools at rates equal to the average of the range of basic compensation rates for similar positions of a comparable level of duties and responsibilities in urban school districts of the United States of 100,000 or more population. A similar bill was introduced in the House of Representatives by the Honorable MORRIS K. UDALL, of Arizona, and has since been reported out favorably by the House Post Office and Civil Service Committee.

In 1959 Public Law 86–91 was passed by the Congress to require the Department of Defense to fix the pay for its overseas teachers in the way recommended by this bill. Since that time, however, the Department of Defense has failed to carry out congressional intent in the implementation of Public Law 86–91. A small pay adjustment was accorded in 1960. None occurred in 1961 or 1962, and in 1963 only a $100 raise was offered. Since the end of the 1959–60 school year, starting salaries of overseas teachers increased by only 4.3 percent, while beginning salaries of stateside teachers in school districts of 100,000 or more have gone up 15.3 percent. Starting salaries of GS–7 civil service employees, the group in which overseas teachers were classified until 1959, have risen through three pay raises by 16.1 percent in all. The divergences among these percentages, it seems to me, are telling.

In 1964 the National Education Association and the Overseas Education Association together brought suit against the Department of Defense in an effort to bring their pay dispute to a hearing in a Federal court—Mitchell against McNamara. This suit, filed in Washington, was thrown out of court by a U.S. district judge who implied that the overseas teachers might better take their case to Congress. In April of this year a U.S. district court of appeals heard the case, and still no decision has been handed down.

It is to bring their case to the Congress that I am presenting this bill today for consideration by my colleagues in the Senate. This is a matter about which I have long been concerned, one about which I have spoken to you on several previous occasions. It is a matter which must be of great concern to all Americans, for it involves directly the welfare and happiness of our military personnel and their families stationed at points all over the world.

The children of our military abroad have perhaps more sociological problems and adjustments to make than any other group of American children. Often they live in lands where an unfamiliar language, unfamiliar customs and ways of living are the rule. Certainly we should make every effort to have especially capable and happy personnel in this sensitive job, and certainly we have failed to do that up to this point. These overseas teachers, as of June 8, 1965, numbering 6,320, have been seeking ever since the passage of Public Law 86–91 in 1959 to secure salary adjustments comparable to those of stateside teachers. They are not asking for special treatment, special favors; they are asking only that long-standing discriminatory treatment against them be replaced by justice and a just wage. Under their care and instruction are, according to Department of Defense figures, 165,870 pupils in 325 schools, comprising the Nation's seventh largest school system. They ask for a comparable wage which would better enable them, and later recruits to the ranks of teachers in our overseas schools, to mold the future of our children, the children of our service personnel. This should be fully as important a part of our military budget as military hardware, yet it seems still to take a second place in the name of dollar economy.

Let us look at another important implication of this would-be economy. This is a matter which holds great importance for the Department of Defense in its recruitment program. How can the Department expect to secure well-qualified teachers for its overseas schools when it cannot offer them salaries at all comparable to those of their fellow teachers in the States? For example, some three-fourths of these overseas teachers work in Western Europe. According to Organization for Economic Cooperation figures, the Consumer Price Index for this area has increased an average of 11.5 percent—Germany, France, Norway, United Kingdom, the Netherlands, Denmark—between 1959 and 1962. During this same period, the Consumer Price Index in the United States went up only 4.5 percent. Hourly pay wages in both the United States and Western Europe went up a great deal more during these years, 11 percent in the United States and an average of 40 percent in Western Europe. How much greater buying power does this imply for these people? How much better a standard of living? Since 1962, consumer prices in the United States have risen from 4.5 to 8 percent at present, and it can be safely asserted that prices in Western Europe have gone from 11.5 percent to more than 20 percent. It can also be demonstrated, Overseas Education Association spokesmen say, that despite the varying fringe benefits in housing, transportation, and post exchange, a $300 pay adjustment as suggested recently by representatives of the Department of Defense, would not restore 1959–1960 purchasing power. The plain facts speak for themselves; consumer prices and hourly pay have gone up much more in Europe where most of these teachers work, and yet while stateside teachers' salaries have gone up 15.3 percent during this timespan, overseas teachers' salaries have increased by only 4.3 percent. Surely it should be no great surprise to find that according to Cecil Driver, executive secretary of the Overseas Education Association, the average length of service of overseas teachers as of 1963 was only 2.63 years, and the number of teachers applying for these positions has been rapidly declining.

The Department of Defense asserts that Public Law 86–91 gave it discretion to set salaries as it desired, and this discretion has resulted in a discrimination against overseas teachers which even the courts do not seem able to touch. The only recourse available to these teachers is the Congress, which does have the power to be responsive to their call for help. As I have said before, we owe it to the children of our service personnel, and also to ourselves, as the Nation whom these families serve, to remedy this situation. We can not in conscience or in right allow this discriminatory and unfair treatment to continue against our overseas teachers and their students who sacrifice their residence and their comfort for the sake of our Nation's defense.

Mr. President, I ask unanimous consent that the text of the bill may appear in the CONGRESSIONAL RECORD.

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

The bill (S. 2228) to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act, introduced by Mr. HARTKE, was received, read twice by its title, referred

to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 2228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4(a)(2) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 214; Public Law 86–91; 5 U.S.C. 2352 (a)(2)) is amended to read as follows:

"(2) the fixing of basic compensation for teachers and teaching positions at rates equal to the average of the range of rates of basic compensation for similar positions of a comparable level of duties and responsibilities in urban school jurisdictions in the United States of 100,000 or more population;".

(b) Section 5(c) of such act (73 Stat. 214; Public Law 86–91; 5 U.S.C. 2353(c)) is amended to read as follows:

"(c) The Secretary of each military department shall fix the basic compensation for teachers and teaching positions in his military department at rates equal to the average of the range of rates for basic compensation for similar positions of a comparable level of duties and responsibilities in urban school jurisdictions in the Unted States of 100,000 or more populaton.".

SEC. 2. The amendments made by this act shall become effective at the beginning of the first school year which begins after the date of enactment of this act.

MEETING EMERGENCY PROTEIN NEEDS OF ASSISTED COUNTRIES

Mr. McGOVERN. Mr. President, during the recent debate on the foreign aid authorization bill, I proposed an amendment to add $50 million to the total authorization to provide high protein foods, and protein and vitamin fortified foods, to the supplies we are sending abroad in our food assistance program.

The amendment was ruled out of order under the unanimous-consent agreement under which the Senate was operating, and I accepted this ruling on the very kind assurance of the Senator from Florida [Mr. HOLLAND] that the proposal would be considered if offered as a bill amending Public Law 480, the Food for Peace Act.

The Agriculture Committee is now nearing the conclusion of hearings on general farm legislation, so I am now sending to the desk, for reference to the Agriculture Committee, which handles Public Law 480 legislation, a short bill to accomplish the purpose of the amendment I offered to the Foreign Aid Authorization Act. A number of Senators have joined me in offering the bill—Senators AIKEN, BURDICK, GRUENING, HART, KENNEDY of Massachusetts, KENNEDY of New York, MCCARTHY, MCGEE, MONDALE, MOSS, NELSON, RANDOLPH, and YARBOROUGH.

The bill authorizes the Commodity Credit Corporation to expend and be reimbursed up to $50 million for the purposes stated. Of the total, $15 million is earmarked for the purchase of protein and vitamins and the supplementation or fortification of foods now being supplied to assisted countries. Expenditure of this $15 million is not limited to the United States, since in a few areas it will be possible to buy indigenous protein supplement economically without depriving other people in need of balanced rations. Probably some of this can be done with local currencies we now hold.

The remaining $35 million is available to buy and provide U.S. domestically produced high protein foodstuffs for foreign school lunch and similar programs in eligible nations. The bill suggests some animal products, including beef, pork, poultry and fish, and high protein cereals and vegetable products which might be used, but does not limit purchases except as to high protein availability.

PROTEIN AND VITAMIN DEFICIENCY

There are a number of reasons for the adoption of this bill.

In much of the world where diets are inadequate, the critical deficiency is proteins.

Nursing children cling to life at the expense of their mothers. But when another child arrives, or they leave the breast for other reasons, millions of children are permanently damaged physically, emotionally, and mentally by protein deficiency.

The seriousness of this deficiency has just been outlined by an International Conference on Prevention of Malnutrition in the Pre-School Child, held in Washington, December 7–11, 1964, by the Committees on Protein, Malnutrition and Child Nutrition of the Food and Nutrition Board of the National Academy of Sciences-National Research Council.

In a summary of the conference just issued by the National Academy of Sciences-National Research Council in its publication No. 2182, we are advised:

Malnutrition in the preschool child is one of the world's most serious health problems in developing areas. Not only is it killing and maiming the children of today, but also, through physical, mental and emotional damage it will handicap the society of 1984, the next generation.

The International Conference on Prevention of Malnutrition in the Pre-School Child established that:

I. Preschool malnutrition is basically responsible for the early deaths of millions of children;

II. Of those it does not kill, preschool malnutrition permanently impairs physical growth and probably causes irreversible mental and emotional damage; and that

III. Preschool malnutrition is a serious deterrent to progress in developing countries; it weakens the productive capacities of adults surviving from the irreparable damages incurred in early childhood.

In developing areas, as many as 70 percent of the children may suffer from malnutrition. The maimed survivors become adults lacking the vigor and enterprise essential for productive advancement. Their shortened life span and decreased ability to produce gravely impede the physical, mental, and economical growth of the population.

Mr. President, this is a relatively brief report, of about 3,000 words total, so I am going to ask unanimous consent that the whole report be included in the RECORD at the conclusion of my remarks.

SUPPLIES RUN SHORT

The United States can be proud that through school lunch and milk programs, we have rescued nearly 40 million children in less developed nations from the effect of malnutrition and protein deficiency. This is the number of children receiving school lunches daily in some 80 countries through the U.S. food-for-peace program. It is perhaps our finest oversea aid program. Another 30 million children are reached through family feeding programs.

In spite of the existence of these programs, the threat of food shortages remains in the assisted countries. Our foreign food assistance programs are conducted with surplus agricultural commodities. Stocks of surplus nonfat dry milk, our highest protein nutrient available in quantity for the purpose, have run low in the past year and they are not expected to permit the needed expansion in the provision of this higher protein food that we should undertake. The requests of the voluntary agencies such as CARE are not fully met. Supplies may not prove sufficient to maintain the present level of distribution.

We need the $50 million fund, not just to permit the purchase of additional high-protein foods for assistance programs, but as a safeguard against a deficiency of surplus foods of necessary nutritional value as a result of declining surplus stocks.

You will find in the report on preschool child nutrition findings that, in addition to protein deficiency, certain vitamin deficiencies occur.

Vitamin A deficiency accounts for widespread blindness and impaired vision; beriberi is a major disease among children because of deficiency of vitamin B_1 in areas where polished white rice is the staple cereal. Iodine deficiency is widespread causing cretinism, imbecility, and dwarfism. Iron-deficiency anemia is another major problem.

It is because of these deficiencies, that I have proposed to earmark $15 million for the fortification or supplementation of foods we send abroad.

I am sure that this Nation wants to assist in the very best way it can for humanitarian reasons, but we can ill-afford, as a matter of wise use of funds, to permit a new generation of physically and mentally handicapped people to come to maturity in the less-developed nations that we are attempting to assist. The response to our assistance expenditures will depend on no small degree on the vitality of the citizens aided. We can expect to see our development efforts succeed far sooner in a nation of healthy citizens than in a nation burdened with many who are handicapped physically, or mentally, or both.

Mr. President, I am sure that virtually all of the money authorized to be expended by the Commodity Credit Corporation for high protein foods can be used to bolster weakened agricultural markets. We have had a succession of crises in animal products markets, and USDA purchase programs to bolster those markets. Coordinated with the administration of agricultural programs by requiring that the items be in adequate supply as determined by the Secretary of Agriculture, these funds can do double-duty-assisting our hard-pressed farmers as well as food recipients abroad.

Finally, Mr. President, I believe this bill will have significance in our foreign relations.

It will move us a little beyond supplying our needy fellow men abroad out of our surpluses, to the deliberate provision of a small but critically urgent part of their diets. It will move us a step beyond saying "Here are some things we cannot use and do not need" and enable us to say to the needy assisted: "Here are foods that have been prepared to meet your dietary requirements for good health."

In his address at the observance of the 20th anniversary of the United Nations, President Lyndon Johnson said:

I would call upon all member nations to rededicate themselves to wage together an international war on poverty.

Let us then together raise the goal of technical aid and investment through the United Nations; increase our food, health and education programs to make a serious and successful attack upon hunger, disease and ignorance—the ancient enemies of mankind.

The adoption of the measure I have proposed today, at an early date, would be a fine demonstration to the world that our Nation is not only prepared to move forward as the President has proposed, but is moving forward in its attack on want and disease.

Mr. President, I ask that the text of the bill be printed at this point, followed by the report on malnutrition previously mentioned.

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

The bill (S. 2229) to amend section 203 of Public Law 480 of the 83d Congress, as amended, introduced by Mr. McGOVERN, 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:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of Public Law 480 of the 83d Congress, as amended, the Agricultural Trade Development and Assistance Act of 1954, is further amended as follows:

At the end of the first sentence strike the period, insert a colon, and add the following:

"*Provided,* That the Commodity Credit Corporation is authorized to make expenditures requiring not to exceed $50,000,000, annually of additional reimbursement to provide:

"(a) up to $15,000,000, for protein and vitamin supplements and fortification for foods, and

"(b) up to $35,000,000, in domestically produced beef, poultry and other meats and meat products, dairy products, fish and fish products, rice and other high protein foods, determined by the Secretary of Agriculture to be in adequate supply in the United States, for donation to school lunch and similar programs in countries eligible for assistance under this Act."

The report presented by Mr. McGovern is as follows:

PRESCHOOL CHILD MALNUTRITION—PRIMARY DETERRENT TO HUMAN PROGRESS

(A summary of an International Conference on Prevention of Malnutrition in the Preschool Child, Washington, D.C., December 7–11, 1964)

COMMITTEE ON PROTEIN MALNUTRITION

The Committee on Protein Malnutrition was established by the Food and Nutrition Board in 1956 to organize and administer a worldwide research program in protein resources, particularly for children in food-deficient countries. The work of the Committee was supported by a grant of $550,000 from the Rockefeller Foundation and was conducted in close cooperation with UNICEF, FAO, and WHO.

In 1960 the results of this research supported in some 20 countries were reviewed in an international conference supported by NIH and published as a report of "Progress in Meeting Protein Needs of Infants and Preschool Children," NAS publication No. 843.

Out of this program there emerged the conclusion that the most prominent deterrent to progress in developing countries is the failure of healthful development of preschool children resulting from malnutrition and disease.

Therefore, in cooperation with the Board's Committee on Child Nutrition, this conference has been organized as a terminal phase of the program with the objectives being (1) to consolidate the evidence for the magnitude of the problem of malnutrition in preschool children and its physical and behavioral consequences; (2) to survey the experiences with malnutrition in the preschool child in various geographic areas and in terms of deficiency disease, agricultural resources, and trained personnel; (3) to consider practical alleviative measures with emphasis on educational, social, and economic implications.

Committee on Protein Malnutrition: W. Henry Sebrell, Jr., Chairman; Wm. J. Darby, Grace A. Goldsmith, Paul György, G. E. Hilbert, J. M. Hundley, C. G. King, L. J. Teply, Secretary.

Committee on Child Nutrition: R. L. Jackson, Chairman; Paul György, H. E. Harrison, C. U. Lowe, D. N. Walcher, J. F. Wilson, C. W. Woodruff.

Malnutrition in the preschool child is one of the world's most serious health problems in developing areas. Not only is it killing and maiming the children of today, but also, through physical, mental, and emotional damage it will handicap the society of 1984, the next generation.

The International Conference on Prevention of Malnutrition in the Preschool Child established that:

I. Preschool malnutrition is basically responsible for the early deaths of millions of children;

II. Of those it does not kill, preschool malnutrition permanently impairs physical growth and probably causes irriversible mental and emotional damage; and that

III. Preschool malnutrition is a serious deterrent to progress in developing countries; it weakens the productive capacities of adults surviving from the irreparable damages incurred in early childhood.

In developing areas, as many as 70 percent of the children may suffer from malnutrition. The maimed survivors become adults lacking the vigor and enterprise essential for productive advancement. Their shortened life span and decreased ability to produce gravely impede the physical, mental, and economic growth of the population.

THE EFFECTS OF MALNUTRITION

On mortality

Infant mortality rates in an underdeveloped country may be only 6 to 8 times as great as those in technologically advanced areas but the mortality in the 1- to 4-year age group may be 50 to 60 times greater.

This very high mortality in the preschool child is not due to nutritional inadequacy alone. The transition from breast feeding to bottle or hand feeding involves great risks from unsanitary practices, leading to diarrheas, infections, and parasites. These exaggerate the weakened condition due to malnutrition and the malnutrition makes children unable to cope with the disease. Measles and respiratory infections common to children throughout the world are rarely fatal nowadays to well-nourished children but cause a high mortality among the malnourished.

The high mortality and morbidity resulting from malnutrition spring not only from ignorance, unsanitary conditions, poverty, and inadequate medical care, but also from failure—even among professional personnel—to recognize the extent of malnutrition and its effects.

The largest group of victims is within the age group of 1 to 5 years, referred to as the "preschool" child. In this age group there is the greatest need for adequate nutrition. Equally—and with distressing consequence—there exists for this age group the greatest neglect in providing adequate nutrition.

On physical growth

The growth potential of children afflicted with malnutrition and disease, in every likelihood, is never reached.

A child inherits an assortment of genes which predetermines his potential, but each phase of his development is influenced by the interplay of inheritance and environmental exposures.

Malnutrition in the mother may handicap a child from birth. The fetus, however, does have first priority on the mother's resources and will achieve normal birth weight and normal development at the expense of the mother.

Growth of underprivileged children is accelerated with improved nutrition and environmental care.

The evidence indicates that under optimal environmental conditions, growth of children is similar in most areas of the world and that failure to adhere to the growth pattern is often an indication of ill health. Thus, worldwide growth standards for age-height-weight are needed and deviations from the standard should immediately stimulate consideration of the nutritional factors prevailing in the populations or individuals concerned.

As the general health status of the people of developed countries has improved, there has been—in addition to a marked decrease in morbidity and mortality—a definite trend toward increased height and weight among maturing children, generation by generation.

While height-weight measurements for age provide the simplest index for nutritional status, studies of skeletal development often indicate retardation of bone growth from malnutrition and disease. Thin-shelled and weakened bones with reduced mineral content are a frequent result and the child does not recover this loss when growth is resumed by improved nutrition.

On mental development

That conditions such as apathy, inattention and purposeless movements occur during the acute episode of protein-calorie malnutrition is without question. The larger question of whether there are undetected permanent effects on learning ability, mental capacity, and behavior is still not answered satisfactorily. However, the possibility that protein-calorie malnutrition has an adverse effect on the development of the human central nervous system is predicated on several preliminary reports and on the basis that the growth of the human brain at time of birth is largely dependent upon protein synthesis. The brain is then gaining weight at a rate of 1 to 2 milligrams per minute.

Protein deficiency also has been implicated in disturbances of function of cerebral cortex affecting processes of internal inhibition and intensity of reflex action. Tests with experimental animals have shown clearly that the brain is irreversibly damaged by severe protein deficiency in infancy.

In addition, behavioral development is definitely affected by the severance of

mother-child relationship in the weaning process or by sickness of mother or child.

MAJOR SPECIFIC DEFICIENCIES

While the general debilitative effects of malnutrition in the preschool child are largely due to calorie-protein deficiency, healthful nutrition requires the interaction of all essential nutrients.

Correction of calorie deficiency with carbohydrates alone may exaggerate protein deficiency. Correction of calorie and protein deficiency while neglecting vitamin and mineral requirements may exaggerate the symptoms of specific nutrient deficiency.

Vitamin A deficiency accounts for widespread blindness or impaired vision and to a large extent for high mortality. Night blindness, xerophthalmia (dry and lusterless eyes) and kerotomalacia (softening of cornea) are common manifestations of vitamin A deficiency. It is prevalent throughout Asia, the Middle East, parts of Africa, and Latin America.

The mortality rate among malnourished children with xerophthalmia is very high because of the many other health factors adversely affected by vitamin A deficiency. Those that survive are usually wholly or partially blind, and thus become lifelong problems for their communities.

Present evidence enforces the ominous conclusion that the incidence of xerophthalmia is increasing. Fortification with vitamin A of dry skim milk destined for developing areas would greatly help to alleviate this condition.

Iron deficiency anemia also is widely prevalent throughout the developing areas of the world and contributes to the debility of the child. It may or may not be associated with protein-calorie malnutrition.

Beriberi, the classical disease of vitamin B_1 (thiamine) deficiency continues to be prevalent in areas where polished white rice is the staple cereal. It results in the death of an unknown number of infants and children in Burma, Thailand, the Philippines, and probably other parts of Asia.

Iodine deficiency is widespread largely in mountainous areas of the world. Thus, in many villages, most of the inhabitants have endemic goiter. In children, iodine deficiency results in cretinism with imbecility and dwarfism.

CURRENT PROGRAMS FOR COMBATING CHILDHOOD MALNUTRITION

The conference did not attempt to review all the programs in progress throughout the world, but representatives of several areas briefly summarized current programs and activities.

Africa

There are numerous institutional programs in Africa illustrated by those in Uganda and Ethiopia but relative to the magnitude of the problem, hardly a beginning has been made. Although reliable vital statistics are fragmentary, it is clear that protein-calorie malnutrition is widespread among African children and is usually conditioned by infectious disease and parasitism.

The problem in Africa exists in a great variety of cultures and environments. Preventive programs must be based on careful study of the economic, cultural, agricultural, medical, and other factors significantly related to the problem. Such programs must include the prevention of infections, the development and use of protein foods that can be made economically available to young children, and the education of mothers.

South America

The problem here is illustrated by programs in Peru and Chile.

In Peru there is an increase in the growth of children when living standards are improved. The short stature of most adult Peruvians is in marked contrast to the known size of their well-nourished ancestors. The evidence indicates that malnutrition in the infant and preschool child produces a lasting debilitating effect on physical and mental development.

Significant improvement in height and weight of children has been achieved by the distribution of 500 grams per week of wheat noodles containing 10 percent of fish-protein concentrate.

In Chile, large migration of the rural population to urban centers and the dependence and unproductiveness of much of the population puts a heavy strain on the economy. Malnutrition in infants and preschool children is extensive. It differs, however, from that in many other areas in that it appears often in infants under one year of age because of early weaning. Diarrhea accounts for 30 percent of the deaths of Chilean children under 5 years.

Chilean programs conducted through the National Health Service include the distribution of dry milk, vaccinations, infectious-disease control, sanitation, and the development of high-protein foods. The programs are handicapped by shortage of medical personnel.

Mexico and Central America

In Mexico, it is estimated that more than four million children show evidence of malnutrition as measured by a normal weight deficit for age. The Mexican program is a long-range one seeking to achieve total community development.

In Central America, extensive studies of the nutrition problem and the efforts to combat it have centered in the Institute of Nutrition for Central America and Panama, located in Guatemala City. Protein-calorie malnutrition and iodine deficiency are known to be prevalent. Iodated salt has been introduced to combat goiter and cretinism. A low-cost vegetable-protein mixture (incaparina) has been introduced and is now moving into commercial production through regular merchandising channels.

Indonesia

Indonesian children are small in stature for their age and their diet is low in calories and protein. Incidence of vitamin A deficiency is high.

In one village this situation was combated by distributing red-palm oil to mothers as a medicine for preventing eye troubles in their children. Other programs for growing soybeans for free distribution to families with preschool children have been conducted through village "headmen." This has the effect of stimulating reliance on locally produced food to combat malnutrition in preschool children.

Philippines

The infant mortality rate in the Philippines in 1962 was 68 per thousand live births, as compared with 25 per thousand in the United States. The death rate in children aged 1 to 4 was 45 per thousand, as compared with 1 per thousand in the United States. Beriberi is one of the five leading causes of death in this age group.

Birth weights and growth during the first 4 months of life in the Philippines are similar to those in developed countries. From the start of weaning, however, weight in relation to age is markedly lower because of poor feeding. Foods given during the weaning period consist primarily of cereals, which are inadequate to meet needs for growth.

Programs of applied nutrition, nutrition education, health, social welfare, agriculture, and research are in progress, all focusing strongly on the preschool child.

PRACTICAL MEASURES FOR IMPROVEMENT

The Conference established that the problems of malnutrition in the preschool child are aggravated chiefly by three circumstances:

1. Mothers do not know what to feed their children to maintain normal growth and development. The conspicuous effects of malnutrition are attributed to other causes. They do not understand that small children need generous amounts of foods supplying high-quality proteins.

2. Many families cannot afford to buy the food required by children. Even if good foods (such as eggs) are in their hands, they are traded or sold for things desired by the adults.

3. Ill-advised crop practices, emphasis on the raising of nonfood cash crops, lack of transportation, lack of food processing and preservation, all conspire to put the required foods beyond reach. Anthropological factors, social customs, superstition, taboos, and religious beliefs also often operate to prevent giving children the foods they need.

Any plan or program to combat malnutrition must be accompanied by ways and means of correcting these conditions. This requires total planning for a national approach, including agricultural, educational, health, and economic plans based on local resources and mores—including the wishes of the people as well as their capabilities.

Agricultural programs must include in their objectives not only the production of more food, but also the production of the protein foods so urgently required by the preschool child and distribution in forms that the child can consume.

There are many ways to increase the food supply, including improved methods of intensive farming, better plant and animal selection and breeding, and wider use of fertilizers and pesticides. (In many countries in which food-production programs exist, however, populations are increasing more rapidly than production. Contributing factors include the complex problems of providing credit to farmers at reasonable rates of interest and of adopting land-tenure policies that create incentive to produce more foods.)

Another important factor in increasing food availability is the prevention of loss caused by rats, insects, weevils, molds, and other destructive agents. It was pointed out at the Conference that such losses in India are three times the annual food deficit and that their elimination would do much to solve that country's immediate food problem.

Family food supplies can be increased by local programs that, despite their relatively small size, provide education and food for children—particularly programs of home and school gardening and raising of chickens, rabbits, and other small animals. In suitable areas, fish ponds can provide greatly increased protein-food supplies. Wider use of seafood products is receiving much attention, and in a number of countries efforts are being made to develop low-cost fish-protein concentrates.

Many high-protein foods are not being used to best advantage. Most promising of these are the oil-seed meals—from cottonseed, soybeans, peanuts, sesame, and other oil seeds. These products—containing 30 to 50 percent of relatively good-quality protein—can be combined with cereals and flours to make foods almost as protein-efficient as milk, meat, fish, and eggs.

Development and introduction of products of this type require commercial cooperation and participation along with modern food technology and business management. The conference stressed the need for introduction of new foods through regular food outlets. Market surveys, acceptability studies, and commercial methods of promotion are essential.

Significant to progress in food-deficient areas is the U.S. food-for-peace program, under which overseas distributions of American surplus commodities are purposefully designed to promote economic development

and to improve local food production. Emphasis should be placed on nutritional improvement of these products by addition of vitamin A to skim milk and by enrichment of wheat flour, white rice, and corn meal with thiamine, riboflavin, niacin, and iron, whenever these cereals are sent to developing areas.

Education was discussed at length in the conference. There is a shortage of trained educational personnel. This shortage extends from international and national professional personnel to district and local workers engaged in the education of village mothers and leaders.

Education in the villages is often undertaken by workers with fixed programs that ignore what villagers and mothers actually are thinking and believing. Techniques are often brought from cities and are meaningless or confusing to villagers.

Nutritional problems cannot be isolated from the remainder of community problems. Nutrition must be part of a total program involving the total welfare and development of the community.

MAJOR REQUIREMENTS

The most pressing immediate need is for widespread distribution and availability of foods of value in combating protein-calorie malnutrition, from whatever sources and by whatever means of distribution.

More training programs are urgently needed at all levels but especially those providing highly trained professional personnel who can understand all the facets of the problem, organize national programs to make the best use of available resources, and serve as teachers of other nationals.

The Conference heard that in most villages there are only a few leaders to assist with any program brought to the village. These leaders are often confused by the large number of people who ask for assistance and cooperation in a variety of programs, few of whom know that the village leaders are already trying to carry out a number of other programs in various fields.

National planning and cooperation, especially among ministries of health, agriculture, economics, and education are essential and should be encouraged by all international agencies interested in nutrition.

Long-range programs for permanent improvement must be considered in relation to the development of entire communities. They must, therefore, consider the motivation, wishes, and economic limitations of the people concerned. Since such programs involve local education, increased food production, changes in crops, improved water supply, sanitation, home gardens, infectious disease control, and many other items, each requires concerted planning and integration.

There can be no doubt of the gravity of the problems outlined in this Conference. They require the fullest possible understanding and the most carefully conceived action—commensurate with the need. Failure to meet this challenge would exact an intolerable price in human suffering and degradation.

NOTE.—The full proceedings of the Conference including all the papers documenting the substance of this summary will be published as NAS–NRC pub. No. 1282.

INCREASED RATES OF BASIC PAY FOR MEMBERS OF THE UNIFORMED SERVICES

Mr. SIMPSON. Mr. President, the Armed Services Committee of the House of Representatives has reported out a military pay bill that would provide an average increase of approximately 10.7 percent in base pay to all members of the uniformed services. This bill was introduced originally March 3, 1965, by South Carolina Congressman L. MENDEL RIVERS, who, as chairman of the Committee on Armed Services, directed an exhaustive study into the military pay structure.

The measure, as reported, incorporates changes made in the original bill to provide for a variable reenlistment bonus and for an annual review of military pay.

I am today introducing in the Senate a pay bill identical to H.R. 9075, as that bill was reported out of the House Committee. I ask that it remain on the desk 5 days for the convenience of anyone who might wish to become a cosponsor.

I ask at this juncture of my remarks, Mr. President, that the bill be printed in the CONGRESSIONAL RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Wyoming.

The bill (S. 2230) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, introduced by Mr. SIMPSON, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(a) of title 37, United States Code, is amended to read as follows:

"(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

"COMMISSIONED OFFICERS

"Pay grade	Years of service computed under section 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O–10 [1]	$1,417.80	$1,467.60	$1,467.60	$1,467.60	$1,467.60	$1,523.70	$1,523.70	$1,641.00	$1,641.00	$1,757.70	$1,757.70	$1,875.00	$1,875.00	$1,992.30	$1,992.30
O–9	1,266.60	1,299.60	1,328.10	1,328.10	1,328.10	1,361.70	1,361.70	1,417.80	1,417.80	1,536.30	1,536.30	1,654.50	1,654.50	1,772.40	1,772.40
O–8	1,168.50	1,203.30	1,231.80	1,231.80	1,231.80	1,323.30	1,323.30	1,386.30	1,386.30	1,443.90	1,506.90	1,564.20	1,627.20	1,627.20	1,627.20
O–7	974.70	1,041.60	1,041.60	1,041.60	1,087.80	1,087.80	1,151.10	1,151.10	1,208.70	1,329.30	1,421.70	1,421.70	1,421.70	1,421.70	1,421.70
O–6	739.50	770.10	820.20	820.20	820.20	820.20	820.20	820.20	848.40	982.20	1,032.30	1,054.80	1,116.30	1,210.80	1,210.80
O–5	591.60	644.70	688.50	688.50	688.50	688.50	710.10	748.20	797.40	857.70	906.90	933.90	966.90	966.90	966.90
O–4	526.50	562.80	600.90	600.90	611.70	639.00	682.50	720.90	753.90	786.60	808.20	808.20	808.20	808.20	808.20
O–3 [2]	427.80	473.40	505.80	559.50	586.50	607.80	640.20	672.30	688.80	688.80	688.80	688.80	688.80	688.80	688.80
O–2 [2]	342.60	403.50	484.20	500.40	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20
O–1 [2]	294.60	330.00	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50

"[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $2,140.20 regardless of cumulative years of service computed under section 205 of this title.

"[2] Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

"COMMISSIONED OFFICERS WHO HAVE BEEN CREDITED WITH OVER 4 YEARS' ACTIVE SERVICE AS AN ENLISTED MEMBER

"Pay grade	Years of service computed under section 205											
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O–3	$559.50	$586.50	$607.80	$640.20	$672.30	$699.60	$699.60	$699.60	$699.60	$699.60	$699.60	$699.60
O–2	500.40	511.20	527.10	554.40	475.70	591.60	591.60	591.60	591.60	591.60	591.60	591.60
O–1	412.50	440.40	456.60	473.10	489.60	511.80	511.80	511.80	511.80	511.80	511.80	511.80

"WARRANT OFFICERS

"Pay grade	Years of service computed under section 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W–4	$435.60	$507.00	$507.00	$518.70	$542.70	$566.10	$589.50	$631.20	$660.30	$684.30	$701.70	$725.40	$749.10	$807.90	$807.90
W–3	396.00	468.90	468.90	474.60	480.60	516.00	546.00	563.70	581.40	599.10	617.10	640.80	664.50	688.50	688.50
W–2	346.50	388.50	388.50	399.90	422.10	444.90	461.70	478.50	495.30	512.40	529.20	546.30	568.50	568.50	568.50
W–1	288.90	347.70	347.70	376.50	393.60	410.40	427.50	444.90	462.00	479.10	495.90	513.30	513.30	513.30	513.30

"ENLISTED MEMBERS

"Pay grade	Years of service computed under section 205														
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9	----	----	----	----	----	----	$492.00	$503.40	$514.80	$526.20	$537.30	$548.70	$577.20	$633.30	$633.30
E-8	----	----	----	----	----	$406.80	417.90	429.00	440.40	451.50	462.60	473.70	501.90	557.40	557.40
E-7	----	$261.00	$324.90	$336.90	$348.60	$360.30	372.00	383.70	396.00	413.40	425.40	437.10	442.80	472.80	531.90	531.90
E-6	----	225.00	276.30	287.70	299.40	311.10	322.50	333.90	351.30	362.70	374.10	380.10	380.10	380.10	380.10	380.10
E-5	----	194.10	242.10	253.50	264.90	282.00	293.70	305.10	316.80	322.50	322.50	322.50	322.50	322.50	322.50	322.50
E-4	----	163.50	200.70	211.80	228.30	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70	239.70
E-3	----	117.90	160.20	171.60	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70	182.70
E-2	----	97.50	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60	132.60
E-1	----	93.90	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80	121.80
E-1 (under 4 months)	----	87.90	----	----	----	----	----	----	----	----	----	----	----	----	----	----

"

SEC. 2. The enactment of this Act does not reduce—

(1) the rate of dependency and indemnity compensation under section 411 of title 38, United States Code, that any person was receiving on the day before the effective date of this Act or which thereafter becomes payable for that day by reason of a subsequent determination; or

(2) the basic pay or the retired pay or retainer pay to which a member or former member of a uniformed service was entitled on the day before the effective date of this Act.

SEC. 3. (a) Chapter 19, title 37, United States Code, is amended by adding the following new section at the end thereof:

"§ 1008. Presidential recommendations concerning adjustments and changes in pay and allowances

"(a) The President shall direct an annual review of the adequacy of the pays and allowances authorized by this title for uniformed personnel. Upon completion of this review, but not later than March 31 of each year, the President shall submit to Congress a detailed report summarizing the results of such annual review together with any recommendations for adjustments in the rates of pay and allowances authorized by this title.

"(b) Whenever the President considers it appropriate, but in no event later than January 1, 1967, and not less than once each four years thereafter, he shall direct a complete review of the principles and concepts of the compensation system of all uniformed personnel. Upon completion of such review he shall submit a detailed report to the Congress summarizing the results of such review together with any recommendations he may have proposing changes in the statutory salary system and other elements of the compensation structure provided members of the uniformed services."

(b) The chapter analysis of chapter 19, title 37, United States Code, is amended by adding the following new item:

"1008. Presidential recommendations concerning adjustments and changes in pay and allowances."

SEC. 4. Section 308 of title 37, United States Code, is amended by adding the following:

"(g) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a member who is designated as having a critical military skill and who is entitled to a bonus computed under subsection (a) of this section upon his first reenlistment may be paid an additional amount not more than four times the amount of that bonus. The additional amount shall be paid in equal yearly installments in each year of the reenlistment period. However, in meritorious cases the additional amount may be paid in fewer installments if the Secretary concerned determines it to be in the best interests of the member. An amount paid under this subsection does not count against the limitation prescribed by subsection (c) of this section on the total amount that may be paid under this section."

SEC. 5. This Act becomes effective on the first day of the first calendar month beginning after the date of enactment of this Act.

Mr. SIMPSON. Mr. President, I have consistently supported legislation aimed at increasing the remuneration given our armed service personnel for their contribution in safeguarding the institutions of our free society and indeed of the free world. I am concerned, as are many other Senators, over the inability of our armed services to retain highly qualified and competent officers and enlisted men whose training represents a massive investment and whose services cannot easily be spared by our Military Establishment.

My purpose in introducing this bill, even though I am not a member of the Senate Armed Services Committee, is to expedite passage of legislation which appears to have strong support in the Congress and to allow it to be considered by the Senate committee in advance of final action by the House. I feel that in this way the salary increases, which our 2,723,000 officers and men on active duty desperately need, can become reality without undue delay.

We would indeed be pennywise and pound foolish if we were to continue our present policy of paying such miserly salaries that in one branch of the service alone, the Air Force, 60,000 men are either drawing or are technically eligible to draw welfare benefits; nearly 180,000 wives must work to support their families; and nearly 150,000 enlisted men are moonlighting in their meager spare time in order to keep their families together.

These figures could be tripled to get a rough total for all the services.

Mr. President, the combined bungling of international organizations has never succeeded in keeping the peace. The peace, such as it has been since 1945, has been maintained by American men and women in uniform whose training and dedication, combined with our unexcelled technical superiority, has enabled us to effectively determine the outcome of armed actions throughout the world. This is the deterrent to war.

In wartime when the American public can read graphic accounts of servicemen in battle, there is a greater awareness of the sacrifice represented by a career in uniform. Today in Vietnam Americans are beginning to once again realize that combat boots and a pair of dungarees mean something more than steak and eggs for breakfast, KP in the afternoon, and war games at night. But Americans have not yet become sophisticated enough to take full cognizance of the fact that the finest test of any military establishment is that it not be forced into a war of national survival. Any army can engage in war, but only the most superlative is so effective as to provide a deterrent sufficient to prevent war. The United States has such a deterrent force.

We see in Vietnam today a situation in which the type of war has thus far limited our reaction to it, but the fact remains that the greatest deterrent to a nuclear war has been America's military superiority. It is disgraceful that those to whom we look for maintenance of a peace with honor are being paid such a paltry sum.

In considering the military pay raise bill, we must take these facts into consideration:

The basic training provided a pilot in the Air Force before he is given his wings costs an estimated $96,000 per man. Even this great expenditure, however, fails to qualify him in the new highly sophisticated aircraft. If he is to become the pilot of an F–100 supersonic fighter, his training will cost an additional $171,000; to become a F–4C pilot, his training will cost another $324,320. I am advised by the Pentagon that the background training required to produce a competent, qualified B–52 aircraft commander involves a per man expenditure of $1.24 million.

For the enlisted man, simple basic training costs approximately $4,000. If you add to this elementary training as a specialist, the unit cost of training an inductee rises to $5,500 per man. Our failure to retain these enlisted inductees alone constitutes a monetary loss of approximately one-half billion dollars a year in this one area. The impact this experience loss has on our military operational capacity is obviously tremendous.

Our mission in considering a military pay bill would seem to be twofold: to get and to keep. We must pay on a scale that induces young men to enter the armed services and that encourages them to remain in the military and regard it as a profession so that the cost of their training will not be lost to the Nation.

A few additional statistics shed light on the sad deficiency in armed service reenlistment. Statistics for fiscal year 1962 show that for regular enlisted men the Air Force had a re-up rate of only 71.1 percent. This dropped by fiscal year 1964 to only 58.3 percent.

To the Army, Navy, and Marine Corps, enlisted rates are no less satisfying. For fiscal year 1964 they were, for the Army,

49.9 percent; for the Navy, 37.9 percent; and for the Marine Corps, 30.1 percent, giving us an average reenlistment rate for regular enlisted men of only 47.2 percent.

Mr. President, I should like at this point to ask that at the conclusion of my remarks an article from the March 1965 issue of the Reader's Digest entitled, "Paupers in Uniform," be printed in the RECORD.

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

Mr. SIMPSON. Mr. President, now, more than ever before, the United States cannot afford to be second best in military personnel or military equipment. We cannot pay the men and women of our Armed Forces rockbottom salaries and expect either to attract the best that the Nation has to offer or retain those who we have been training at great expense.

No amount of money will adequately compensate our military men for the commitment they have made to remain in uniform when they can be called to fight on foreign fronts, but as citizens, as lawmakers, and as the primary beneficiaries of the free society which these guardians of the peace are protecting, we must at least attempt to bring their pay in line with that of their civilian counterparts. In a speech I was privileged to make in April of this year at Bolling Air Force Base, I said:

Until we wake up and realize that American men in uniform represent the only alternative we have to unleashing full scale and catastrophic nuclear war every time a hot spot pops up around the world, American servicemen will continue to be the world's most underpaid and misunderstood keepers of the peace. Americans must become sophisticated enough to realize that the finest test of any military establishment is not that it be forced into a war of national survival but that it be so effective as to provide a deterrent sufficient to prevent war.

We have such a mililtary capability today, but to keep it we must make a service career more attractive to the type of men in whose character, courage, and integrity we can place our trust. A substantial pay raise enacted by Congress without delay will be the first step in that direction.

The article presented by Mr. SIMPSON is as follows:

PAUPERS IN UNIFORM

(By Francis and Katharine Drake)

A job for Congress: revise the military pay scale upward. The present low-wage policy damages the morale and effectiveness of our soldiers, sailors, and airmen; it also causes constant turnover of personnel thus wasting the taxpayers' money.

The President's initiation of a crusade against poverty recently brought to light the plight of uncounted numbers of citizens who, at a time of unprecedented national prosperity, are unable to keep their heads above the financial disaster level. This spring the Nation is in for another shock, when the subject of military pay increases comes before Congress. The American people will then get a good hard look at a situation that must fill all but the thickest skinned citizen with a sense of shame: the financial plight of the men who protect our country.

The fact is that thousands of American enlisted men on active duty, skilled volunteers who wear their country's uniform with pride, are actually paupers in uniform. It is ironic that the Government, which established poverty levels, is itself paying many of its uniformed men below these levels. Some soldiers, sailors, and airmen and their families are even being forced to accept relief.

The Air Force, with 719,000 enlisted men and women, has just completed a survey and found (the figures can be tripled to get very rough totals for all services): (a) 5,000 Air Force men have received relief benefits; (b) 55,000 more are technically eligible for relief but too proud to accept it; (c) 169,000 receive basic pay below the Government poverty levels; (d) 148,000 men are moonlighting in their meager spare time; (e) 180,000 Air Force wives work to support the family.

It is a fact that a jet pilot, master of the skills involved in maneuvering supersonic planes, actually draws less pay than a Pentagon messenger.

LOST INVESTMENT

Former Senator Kenneth Keating described the pay situation as "a disgraceful reward for those who have sworn to defend our country." More than this, the low pay scale represents a great waste of the taxpayers' money. When poverty forces the majority of highly skilled men out of the services after their first hitch, the result is a perpetual turnover. The Government is committed to the tremendous cost of training new men who, in turn, will walk out. The total investment cost of training just one Air Force radar electronic specialist is $23,000; a ballistic-missile launch officer, $49,140; a B–52 commander, $1,400,000; his crew, another $2 million. When these men quit, all that investment goes down the drain.

Between 60 and 70 percent of all Air Force skilled enlisted men leave at the end of their first 4-year enlistment. Also, an average of 54 percent of the officers separate at the earliest permitted date. In the past 5 years Army resignations have increased by more than 50 percent, Air Force by 137 percent.

IN THE RED

The case history of Joe Doakes, high school graduate, age 19, comes closer to the rule than to the exception. Joe, motivated by patriotism, challenge, the promise of a fine technical education, begins his 4-year hitch as airman basic—pay: $78 a month, living in barracks with no allowances. Three years later he is Airman 1st class Doakes, now a skilled electronics specialist, earning $194 a month plus allowances, married, father of one child, expecting another—and in debt up to his ears. How, in 3 brief years, did Joe land himself in such a financial fix? The answer of course is: by marriage. (Our armed services today total 2,700,000 men in uniform; wives number about 1,500,000.)

Ineligible because of lack of rank for base housing, he now receives $83 quarters allowance from the Government. Cheapest off-base lodgings he can find cost $107 a month, not including utilities, which average $30 a month more. Furnishing the apartment sets him back nearly $1,000. Commuting to base involves a secondhand car; repair and gas bills cost him $24 a month. During the last 3 years Joe has had to move twice—and pay the family transportation costs each time. Government food allowance is $31.50 a month, or roughly 10 cents per person per meal for the three Doakes. Total pay, including all allowances, is $308 a month.

It boils down to this: the Doakes' monthly budget invariably balances in the red. Whenever he can, Joe moonlights, but unpredictable duty hours make sparetime work irregular. The services, perpetually short of skilled men, are forced to hire civilian technical representatives from private industry. Joe works alongside one of these, performing a duplicate job. The technical representative earns $1,000 a month (plus generous overtime). Having spent $25,120 on Joe's training, the Air Force now presses him to reenlist, offering a $779 re-up bonus. The technical representative tells him not to be a fool.

THOUSANDS OF JOES

This is the sort of choice faced by thousands of young service couples each year. On the one side, pride, patriotism, the hope of promotion; on the other, more money, shorter hours, higher living, the freedom to change jobs if opportunity beckons.

Joe's decision? "I'm quitting," he says. "Not because I want to, but because I just can't afford to stay in."

Multiply Joe by hundreds of thousands of men in each service: it adds up to billions of dollars a year wasted in unnecessary turnover—and a threat to our protective strength and the safety of our country. As Capt. William A. Golden states in the "Naval Institute Proceedings": "It is now necessary to recognize objectively that officers (and enlisted men) cannot be paid like busboys, worked like field hands, and released like old, slow halfbacks—it simply is not good business."

Today, our military are in danger of becoming forgotten men. The economy is leaving them so far behind that it is small wonder they are becoming disillusioned and embittered, unwilling to put up any longer with the status of second-class citizens. Many will settle for less pay than they can get in industry, for the privilege of serving their country—but not if they are going to be penalized for marrying young, and driven to live on charity handouts.

How can we make a military career attractive to the youth of America? The services, in mutual consultation, have defined the minimum improvements they believe necessary.

BASIC PAY

The study proposes an immediate pay increase of 16 percent for enlisted men with less than 2 years' service, 15 percent for officers with less than 2 years' service, plus increases for other officers and enlisted men, plus a redefinition of subsistence allowances for those who cannot eat on base. (There was a military pay raise only last year, but of only 2½ percent—of virtually no benefit to the lower ranks who needed it most.) The proposed increases would average from $12 to $44 a month for enlisted men, from $37 to $111 for officers. By contrast, raises granted last year to civilian Federal employees were five times as high.

PROMOTION

This is a major grievance among servicemen, since, at present, a promotion with accompanying pay increase is by no means automatically granted when a man becomes eligible. Restrictions on the services' authority to promote enlisted men deny deserved promotions. As a result, some highly qualified lower grade enlisted men are doing sergeants' work but receiving neither sergeants' stripes nor sergeants' pay.

QUARTERS

Housing has long been acknowledged by Congress to be part of military pay. Quarters, moreover, are supposed to be on-base, so that personnel are readily available in case of emergency. This commitment has never been properly honored. Below the rank of sergeant, virtually no serviceman is able to live on base if he is married. Instead, like the Doakes, hundreds of thousands of young service families dwell in civilian quarters, some adequate, some miserably substandard. Rent gouging in the vicinity of military bases is commonplace.

The services' proposal is to adjust basic quarters allowances to a more realistic amount. This is a stopgap. What is really needed is adequate base housing—which would cost the Government less in the long run.

A cure lies in renewing the Capehart housing bill, which expired last year. That bill permitted the military to have houses built on base, or next to it, by civilian contractors; to borrow the cost from private lenders on FHA-secured 20-year mortgages; and to pay these off out of congressional appropriations. The mortgage cost on a $17,500 unit is actually less than the average amount now paid out for a serviceman's quarters allowance—and the Government ends by owning the house free and clear. While the Government cannot build all the 350,000 units needed, it can and should build more than the 3,000 at present under construction.

But even with adequate housing, military paychecks can never compete with the wages of private industry. A petty officer in charge of the reactor aboard the cruiser *Long Beach* earns $453 a month. His civilian counterpart aboard the *Savannah* rates $1,200.

PRIVILEGES

These represent the compensating factors that traditionally bridge the gaps. Among them—counted as a part of service pay for 99 years—is the right to shop in commissaries, where the military can buy food at cost plus a surcharge of 3 percent. Well stocked at one time, post stores nowadays have only a quarter of the items available at supermarkets, operate only 40 hours a week, carry no "specials," no fancy items, and have long waiting lines; but savings amount roughly to $400 a year per family of four—a sum of critical importance.

A questionnaire recently circulated among 176,000 men in uniform reveals that 50 percent more enlisted men and 30 percent more officers would be obliged to leave the service if post shopping facilities were withdrawn and the $400 savings denied. Loss to the Government on commissary transactions amounts to roughly $40 a year per family, a sizable sum overall. But as Representative CRAIG HOSMER, of California, points out: an increase of one-tenth of 1 percent in the reenlistment rate would more than cancel out this Government red ink.

Also, the Department of Defense has acknowledged that any attempt to replace commissary savings with a pay raise would "greatly exceed the Government cost in operating base stores." Constant attacks on these and other privileges—base clubs, movies, etc., run by the men themselves at no cost to the Government—tend to make men quit in disgust. Anything that injures the military esprit de corps costs the Nation dearly.

NEEDED: GOOD MEN

Secretary of Defense Robert S. McNamara's determination to run his Department as efficiently as a business has been much in the headlines. He has shown courage and ingenuity in saving nearly $3 billion from our defense bill. Yet, in the words of Adm. David McDonald, the Chief of Naval Operations: "No other business in the world leans so heavily on manpower as does the military." Good hardware is of little use without good men.

The cost of the raise in pay and allowances for all services, proposed in the military services' study, is $811 million a year. Against this, savings would be realized. Pay and maintenance of our 2,700,000 men is about $15 billion a year; if, by retention of experienced men, the total manpower requirement could be reduced by only 10 percent, the savings would exceed the pay raise by far.

In the last analysis, the hope for the military lies in the understanding and support of the public, whose welfare is directly concerned. To give servicemen the stepchild treatment is to tamper recklessly with the innermost fabric of military security. If through indifference we cast loose the ablest and most skilled fighting men in the world, our future is indeed in jeopardy.

NATIONAL HIGHWAY TRAFFIC SAFETY ACT OF 1965

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, the National Highway Traffic Safety Act of 1965 and ask unanimous consent that it be referred to the Committee on Commerce and that it remain at the desk through July 7 in order that Senators who wish to might join as cosponsors. I also ask unanimous consent that the bill be printed in the RECORD at the end of my remarks, together with a section-by-section analysis of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Connecticut.

The bill (S. 2231) to establish a National Highway Traffic Safety Center to promote research and development activities for highway traffic safety, to provide financial assistance to the States to accelerate highway traffic safety programs, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, and by unanimous consent, referred to the Committee on Commerce.

Mr. RIBICOFF. Mr. President, the coming Fourth of July weekend should be a reminder that over twice as many Americans have been killed on our highways in the first 3 months of 1965 than died in battle throughout the entire 8 years of the Revolutionary War in which we won the independence we are about to celebrate.

In the next decade 1 out of every 5 Americans will be killed or injured in traffic accidents unless we do something about it.

At the current rate of increase over previous years, traffic accidents will claim the lives of 100,000 Americans annually by the year 1975—just 10 short years away.

It is time we woke up and faced the reality of these facts rather than hiding our heads in the sand and pretending that highway injury and death is what happens to the other fellow—that mythical "nut behind the wheel." It is time to get tough—tough with ourselves as drivers—as road builders—as auto makers—and to start doing something about the carnage on our highways.

That is the purpose of the bill I am introducing today. It would establish for the first time a truly national highway traffic safety program. The problem has become so massive that it cannot be left simply to State and private organizations and groups.

We need to accelerate highway-safety research and administration. Federal assistance to State and local agencies, universities, national associations of State officials, private research organizations, and others, will help attract to the study of highway safety matters research talent that is desperately needed. Federal aid of this type is proper, in view of the interstate character and serious national implications of the traffic-safety problem.

We also need to develop needed standards in such areas as traffic law, driver licensing, motor vehicle inspection, traffic-control devices, accident reporting, driver training, and the like. There should be review and evaluation, conducted at the Federal level, of all existing standards affecting highway safety. Following this review, Federal aid should be made available in order to organize and support the necessary cooperative work required to accomplish needed improvements in existing standards. This would also encourage the States to participate in the development of improved guides, and to apply them, as well.

The bill would establish in the Department of Commerce a National Highway Traffic Safety Center in which the Secretary of Commerce would conduct programs of highway safety research and development. He would review all the various standards for traffic safety with a view to helping the States update and improve them so that a person would know that a sign or signal in one State means the same as it does in another State—that a driver qualified in one State meets the same standards as any other driver—that a vehicle inspected in one State is safe for all States. I ask unanimous consent to insert at the end of my remarks a series of articles which appear in the current Atlantic Monthly's special supplement entitled "The Automobile in American Life."

The Secretary of Commerce, would, in addition, coordinate all programs for highway traffic safety now conducted by a wide variety of Federal agencies. An annual expenditure of $45 million would be available for all these activities and responsibilities of the Secretary of Commerce.

In addition, $105 million a year would be available to encourage the States to establish adequate programs of driver education and vehicle inspection. It is vital that we train the over 3 million youngsters reaching driving age each year and that older cars meet minimum safety standards.

The assistance for driver training would be directed toward the acquisition of vehicles, training facilities, and equipment, and other physical items needed, as well as the strengthening, through experience and scientific research, of the effectiveness of training techniques.

In the many areas, driver education programs have been limited or nonexistent, due to the lack of needed facilities, including qualified instruction, vehicles, and associated training aids. The legislation I propose will help the States meet this need by providing financial assistance to the States to cover half the cost of driver training programs. An estimated $60 million a year will be allocated for this program.

We tend to place great emphasis on the safety of the new car—which is proper—but let us not forget that the average age of the automobile on the street today is 6 years. Vehicle inspection, therefore, is an absolute necessity. Annual or semiannual examination of vehicle features closely related to safe operation is justified, in order to offset the tendency of many car owners to neglect vehicle-

maintenance responsibilities. Periodic inspection of motor vehicles assures the average highway user of having a reasonably sound vehicle, properly equipped, for the major portion of his driving. It is not unusual for inspection authorities to find one-third or more of the vehicles with one or more reasons for rejection, most of which have potention for contributing to an accident. Aside from its value mechanically, motor vehicle inspection is a far more efficient means of checking certain legal safety requirements than could possibly be achieved through traffic law enforcement.

Perhaps among all its values, the psychological value of making drivers more mindful of the importance of maintaining their vehicles and their equipment in safe operating condition is not to be overlooked. The inspection contemplated under the bill would be performed at stations or garages officially operated or specifically designated and certified for that purpose by the State. By advance agreement with the States, Federal participation in the cost of the motor vehicle inspection incentive plan would be established as a share of the initial cost, and would terminate after an agreed period of time, following which the program would operate on a self-sustaining basis. For the first years of the program $45 million in Federal matching grants will be needed. Eventually this cost feature will be eliminated freeing the funds for use in helping the States establish uniform traffic safety rules and regulations.

This is an expensive program I am proposing. But is not a $150 million expenditure worth it, when you consider that we are losing $8 billion annually in terms of accident losses, hospital costs, insurance costs, and the like—not to mention the human suffering and anguish caused by 48,000 traffic deaths and over 3 million traffic injuries each year?

This program would be financed by earmarking part of the 1 percent auto excise tax that was not repealed earlier this month for traffic safety purposes. We came within an eyelash of losing the entire tax for public use. I propose now to take advantage of this situation and apply part of that 1 percent auto excise tax to traffic safety. In this way we all participate. Approximately $22 of the price of every new car sold in the United States would be devoted to making our roads and streets safer. I think Americans are willing to spend $22 every time they buy a car to save their lives and those of their families.

Mr. President, I wish to announce that the Subcommittee on Executive Reorganization of the Committee on Government Operations will resume its hearings on the Federal role in traffic safety on July 13. Our first witness will be James M. Roche, president of General Motors, and Harry F. Barr, General Motors vice president for engineering.

The bill, section-by-section analysis, and article are as follows:

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 "National Highway Traffic Safety Act of 1965."

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to establish and strengthen a national effort for highway traffic safety by initiating and accelerating a national research and development program, by applying the results of such research to improving minimum standards for highway traffic safety, by providing assistance to the States for improved driver education and motor vehicle inspection and testing programs, and by encouraging public and private agencies and organizations to participate in traffic safety programs.

DEFINITIONS

SEC. 3. As used in this Act—

(a) the term "Secretary" means the Secretary of Commerce;

(b) the term "State" means a State, the District of Columbia, and the Commonwealth of Puerto Rico; and

(c) the term "State highway safety board" may include in the case of a State in which there is no State highway safety board an appropriate State agency other than a highway safety board designated for the purposes of this Act by the Governor of such State.

ESTABLISHMENT OF HIGHWAY TRAFFIC SAFETY FUND

SEC. 4. (a) There is hereby established in the Treasury of the United States a Highway Traffic Safety Fund (hereinafter referred to as the "fund") into which shall be covered for each fiscal year beginning after June 30, 1965, amounts equivalent to so much of the taxes received by the Treasury after such date under section 4061(a)(2) of the Internal Revenue Code of 1954 (relating to tax on passenger automobiles and trailers) as is attributable to so much of the tax imposed on articles taxable under such section as does not exceed a rate of 1 percent. For purposes of the preceding sentence, amounts received during the fiscal year ending on June 30, 1966, shall be taken into account only to the extent attributable to liability incurred after June 30, 1965.

(b) The Secretary of the Treasury shall from time to time transfer from such fund to the general fund of the Treasury amounts equal to the amounts of credits or refunds (or the proper portion thereof) of the taxes under such section 4061(a)(2) allowed or paid under such Code.

APPROPRIATIONS

SEC. 5. Amounts covered into the fund established by this Act shall be available for expenditure for the purposes of this Act only to the extent appropriated therefor.

NATIONAL HIGHWAY TRAFFIC SAFETY CENTER

SEC. 6. The Secretary shall carry out the provisions of this Act through a National Highway Traffic Center (hereinafter referred to as the "Center") which he shall establish in the Department of Commerce. The Center shall be headed by a Director who shall be appointed by the Secretary and shall receive compensation at a rate fixed by the Secretary in accordance with the Classification Act of 1949.

DUTIES OF THE SECRETARY

SEC. 7. In order to carry out the purposes of this Act the Secretary shall—

(1) plan, conduct, and administer basic research and development programs for highway traffic safety;

(2) conduct engineering studies, establish testing facilities and proving grounds to apply the results of such research and to assure the practicability of such developments for highway traffic safety;

(3) prepare with the assistance of State, interstate, and private organizations an inventory and evaluation of present standards for highway traffic safety, including the consideration of driver training, traffic laws, driver licensing, traffic control devices, highway construction, motor vehicle inspection, and accident reporting;

(4) collect and disseminate through appropriate means, all information pertaining to such standards of highway traffic safety the results of such research, and recommendations for the improvement of such standards;

(5) establish national minimum standards for highway traffic safety;

(6) cooperate with State highway safety boards, such interstate agencies as are established pursuant to the joint resolution of the Congress relating to highway traffic safety approved August 20, 1958, and other public and private agencies and organizations (including private industries) in the preparation and administration of the research programs under this Act;

(7) coordinate all programs for highway traffic safety research, development, and testing in the Federal establishment;

(8) make grants to or contract with, public and private agencies, organizations, and individuals for research and training projects, and such contracts for research shall be made in accordance with and subject to the limitations provided with respect to research contracts of military departments in section 2353 of title 10, United States Code, except that the determination, approval, and certification required thereby shall be made by the Secretary.

INCENTIVE GRANTS FOR STATE MOTOR VEHICLE INSPECTION PROGRAMS

SEC. 8. (a) From sums appropriated pursuant to section 5 of this Act for any fiscal year but not to exceed $45 million of such appropriation, the Secretary is authorized to make grants to State highway safety boards to pay up to 50 per centum of the cost for the establishment or improvement of State programs for motor vehicles inspection in accordance with the provisions of this section.

(b) Any State desiring to participate in the grant program under this section shall submit through its State highway safety board a State plan which shall—

(1) set forth a program for establishing, or improving (in the case of a State which already has in operation a State administered motor vehicle inspection program), State supervised motor vehicle inspection at garages or other suitable facilities certified by the State for that purpose;

(2) agree to accept and apply such minimum standards for highway traffic safety with respect to inspection as the Secretary shall by regulation prescribe;

(3) provide that the State will pay from non-Federal sources the remaining cost of such program;

(4) set forth provisions for the financing of such plan without Federal assistance;

(5) contain satisfactory evidence that the State will adequately supervise such inspection;

(6) provide that the State highway safety board will make such reports, in such form and containing such information as the Secretary may require; and

(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

INCENTIVE GRANTS FOR STATE DRIVER EDUCATION AND TRAINING PROGRAMS

SEC. 9. (a) From the sums appropriated pursuant to section 5 of this Act for any fiscal year, but not to exceed $60 million of such appropriation, the Secretary is authorized to make grants to State highway safety boards to pay up to 50 per centum of the cost of developing, establishing, and improving programs for driver education in accordance with the provisions of this section

(b) Any State desiring to participate in the grant program under this section shall

submit through its State highway safety board a State plan which shall—

(1) initiate a State program for driver education or significantly expand and improve such a program already in existence;

(2) include provisions for the training of qualified instructors and their certification;

(3) provide for adequate research development and procurement of practice driving facilities, simulators, and other similar teaching aids;

(4) include financial assistance by the State to institutions of higher education for research in driver education testing, curriculum, and methods of instruction;

(5) provide that the State will pay from non-Federal sources the remaining cost of such program;

(6) provide adequate State supervision and administration of such driver education; and

(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this section.

(c) Prior to prescribing regulations under this section the Secretary shall consult with the Secretary of Health, Education, and Welfare.

DETERMINATION OF FEDERAL SHARE

SEC. 10. The Secretary shall determine the amount of the Federal share of the cost of programs for motor vehicle inspection and testing approved by him under section 8, and such share of the cost of programs for driver education approved by him under section 9, for each fiscal year, based upon the funds appropriated therefor pursuant to section 5 for that fiscal year and upon the number of participating States.

ADVISORY COUNCIL ON HIGHWAY TRAFFIC SAFETY

SEC. 11. (a) The Secretary may, without regard to the civil service laws, appoint an Advisory Council on Highway Traffic Safety to advise and consult on all matters concerning traffic safety including the establishment of national minimum standards for such safety. The Council shall be appointed by the Secretary from persons who are specially qualified by training experience, and competence to render such service and who are representative of the fields of State and local traffic safety and enforcement, law, medicine, engineering, education, psychology, and public information.

(b) The Council shall meet at least once each year and at such other times as the Secretary may direct.

(c) Members of such Advisory Council shall, while attending meetings or conferences of such Council or otherwise engaged on business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, 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 section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

ADMINISTRATION

SEC. 12. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress at least once in each fiscal year a comprehensive and detailed report on the administration of this Act.

(b) The Secretary is authorized to request directly from any department or agency of the Federal government information, suggestions, estimates, and statistics needed to carry out his functions under this Act; and such department or agency is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary.

(c) Payments of grants made under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary.

SECTION-BY-SECTION ANALYSIS OF NATIONAL HIGHWAY TRAFFIC SAFETY ACT OF 1965

Short title: "National Highway Traffic Safety Act of 1965."

Purpose: To establish and strengthen a national effort for highway traffic safety.

Definitions: Defines various terms used in the act including "State highway safety board."

Highway traffic safety fund: Establishes a highway traffic safety fund into which is covered the 1 percent automotive excise tax, and provides that such funds will be available for appropriation to carry out the purposes of the act.

National Highway Traffic Safety Center: Establishes in the Department of Commerce a National Highway Traffic Safety Center as the agency to carry out the purposes of the act.

Duties of the Secretary: Sets forth duties of the Secretary of Commerce including responsibilities for research and development programs, engineering studies, establishment of testing facilities and proving grounds, highway traffic safety standards inventory and evaluation, dissemination of traffic safety information, establishment of national minimum standards for highway safety, cooperation with State and interstate agencies, coordination of all programs for highway traffic safety in the Federal Government, and research and training grant programs.

Incentive grants for State motor vehicle inspection programs: Authorizes $45 million annually in matching Federal grants to encourage the establishment of qualified State vehicle inspection programs and requires State inspection programs to become self-sustaining.

Incentive grants for State driver education and training programs: Authorizes $60 million annually in matching Federal grants to encourage the establishment of qualified State driver education and training programs to be supervised and administered by appropriate State agencies.

Determination of Federal share: Federal share of the vehicle inspection and driver education and training programs will be based upon the funds appropriated from the Fund and the number of participating States.

Advisory Council on Highway Traffic Safety: Authorizes appointment by the Secretary of Commerce of an Advisory Council on Highway Traffic Safety to advise and consult on all matters concerning traffic safety including the establishment of national minimum standards for such safety.

Administration: Requires annual report to Congress on the administration of this act.

MAN OR MOTOR?

(By Paul B. Sears)

In 1863 Samuel Butler wrote to the editor of the Press of Christchurch, New Zealand, a letter which he called "Darwin Among the Machines." Though not himself a scientist, Butler had a better grasp of evolution than many of the professionals of his day. In this letter he points out that the machine is definitely an evolutionary phenomenon, but warns that, useful as it is, it could become man's master and he its slave.

The germ of this idea was not new, going back to Daedalus and Icarus, the scriptural account of Babel, Aladdin and his formidable servant, and the old tale "Why the Sea Is Salt." In this last, be it remembered, a sea captain was granted a wish. Since his business was the transport of salt, he asked for a machine that would produce and grind it into the hold of his vessel. He got his wish, but not the formula for stopping the process. And so his ship foundered, while the mill continued to operate beneath the waves.

Nearly a century was to elapse after Butler's warning before the late Norbert Wiener, who had contributed his genius to developing the modern computer, spent his last days in cautioning us about its dangerous potential. Meanwhile, Julian Huxley and others have reminded us that evolution is now a cultural rather than a purely biological process and that man has the fearful responsibility of guiding it.

On our historical time scale, man is likely to remain about the same organism he is now. But the extension of his physical powers through invention is bringing about developments that far surpass, in rate and kind, those which have taken place throughout the known history of life. Nothing else since the origin of terrestrial organisms has produced such profound disruption of the natural environment or such striking variation in the behavior of a single species in so short a time as the computer.

Developed and perfected within the memory of many now living, the automobile is a prime evolutionary phenomenon. Of the attributes of living things—metabolism, motion, response, and reproduction—it possesses the first two beyond question. But the controls of the nervous and reproductive systems are in another body, that of man, and so, in consequence, is the control of energy flow and the accompanying chemical changes which represent metabolism and make action possible. As economist Kenneth Boulding has put it, a visitor from another planet might conclude that we had evolved a swarm of giant wheeled bugs with detachable brains.

To be quite philosophical, the automobile should be viewed in the light of a continuum—man's effort to transcend the barriers of space and thus of time. This series began with foot travel and face-to-face communication, moving on to horse, rail, wire, automobile, airplane, missile, satellite, and electronic message in exponential fashion. So rapidly we have been overtaken by these latter developments that we have dealt with them only by crude improvisation. Certainly nothing is more sorely needed than a masterly study aimed at the coordination of all forms of transport by water, land, and air. The individual whose occupation obliges him to travel is beset by raggedness and disorder, which add greatly to his burden.

However urgent the need for such a study, it is not yet in sight. Meanwhile, we can only follow the ancient rule—when a problem is too big and complex to handle, we must keep looking at it and thinking about it in the hope that we can discern some pattern. As a practical matter, we must break it up into pieces of digestible size and try to deal with them one at a time. So far as the automobile is concerned, there is more than enough reason to tackle it as an entity. For its impact upon society, the individual, and the environment of both is more and more pervasive, powerful, and insistent.

In 1962 the number of births in the United States was slightly more than 4 million. In the same year there were almost 7 million passenger cars sold at factory, of which the number exported was about half that of imports. In service at present there are 2 automobiles for every 5 people in our country. In 1900, with a population of some 75 million, there were an estimated 4,000 cars sold, about 1 for 18,000 people.

Those of us who remember the spluttering cough, frequent balking, and tentative engineering of the first automobiles, the mud roads between towns, and the cobbled or unpaved urban streets of 1900 will probably agree that the bulk of Americans get around at least 10 times faster now than 60-odd years ago. If so, we cover as individuals some hundred times more territory in a unit of time. The energy for this activity comes

no longer from the food of men and horses, but from fossil fuel. Passenger cars alone consume over 42 billion gallons of gasoline per year, over 600 gallons per car. Knowledgeable estimates reckon that this material is being used a million times faster than it was formed during past ages.

This explosive release of energy devoted largely to fast movement is taking place in a population now doubling in half a century or less. Here we come face to face with a physical rule that applies to man as well as molecules, for both are dynamic particles. When such active units, whether of gas in a flask or living humans on an island or even a continent, are confined within a finite space the mean free path of each decreases with crowding. And if energy is added to the system, either by heating the flask or moving man about faster through the use of fossil fuel in the internal combustion engine, the degree of freedom is still further reduced.

This, of course, sounds like statistical nonsense to the Nebraskan who can speed on good roads from Lincoln to Denver in a day. It is more convincing to the victim of daily traffic jams and parking problems, or to the traveler caught in a seven-mile lineup of stalled cars by blockage of a tunnel on the Pennsylvania Turnpike. It takes on ghastly conviction at the sight of a fatal traffic accident and the realization that there are over 40,000 deaths per year from this source. With men as with molecules, collisions increase as the mean free path decreases.

The sheer physical aspects of the automobile are not confined to what happens when it is in motion. Alive or "dead," it is a jealous consumer of space. The stabling of a single car requires some 13 percent of the floor space of an average family home. Commercial parking establishments, nearly 11,000 of them, aggregate into big business with an annual intake of over a third of a billion dollars and the consumption of an important amount of urban space. Metered on-street parking is a significant element in municipal income. But both free and paid parking are often at a premium in commercial areas, their benefits being offset by the obstruction to the flow of traffic. The loss of sales in the older civic centers due to parking difficulties is amply proved by the growth of peripheral shopping facilities, due only in part to suburban expansion.

The death rate of automobiles is astonishingly high, some 70 percent of the number manufactured each year being junked. Since our human birth rate is about three times that of the death rate, this gives some sobering thoughts about the future and its problems. To a greater extent than is commonly realized, both family size and the discarding of cars are products of vogue rather than physical necessity. One must keep up with the neighbors in both respects. Whether aprocryphal or not, there is truth in the saying attributed to a distinguished executive, "If the public ever catches on to the fact that a new car every 2 years is not a necessity we are sunk."

The American public, so often accused of materialism, suffers from exactly the opposite malady—a lack of respect for materials. The modern automobile, aside from weird vagaries of appearance which seem to be quieting down, is a superb engineering achievement deserving more respect and better care than it usually gets. One cannot help thinking nostalgically of an earlier day when possessions were harder to come by and home equipment such as edged tools and rifles was given the loving care now bestowed on household pets.

Except for the aficionados whose hobby is antique cars, few Americans would feel the pride of a British friend bowling along in a 19-year-old Rolls, running like a top and good for years more. In addition, there are the factors of mechanical ignorance on the part of owners, the increasing complexity of the machine itself, and the scarcity of competent and reliable mechanics to be reckoned with. So blinded are we by our general affluence that the small margins of time required for proper maintenance are never balanced against the many hours which rapid travel adds to our time budget.

The concrete and highly visible symptom of this waste is the growing size and number of automobile graveyards that disfigure the countryside. These are among the worst of many needless blots on the beauty of our landscape. Concealing walls, such as are required around unsightly spaces in Mexico City, would help greatly. More important, however, are the economic factors involved. New processes for the treatment of low-grade ores have reduced the value of junk in manufacture. A further complication is due to the presence of more than a dozen alloys in the modern automobile. Unless some economical means of separating the various metals for reuse can be devised, car cadavers will remain a drug on the market and an offense to the eye.

So long as cheap materials direct from mine and smelter are available, industry is not likely to underwrite the needed research. But competent authority believes it can be fruitful and might, in the interest of long-term national economy as well as esthetics, be undertaken by a suitable Federal agency, possibly the Bureau of Mines.

A university official once ventured the opinion that it is safer to woo a colleague's wife than to go after any of his office or laboratory space. This intriguing hypothesis will probably—for what we might call technical reasons—remain where he left it, but the fact is that rivalry for space is an old and growing problem in the human adventure. It lies back of tribal conflict and enforced prehistoric migration to all the continents. It explains the near extinction of the bison and our ambivalence toward the forest, at once a source of benefit and a rival for space. And anyone who has tried to move by taxi through the New York garment district, between Grand Central and Penn Station, is well aware that our own creation, the automobile, annihilates space in more senses than one.

This vehicle is not only a taker-up of room. It is also, as we have suggested, a potent biological and cultural influence. One would be tempted to call it an artificial organism if that did not make it necessary to coin another word for the living prototypes, each structurally and functionally complete and self-contained in its way. Even so, it shares enough properties in common with things truly alive to give us a start.

Perhaps the most significant aspect of the automobile has its close parallel in natural history. The rise of new forms reacts upon those already existing, often in the most intimate ways. Aside from obvious competition, often toughest among members of the same species since their requirements are identical, there is an elaborate spectrum of relations between species. These vary from coexistence through mutual aid, interdependence, and on, by various degrees, to complete parasitism and slavery.

We have only glimpses of the way in which the more extreme degrees of interspecific tyranny have arisen. Many of them, no doubt, started in fairly casual and innocuous fashion, tightening their grip by gradual stages. There are, for example, insects that form galls on plants. Eggs are deposited within the host tissue, and when the larvae hatch, the chemicals they produce stimulate the formation of succulent plant cells. Within the swelling so produced, the young find food and shelter until they emerge. One genus of such gallmakers is responsible for an astonishing range of complexity, presumably an evolutionary series, in these edible homes. The series begins with a simple swelling of the affected stem and goes on into more and more elaborate forms, resembling less and less what the plant would produce on its own. Each form identifies the species of insect, but the plant does the work under the biochemical control of its boarder.

The trick here, as in other cases of insidiously begun piracy, is the initial tolerance of the host. If the first invader were so uncongenial ("toxic" is the word, Bergen) as to kill the cells surrounding it, it would starve. But we know that many poisons of animals and plants, in minute amounts, act as stimulants instead of killers. First steps on the road to captivity can be acceptable, or even disarmingly agreeable, whether we speak of plants and animals, marriage, politics, or inventions.

While we leave the reader to draw what further conclusions he has a mind to from this biological parable, we may examine a few of the side effects of the automobile on man, his environment, and his way of life. Let us admit at once that the mixture of debit and credit is so intimate and confusing that no easy solutions are in sight.

Neglecting for a moment the mutilation and death of human bodies, I noted in the days before I owned a car that my friends who had them laid on much weight much faster than I did with my 3-mile walk to and from work. A Scandinavian military observer in Korea and a warm friend of the United States ventured the opinion that we had forgotten how to walk. Where we could move men and materiel by motor, we were invincible, but where this was impossible, the enemy could sometimes get himself and his equipment in place by sheer muscle power, to our great discomfiture.

Neither physical comfort nor safety appears to be the first consideration in modern car design. Space for the human body is too often minimal. One hears complaints of "throughway sciatica," while a driver and passenger need not be far advanced toward senile stiffness to find it an awkward business getting in and out of their seats. Medical men have troubles enough without looking into the effects of tension resulting from car travel, but the eyestrain from shiny hoods and sloping windshields requires no statistical proof.

Aside from accident, the most notorious effect of the automobile on the human body results from what it does to the air we breathe. When we depended upon horsepower in its classical sense, the effluvia might not have been pleasant to all, but they were certainly harmless, as well as useful to the soil. As to those from the motorcar, they are unpleasant, useless, and do us no good, even though we have much to learn about their cumulative effects. The skunk is a small-time operator at best and a good citizen in many respects. It would be well if he could spare some of his potent warning power to the more dangerous discharges of the modern motorcar.

In addition to exhaust fumes, we have to reckon with vapor displaced when tanks are filled. In great cities this is awesome in amount and becomes definitely toxic through chemical change in the upper atmosphere. So prevalent is contamination that it has become a dual pleasure to travel in remote regions where water is fit to drink and air to breathe. We have little reason to pride ourselves on our technological brains so long as we tolerate such conditions, but we must give the automobile credit when it enables us to escape for a time from them.

Even this credit for escape has its ambiguities. It is a wonderful thing that motor travel is knitting us into consciousness of our unity as a nation. A British friend, recently naturalized, celebrated that event by a coast-to-coast automobile trip with his family. He came back glowing with pride at his adopted country. The spreading uniformity of which critics complain also has

its merits to those who can recall the execrable hotel fare and infested beds of less than a lifetime ago. Yet our choicest beauty spots, such as the Yosemite, are being loved to death, while even New Mexico, beautiful land of sunshine that it is, is in danger of being dubbed the beer-can State by visitors who see the roadsides as they spin along.

Every biological entity not only is acted upon by environment but reacts in turn upon its surroundings. This property is shared by the automobile in most highly visible form by its demand for pathways. It has reversed the ancient legend of the invention of shoes, which explains that an oriental monarch required his minions to spread a strip of smooth leather before him to protect his bare feet against the rough ground. This went on until some genius found that the same result could be obtained by fastening leather soles to the royal feet.

The current annual cost of highway construction approaches $5 billion, something like $25 per capita. In an earlier day each male citizen was often required to give the equivalent of a day's work on the roads each year. Women and children were exempted, as, statistically speaking, they no longer are. While 88 percent of the more than 3.5 million miles of highway are rural, travel in passenger miles on urban roads almost equals that on the rural. As an interesting footnote, we have made many counts on urban traffic. We have yet to find a time when fewer than 75 percent of the cars carry a single passenger. If we could accept as honest an average rating of 100 horsepower for each car and the rating of 1 horsepower as equivalent to 10 man-powers, no despot ever had such transport service.

Geologically speaking, the modern highway has only one equivalent. That is a lava flow. It is essentially an irreversible phenomenon, put there to stay, regardless of any future potential for the land which it occupies. Highway location not only cancels out any other possible use but determines the future geometry of the Nation. Consequently, the location of any major highway should be an object of the most considered thought, the most complete information, and the best judgment available. Esthetic as well as economic and engineering considerations should be in balance.

Early roads were consequent on topography as well as need. Often they followed animal trails, which had been influenced by the principle of least effort. With the opening of the Northwest Territory in 1787, the level surface of Ohio made possible a rectangular grid system of roads enclosing each square mile, which has been followed since wherever possible. Thus, a convenient pattern of land measure was combined with general access, but most of these roads were incredibly dusty when they were not hub-deep in mud. Even before the automobile appeared, local merchants and farmers had worked to begin a program of crushed stone roads devised by McAdam in 1815.

With the advent of machine travel, experiments in hard-surfacing began, leading gradually to our present techniques based on massive earth-moving and construction machinery. As the range and efficiency of the automobile increased, so did the demand for longer roads, an early example being the transcontinental Lincoln Highway, now Route 30. This development resulted in increasing participation by higher units of government, culminating in the present impressive Federal-aid Interstate System.

Such vast activity called for special engineering expertise. As a result, not only the construction but the details of location have come to be governed primarily by engineering considerations. A notable factor has been the rise of State highway commissions, amply financed. So great is their power that citizen protest is often helpless unless it can reach a sympathetic State Governor.

Meanwhile, instances of such protest have been increasing. Traffic noise, community disruption, destruction of historic buildings, parks, natural areas, and scenic values have all been involved. More than once high engineering skill has been thwarted by circumstance. The New Jersey Turnpike, designed to carry a traffic load predicted for 1975, encountered it on opening day, and the volume has been increasing ever since. Again, a splendid highway may debouch into a constricted outlet, slowing down and piling up traffic, like the blood in a varicose vein. It has come to be a truism that good roads serve to increase the pressure of traffic as much as to solve its problems. I have yet to find a city with the good sense to put a taxi driver on its traffic commission. I usually find they have very sound ideas arising from their daily experience.

Protesters have been free in their criticism of the engineering mind, despite the fact that this profession rates among the highest in mental capacity. But the individual engineer is seldom a free agent. Whether he works on automobile design or highway planning and construction, he works for somebody else. So far as highways are concerned, the employing officials and commissions are themselves under enormous pressure. When one considers the combined, almost glacial power of the truck and bus industries, the purveyors of road metal and construction machinery, the contractors and car manufacturers, it is little wonder that proponents of the longer view have tough going.

Yet there is hope. Citizens groups can be persistent. We now have a national program of scenic roads and parkways signed by the six U.S. Cabinet members and the Housing Administrator who serve on the Recreation Advisory Council. In explicit terms these makers of policy acknowledge the responsibility of government to enhance the esthetic quality of landscape where roadbuilding is concerned.

The longer view is not merely concerned with beauty for its own sake, important as that may be. It is equally concerned with ultimate economic values. Those who hold this view believe that in trying to meet the needs of the present we are also designing the future. Their prescription is disarmingly simple. They urge that so far as highway planning is concerned, a much wider range of talent and interest be involved than at present. That this is feasible was demonstrated years ago on a simple scale when Texas assigned a landscape architect, with power, to its highway department. The initial coolness toward him was promptly taken care of by strong executive order. The results, as I saw them in the 1930's, enhanced safety as well as appearance and cut economic loss of soil and water significantly.

Special treatment and a different order of discourse would be required to deal with the effect of the motorcar on our society. H. G. Wells' Mr. Britling exemplified the utility of his Ford for illicit skylarking. Cars are a centrifugal influence upon the modern family and clearly weaken our sense of attachment to place. Along with other inventions, the automobile must share blame for the absence of bookshelves in the model homes of today. Ten million Americans owe their employment, in one form or another, to the motorcar, while the budgets of millions more, along with current practices in family banking, are under its spell. It serves business, crime, the messengers of mercy, and the frivolous with equal impartiality.

With all this it is still not a sentient being, but merely an extension of the human body. Whether we are to run it or be run by it is for us to decide. Only vigilance can block the shaded path that leads from convenience to necessity and from necessity on to tyranny.

HARMONY ON THE HIGHWAYS

(By ABRAHAM RIBICOFF)

As Governor of Connecticut I did what I could to improve highway safety in my own State. People still speak to me about the comparatively civilized climate of Connecticut motoring. Most important, by taking aggressive action we succeeded in reducing the traffic-fatality rate to one of the lowest in the Nation.

Now, looking at highway safety from a national viewpoint, I find a senseless and tragic situation developing: the separate efforts of individual States to promote highway safety have created a conflicting and confusing pattern of traffic regulations across the country. Some States have good rules, some have few rules, and too many have different rules. Usually this inconsistency irritates the motorist. Sometimes it kills him. The adoption by all the States of just one uniform regulation, periodic motor vehicle inspection, could save many thousands of lives a year.

About 94 million Americans are expected to take extended driving trips in the course of this year. As you drive from one State to another, the highway markings are different—traffic signs and signals have different meanings—and the basic rules of the road, or who has the right-of-way, are different. The cars coming at you meet different standards, and sometimes no standards, of safety. And the people driving these cars have measured up to different licensing standards. It's as though you were one of Pavlov's dogs put to a series of confusing tests. The concrete may look the same, but the rules change drastically without your knowing it, destroying your ability to predict how the other fellow, and his car, will behave. Let me cite some examples:

You learned to drive in a State where, for example, a car making a left turn must yield the right-of-way until all cars coming in the opposite direction have passed. Now you take a trip in North Carolina, where (as in quite a few other States) a driver turning left who is in the intersection first, even though he has not begun his turn, has the right-of-way; he need not stop to let oncoming cars go by. As you approach an intersection, you are amazed to see a car make a left turn directly across the path of your car. You are lucky to avoid an accident this time.

You are a salesman on a business trip, a careful driver who never passes another car when you are not supposed to. In Minnesota, Iowa, Wisconsin, and Indiana you are forbidden to pass when there is a solid yellow line to the right of the center strip. In Massachusetts and Virginia the solid line is white. In Pennsylvania no lines are used; a no-passing zone is marked by signs. So far you have kept your wits about you. But when you get down South into Georgia, the line—yellow this time—is placed along the right edge of the roadway. You fail to see it, and pass a slow car illegally. You narrowly escape a huge truck coming toward you around a curve. Or you crash into it, losing your life instead of your temper.

You are driving your family east to the World's Fair. Your car is in tiptop shape; in fact, it has just passed a stiff motor vehicle inspection demanded each year by law in your own State (the inspector made you come back twice—first your brakes weren't tight enough, and the next time one of your headlights was faulty). As you motor along the superhighway toward dusk, two States away from home, an inexperienced 15-year-old driver approaches you in the opposite lane—his car hasn't been inspected for 3 years, and his tires are worn down. He tries to jam on his brakes instead of stopping slowly. His car careens over the narrow center concrete strip and smashes into yours.

If baseball rules changed each time a team entered a different stadium—if the bases were farther apart or home plate were closer to the pitcher's mound—the players would be unable to function properly. Drivers are no different. But the rules they must follow as they move about the country change from one State to another.

Accepted driver signals in most States, for instance, are the hand and arm extended horizontally for a left turn; the hand and arm extended upward for a right turn; and the hand and arm extended downward to signal a stop or slowdown. Yet the legal signals in several States differ drastically from these recognized directions, and in Pennsylvania a signal can be given only by the electric turn signal, a device now built into all cars. Motorists in all States must stop behind a halted schoolbus as it discharges young passengers. But drivers in Hawaii, Texas, and Oklahoma are permitted to proceed before the children are across the highway. A driver from these States might pass a bus when it stopped and smash into a group of children with disastrous consequences.

In some States, U-turns are permitted; in others they are not. In some States, drivers are encouraged to keep to the right after passing; in others they are encouraged to stay in line. The laws of 48 States authorize overtaking and passing on the right. Massachusetts and Vermont do not. In a large number of States—26, to be exact—a pedestrian can cross the street against a red light (or when the traffic he is intersecting has a green light) if it can be done "with safety and if he does not interfere with vehicular traffic." Fourteen States prohibit this. In most States, a yellow sequence in a stop-and-go traffic signal means a period of caution before a shift in the flow of traffic through an intersection. But in New York, caution may also be signaled by a brief dark period between the stop and go signals, or by a period when both the red and green panes are lighted at the same time. An added complication: in most States, flashing yellow signals are used to caution motorists to proceed slowly and with utmost care. In half a dozen States, you can turn right on a full red light; in all others this is not permitted.

The National Safety Council reports that 47,800 persons were killed on our highways in 1964, an increase of 10 percent over 1963. More than 3 million persons were injured. There are now 95 million drivers in this country. By 1975, there will be some 30 million more. At the current rate of increase, traffic deaths will rise to 100,000 a year by that time, and the cost of accidents will climb from $8.2 to $15 billion.

How much of this terrible waste, both human and material is due to the lack of uniformity in traffic laws and traffic control devices? It's hard to say exactly. But this much is clear: We are all creatures of habit, and we react instinctively in the same way to identical situations. We grow accustomed to following the rules in which we have been schooled both on and off the highway. If you travel abroad you expect to do many things, including motoring, differently. In England, for instance, you'll be driving on the left-hand side of the road; on the Continent, an intriguing but uniform set of signs will keep you minding your motoring p's and q's. But on trips within your own country, you want and expect signs and signals just like the ones back home.

Often you fail to get them. Instead, a vast array of perplexing, changing traffic laws and control systems confronts you as you drive from State to State. Such variances can cause confusion and delays. In high-speed modern traffic there's no room for confusion and delay. It's no wonder, then, that 12 percent of all fatal accidents involve out-of-State drivers. It's no wonder, either, that experts have estimated that if all traffic laws were uniform, 2,000 fewer persons would die each year on U.S. highways. When the rules of the road vary by as much as a word, we risk costly confusion. The experts have come to regard right-of-way priorities as the single most important cause of traffic accidents.

There are other less obvious risks we take when we fail to insist on uniformity on the highways. There is, for one thing, a frightening lack of uniformity in driver licensing. Who is physically able to drive that complicated machine, the modern automobile? It all depends. In Kansas, an official was shocked to find that 10 percent of the people who receive State aid-to-the-blind payments still were licensed to drive. In Louisiana, Wyoming, Maine, Massachusetts, and New York there are no laws prohibiting the issuing of licenses to drug addicts or people suffering from mental illness.

Many States do not ask a driver to pass a physical examination before his license is renewed. In fact, in very few States is there any provision for periodic re-examination. Only a few States—Maine, for example—determine the physical condition of older drivers through examination. Certain hazards from aged drivers are just as bad as those from the too young.

In Montana, a youngster can obtain a driver's license when he is 15 years old. Under certain special circumstances, he can get restricted driving privileges at 13. Many States grant licenses, albeit restricted, to boys and girls who are only 14. In such States parents have a responsibility to them, and to themselves, to make certain they can deal properly with highway conditions. We can discharge this responsibility through licensing.

The Uniform Vehicle Code is widely accepted as the most current composite of desired traffic laws. Drawn up by experts between 1923 and 1926, it has been updated 10 times to keep pace with changing traffic patterns. In it are only the provisions which have been tried out in more than one State and have been put into law in at least one State. This code contains a provision setting down the elements of driver identification that should be on an individual's license. Nine items are specified, ranging from full name to date of birth to physical characteristics. Yet none of the 50 States lists all 9 items on the licenses it issues.

Perhaps some minimum licensing standards should vary from State to State. Perhaps some criteria are best determined by each State. Yet the disparity between present State laws contains an element of danger. A person licensed to drive in one State is, in fact, licensed to drive in all States. State lines do not inhibit wanderlust. Each State has a distinct obligation to make certain, insofar as is possible, that its drivers will not cause accidents elsewhere. All drivers should meet a basic standard of physical and mental ability.

This lack of uniformity hampers a Federal reporting program intended to make highways safer for all Americans, no matter where they live. Revocations or suspensions of drivers' licenses for conviction of serious traffic offenses (drunken driving and fatality involvement) are recorded on an electronic computer operated by the National Driver Register Service at the U.S. Bureau of Public Roads in Washington. All the States are providing daily information on persons who have had their licenses revoked or suspended. By checking with the National Driver Register Service, State licensing officials can quickly learn an applicant's road record in other States. If revocations or suspensions are uncovered—revocations or suspensions that the applicant may have failed to list—the information can make a difference in the decision of licensing authorities.

To date, this service has helped the States prevent more than 43,000 people from getting licenses when they have had bad driving records in other States. These people might have gone undetected had it not been for this Federal service. The system would be even more effective if all States identified licenses in uniform fashion, so that uncertainty in matching application material with bad driving records would be reduced. In some States the names of drivers whose licenses have been suspended or revoked are released to the press.

If the people who drive cars should meet certain uniform standards, how about the cars they drive? Traffic experts generally agree that periodic inspection of all motor vehicles contributes to highway safety. The Uniform Vehicle Code recommends that there should be inspections at least once a year, to rid the highways of unsafe cars and trucks. But only 20 States and the District of Columbia have laws requiring periodic inspection.

Another subject for greater attention is the installation and use of seat belts, which are installed now in all new cars but not always used.

And how about the speeds to which the driver can push his car? All authorities agree that speeding is a major problem. But open-highway speed limits differ from State to State. The excuse given for this is usually varying geography and terrain. It is the extent of variance that troubles me. In South Dakota, the daytime speed limit is 75 miles per hour. In Massachusetts, even on some open highways, it may be 40 miles per hour. Do conditions vary that much between the States?

Slow drivers can be as much of a menace as fast drivers. The U.S. Bureau of Public Roads has found that speeds below 40 miles per hour, especially on open highways, can bring high accident rates. Despite this, eight States have no law prohibiting driving which impedes the normal and reasonable movement of traffic. Even if some degree of uniformity in speed limits might be encouraged along the Interstate Highway System, this system, when completed in 1972, will constitute only 2 percent of the Nation's total highway mileage.

But the situation is not hopeless. Many people and many organizations have become concerned with the problem of achieving greater uniformity on the roads of our Nation. The trouble is that three things must be spent if their goals are to be achieved: money, time, and effort. In this field as in all others, these are hard to come by.

The cost of even small things becomes enormous when multiplied by the numbers involved in our network of roads. Tennessee, for example, has 418,446 official traffic signs on its highways. A recent survey showed that if the State is to measure up to national standards, these changes in the signs will be required: 13,149 to be removed as unnecessary, 32,808 to be replaced by standard signs, 131,016 to be repositioned, 197,122 to be both replaced and repositioned and 7,973 added. And of 1,419 traffic signals in the State, only 430 meet national criteria. Nonetheless, Tennessee, much to its credit, is moving toward greater uniformity. Other States are studying just how much money and time would be required to follow suit.

The cost of replacing nonconforming traffic-control devices is high. Iowa officials found that a $4.9 million investment would be needed to bring their signs, signals, and highway markings into line with national standards. In Tennessee, the potential cost was pegged at $2.5 million. In Minnesota, it was set at $1.3 million.

Still, money and time spent here are worth the effort in lives. Experience in Kansas shows why. The year before new standards governing traffic signs were established in that State, 49 persons died on curves in the

highway. The year after new standards were implemented, the curve death toll dropped to 28.

There are many indications of deepening concern. The National Committee on Uniform Traffic Laws and Ordinances is pushing for adoption of the Uniform Vehicle Code by all States. The committee has started to publish periodic surveys on disparities in certain State traffic laws and also now publishes an annual digest of traffic law changes enacted by State legislatures.

The National Joint Committee on Uniform Traffic Control Devices has compiled a manual of sign and signal standards, and the U.S. Bureau of Public Roads urges adoption and use of this manual by the States. What is more, the Bureau has set December 31, 1968, as the deadline for compliance with the manual's provisions on all federally aided highways. Federal financial aid has been made available to encourage replacement of nonconforming devices.

Still, two-thirds of our total highway mileage falls outside the scope of any Federal aid. Construction and maintenance of these secondarly roads are the direct responsibility of local communities. It is here that we find the biggest challenge. But if the taxpayers are insistent and demonstrate a willingness to pay the necessary costs, State officials will act. The real tragedy is that until now the public has been apathetic about this whole problem. Such apathy can be overcome through voluntary cooperative action among the States, genuine teamwork. In 1963, the U.S. Junior Chamber of Commerce began a spirited drive in support of uniformity. If other civic organizations follow this lead, we could move forward.

Thirteen States have joined in a driver's license compact. Under this agreement, member States exchange data on convictions within their jurisdiction on major offenses—manslaughter or negligent homicide, driving under the influence of drugs or liquor, a felony in which an automobile is used, leaving the scene of an injurious accident. Each State treats a conviction in another member State as if it had occurred in the home State. The same penalty is exacted. And each State refuses to license a driver under suspension or revocation in another member State. I fully expect the trend toward interstate compacts to help the campaign for greater uniformity in the statutes.

In the long run, this traffic safety problem will be eased only if the States exercise more initiative. Last year, 13 States adopted provisions of the Uniform Vehicle Code. Eight State legislatures authorized special studies of uniform laws. These were major steps, and must be extended. The tools are available. The Uniform Vehicle Code and the manual on Uniform Traffic Control Devices represent the best thinking of experts in these fields. The painstaking work of formulating feasible and effective standards is done. They just need to be used.

There is an important role for the Federal Government too. It can and should help the States attack this problem with technical advice and financial assistance. Action must be taken by the States, but Washington can help with research, new techniques, and guidance where it is requested. Some financial help may also be needed. The hearings before my subcommittee investigating the Federal role in traffic safety will help us find the answers to how the Federal Government can contribute best to the overall national effort to reduce the highway toll. We will make sure that the Federal Government gives the States all necessary help in their individual efforts to promote traffic safety on all our Nation's highways.

We spend tens of millions of dollars to teach our children a common language. But our traffic laws and traffic control devices remain a confused babel. It is high time we demanded harmony on our highways.

Twenty Years From Now

(By Raymond Loewy)

(Note.—What will automobiles be like 20 years from now? Toxic exhaust gases alone will make us discard the present piston engine as population growth puts more cars on the road. Cutting down on waste space will yield more interior room, even though most cars will be smaller—also faster and safer. Raymond Loewy is internationally known as an automotive and industrial designer.)

The unscientific inefficiency of today's automobile can best be assessed by looking at the vast amounts of wasted space within the entire vehicle at a time when so many fabulous discoveries are the direct result of superlative space utilization. The family's sedan is primitive in concept compared to the new automatic-exposure cameras, miniature television receivers, electronic computers, or plastic valves used in heart surgery.

To note but one example of extravagant wastefulness, all one has to do is examine the door of the average car. This example of monumental Babylonian architecture could have been thrown together by a boilermaker; its massive bulk—thick, heavy, wasteful of space—must be supported by hefty hinges worthy of a safe-deposit vault.

Why the bulk? If the door is intended to keep the passengers from falling out, or to seal out the weather, consider the slim, light door of a well-known European small car. It is three times as thin, five times as light. The door of a private aircraft must not only keep the passengers from falling out but also protect them from freezing or getting drenched, yet it does the job very well and weighs a tenth as much as a car door.

Starting with an analysis of the door and going over and around the entire body, one soon discovers a wasteland of empty sinuses of parasitical nature. There are grottoes in the fenders, and caverns under the seats and in the sidewalls of the body. It is difficult to explain to bright-eyed youngsters why the car must lug around all this dead space, which weighs a lot and is transported at considerable expense in fuel. When I redesigned for the use of our family a large well-known American car, I found inside the front fenders, back of the headlights, empty spaces sufficiently large when outfitted to carry four small travel cases.

What would be the advantages of a body based upon the principle of thin doors and thin walls? There would be two different possibilities, the first being to retain the outside dimensions of the body and by so doing to capture a large amount of added seating width, luggage space, and headroom. A first study indicates that the front seat, for instance, could be made 9 inches wider. The second possibility would be to retain the interior clearances as they are now but to shrink the outer skin of the body, making it 9 inches narrower, automatically lighter, and therefore cheaper, because one must not forget that automobiles, like steaks and turnips, are sold by the pound (approximately 90 cents per pound in 1965). When narrowed down to the limit, the empty space within the sidewalls would still be ample to circulate cool or warm air to maintain an even temperature throughout the car.

Streamlining is inadequate. How can we any longer avoid correcting this fault? Aerodynamics applied to the passenger automobile does not necessarily mean higher speeds; it can produce important advantages such as improved stability, roadability, noise reduction, and increased economy. And let's not forget that a properly streamlined body is always a good-looking body.

Aerodynamically speaking, today's automobile is an anachronism. At present cruising speeds over our improved network of superhighways, the automobile is wasting a great deal of fuel on account of its high coefficient of air resistance, and this waste is bound to increase as legal speed limits are raised all over the country. Superhighways are safe highways, as stated in April of last year by California's commissioner of highway transportation, Robert H. Bradford, when he announced that the speed limit over the improved arteries would be raised to 70 miles per hour. "There exists perennial evidence," he said, "in accident statistics, that speed per se is not the prime cause of trouble that some safety campaigners have depicted." It is interesting to note that statistics for 1962, according to the New York Times of April 26, 1964, show that the accident rate per million vehicle miles on freeways was 1.22 compared with an average of 3.28 over other types of roads.

As legal speed limits increase, the present automobile becomes increasingly wasteful. At the 1963 Congress of the Society of Automotive Engineers in Detroit, W. H. Korff, aerodynamic engineer from the Lockheed Aircraft Corp., read a most intersting paper titled "The Body Engineer's Role in Automotive Aerodynamics." (Before I quote this excerpt, let me say that the degree of aerodynamic efficiency of an automobile is called the drag coefficient; the lower it is, the better the forms of the vehicle. Prior to World War II the drag coefficient of most cars was 0.70. Now it is 0.50, and Mr. Korff believes that it can be brought down to 0.21 by further streamlining.) Mr. Korff lists the advantages of streamlining:

1. A greater degree of quietness from wind buffeting by smoothed out air paths.

2. Elimination of lift which adversely affects stability and braking control.

3. Improvement in fuel economy will be sufficient in many instances to reduce fuel bills by 35 percent with no reduction in performance.

4. Remarkable improvement in acceleration in the passing ranges without additional engine power.

5. Higher maximum speed (25–35 percent) to permit the vehicle to operate with less effort at cruising speed.

6. A lower cost vehicle for equivalent performance because a smaller, less-powerful engine and power train may be used along with resulting lighter chassis components. Initial cost of the car may be lowered by 10 percent or more in most cases.

No wonder Mr. Korff refers to streamlining as the greatest variable left in automobile design. How long can these advantages be ignored? I believe that when the industry goes the scientific way, it will enter the most successful era in its history.

It is a pity that the past decade has shown no really fundamental advance except the fender fins and other examples of styling vulgarity whose only noticeable effect was to make the American car look ridiculous. It gave our critics abroad, always on the lookout for some shortcoming, a welcome opportunity to make nasty remarks about America's low esthetic standards. We could answer in kind and make some vitriolic counterstatements about most of Europe's highly regrettable contemporary architecture, but that kind of response would not help anybody. The fact remains that the automobile industry has been comfortably sitting on its fat, rubber-foam rear end far too long.

A review of the technological results of 1963, according to a survey by Automotive News published last year, disclosed that the significant engineering changes, the source from which styling should evolve, were almost pitiful and their reflection in styling was nil. These were the meager developments cited by the survey in the same year in which several men orbited the earth: (1) a return to body and frame construction on some small models; (2) a change in emphasis from small, modestly equipped cars

to slightly larger and more elaborately equipped models.

In a desperate search for other sweeping innovations in 1963, the list added: (3) fewer aluminum and more cast iron engines; (4) higher roof lines; (5) engineering progress in the area of quiet operation; (6) more bucket seats; (7) fancy trim; (8) air conditioning: (9) power equipment.

Except for quiet, all this is merely marginal stuff. What happened in the multimillion-dollar studios and research centers? What about better brakes to replace those now plagued by disastrous brake fade, one of the chief reasons for declining export sales abroad?

RESEARCH AND APPEARANCE

The really new look in automobiles will come from major engineering and social change. What about the eventual disappearance of the internal combustion engine, the trusted old friend that has served the industry so well for so long? But how much longer? We have been waving goodby in word and article for about 20 years.

And why will this engine finally go? Not because the automotive industry itself decides to give the motoring public a new motive power source, but because muncipalities all over the world are finding the emission of toxic gases to be dangerous to their citizens. In the meantime, there is a great deal of talk about adopting some temporary devices for eliminating fumes, and those gadgets will probably affect in some way the appearance of the automobile—until we get a really modern powerplant that operates without smog so that Los Angeles can breathe again.

Then there are other factors which will force automotive revisions, such as automation, with resulting increased leisure time, and, of course, more opportunity to travel. As the family trips become longer the luggage space must increase. To keep all the footloose people moving, speeds will be increased, and networks of superhighways will increase too. All these increases, as I talk about them, make me nervous. In my opinion, we need some decrease. If these are the forces to which automotive styling responds, we are in for trouble. All the talk is about growing needs interpreted into growing size, weight, complication, and cost. Couldn't we reach the goal by reducing instead of increasing?

The better automobile of tomorrow could be built in a very short time without waiting for great discoveries. Lacking major engineering breakthroughs, there are at hand indications of trends in design that could be used now. For instance, a smooth undercarriage would be a step in the direction of better streamlining. Citroën has had this feature for many years, and it is very successful. To achieve the sleek, graceful, efficient look of a car that respects aerodynamic principles, all glazing would be installed flush with the body skin. Add to this a light, slim door that opens easily, effortlessly, and far over into the roof panel for better accessibility.

Inside the car, seats—bucket or not—look slender and friendly, not like bulky Turkish pillows but suggesting the human form. Their contours are welcoming. A network of plastic tubes might be embedded in the foam or polyurethane padding. By regulating a control knob on the instrument panel, air pressure supplied by the power plant inside this network could be applied to make the seat or the backrest soft or firm at will, without bulk.

Now let's sit at the wheel. Lower the window. It goes far down, much lower than a window does now. This allows you to drive with your elbow resting over the ledge, a wonderful sports car feel that has almost been forgotten and is probably unknown to some car owners. The interior of the car gives a feeling of airiness when this beltline has been lowered by 5 or 6 inches.

According to some blue-sky Sunday magazine writers, the car of tomorrow will be a living room on wheels. I hope we will be spared this fate. A long as people think of automobile travel as a form of modern gypsy caravan, we might as well tie the cow on the back of the new car and store the chickens in the back seat.

If, however, we think of an automobile as some new-powered device which only modern materials, superlative technology, and ingenuity can produce, we may be near to achieving something close to the sensation of effortless movement over the road. This easy motion need not be bland and boring; on the contrary.

The blue-sky boys are trying to promote the idea of a supercar that is based entirely upon supercomfort. This is dangerous, because comfort is already reaching critical limits. In today's car the steering is soft, the seats are soft, the springs, too; and the combination gives one the sensation of gliding, a bit wanderingly, on sponge rollers over a smooth highway covered with a layer of mayonnaise. No wonder some drivers sailing along at 90 miles per hour for hours over straight, dull, uneventful speedways fall asleep and end up in the ditch or crash head on into an innocent 10-ton truck. Whatever we do to the car of tomorrow, please let us restore that essential element, the feel of the road. Also, let's try to keep the driver awake.

Returning to our description of the new car, we notice that the windshield pillar is very thin, yet sturdy, reducing the blind spot, improving visibility. A new type of mechanism for the window lift is very flat, obviating a thick door. Instruments are readable at a glance, and the instrument panel does not crowd you. Also, to improve visibility further, the windshield is brought much closer to the driver, as it used to be in the early days of the automobile, and as it is in the latest racing cars. It is a most pleasant feeling, as it gives the pilot a panoramic view and makes for safer driving.

As for reducing waste space or using it more efficiently, the trunk is larger, because its walls are thinner. The lid has been constructed without cross members and girders, an outmoded way to give rigidity to a panel. This half solution is an example of the kind of study of every component that ought to be made by the industry.

The spare wheel is gone; possibly it is somewhere under the hood, again as Citroën has done successfully, liberating luggage space in the trunk. Incidentally, some new tire designs and repair devices widely used in Europe make it unnecessary to carry a spare, freeing trunk space, reducing cost and weight. Storage compartments are found in other locations besides the glove compartment. Standard interior dimensions are maintained, but the total car has lost its fat, complacent look. It is effective. It is light, fleet-looking, fresh and young in appearance; truly a modern vehicle.

What kind of design team would bring maximum results in a minimum time? First, we shall propose that the personnel selected for the research and development project be very imaginative, conversant with racing cars and racing events all over the world. The men ought to have experience as race pilots—if not in pure speed Grand Prix races, at least in road races and rallies. This is not an unrealistic requirement; many of these engineers and stylists have had such experience in small local racing events.

The research and development team should be rather small and should work free of interference. Their assignment should be clearly established: the development of a passenger automobile free from preconceived ideas and restrictions, even cost limitations. At this stage it is too early to consider cost. The conception of the car should be based upon the latest scientific and technological knowledge. A time budget ought to be established with a date limit for the first working prototype—18 months, for instance.

The vehicle ought to transport four passengers safely and in comfort, because it is known that the great majority of cars seldom transport more than that number, and the new car to be built is intended for the majority of the public, not the minority. Those who want a larger car will always be able to get one.

Specialists ought to be part of the team, never forgetting that the automobile's size must be kept small. For this reason and in order to give the planners all necessary assistance, every important branch of technology should be represented by one carefully selected individual: an aerodynamic engineer, a specialist in airframe and stress calculation, a plastics engineer, a metallurgical steel engineer, a metallurgical light-metals engineer.

Safety ought to be built into the car, not tacked on as an afterthought. This would require the presence of several nonengineering specialists who are usually left out of any research and development task force: a highway builder, a surgeon with extensive experience in ambulance work who is aware of the state and conditions of injured motorists at the time and site of an accident, a physician specializing in traumatic lesions, a neurosurgeon, a psychoanalyst, a statistician from an insurance company, a specialist and practitioner in hypnotism. All these nonengineering specialists would not need to be in constant attendance but would be available for consultation without delay.

Perhaps the inclusion of a practitioner of hypnotism ought to be explained. The most effective method of placing an individual in a state of hypnotic trance is to expose the subject to a rhythmic visual experience repeated slowly until he is asleep, sometimes accompanied by rhythmic, synchronized sound effects. It is interesting to note that some driving conditions have all these characteristics: for instance, the monotonous rhythmic beat and sound of the windshield wipers, the recurrent sound of tires going over expansion gaps on the highway surface, the effect of shadows rhythmically thrown across the road by trees planted along the sides. Add to these the monotony of smooth-running machinery operating at constant speed. Together they produce a dulling, lulling effect that may reduce a driver's alertness to the threshold of a condition of hypnotic trance.

Few drivers have been spared the nerve-racking experience of feeling unable to control an irresistible urge to fall asleep at the wheel, awakening just in time to steer away from a ditch or an oncoming truck; an agonizing experience all too common. It is the cause of a great number of serious accidents, but things can perhaps be done to alleviate the condition. The latest available information seems to indicate that changes take place within the nervous system of an individual falling into sleep. It is conceivable that some electronic device connected to the driver's wrists could register these changes and translate them into a warning signal.

I strongly advocate freedom in research provided that the individuals involved are men of the highest professional caliber. Does this mean that they are to be left absolutely free from any restrictions? It does not. There must be restrictions in one area: the choice of the right powerplant. There are fascinating possibilities now being experimented with—the gas turbine, the Wankel motor, fuel cells—but none has reached the sufficiently practical stage, and we want results quickly. We cannot wait 10 or even 5 years. For the present, the gas engine is a highly perfected, reliable, inexpensive powerplant. The time will come later to adopt

some new source of energy whenever it proves better in every way.

OTHER DISCERNIBLE TRENDS

America will soon enter the three-car-family stage, and there are indications that car No. 2 and eventually car No. 3 will be specialized cars. The special-purpose car may be a station wagon equipped for family touring or camping, with utilities such as refrigerated space, cooking unit, flexible seating arrangement, allowing variations in the nature of the interior. It may incorporate a built-in shelter (tent) easy to install and fold up, dial telephone, and storage compartment for folding chairs and table.

For two people living in a city or town where parking is a problem, the second car would probably be a very compact vehicle, short enough to be parked perpendicular to the curb. The powerplant may be an electric motor. The curb itself could be energized, somewhat like a continuous insulated electric plug rail into which the parked car could be automatically plugged to keep the batteries fully charged. A meter installed in the car would register the amount of electricity consumed, and a bill sent to the owner every month would be paid by check like any household electricity bill. Such a compact automobile would occupy about one-third the street area required for the present automobile, thereby reducing traffic congestion, exhaust fumes, and noise.

Finally, there is an area of improvement that seems unusually challenging. We have all read in the newspapers that American organizations concerned with automobile safety release a forecast about the number of fatalities to be expected during a coming holiday. These prophecies, based upon a study of past statistics, weather forecasts, and particular season, are extremely accurate, within fractions of the actual accident numbers released after the holidays.

It is a fact that a detailed, intelligent study of a large amount of existing data pertaining to a specific type of event, such as the start of a fire, for instance, will often permit one to forecast how many fires may be expected to break out during a certain period of time. It is well known that major insurance companies are able to establish with accuracy the expectable lifespan of people of a given age. Moreover, they are able to supply different estimates based upon such factors as race, sex, profession, marital status, or geographical areas. The advent of electronic computing machines and the progress made in programing them greatly facilitate the analysis of such mass information, with far more speed and accuracy than were heretofore possible. Cybernetics elucidates the relationship between the brain and nervous system and the computing machines.

It would seem that the science of forecasting coming events of a given nature through analysis of past statistical data has possibilities not yet fully explored and that such extrapolations will eventually be applied in many areas. This science deserves study in depth, and an organized effort is justified and rather urgent. Among the most intriguing applications of this science is the possibility of reducing traffic fatalities on a nationwide scale, and my company is making such a study.

It may become possible in the future to establish the time at which any particular driver, in the act of driving, reaches a critical point at which he appears ready to become involved in an accident. By a flashing signal in his own car, he may be warned that he is approaching his "accident threshold."

It is estimated that by 1967 one half of the American population will be under 25 years of age. These young people, brought up in the satellite era, scientific-minded, are bound to ask searching questions about the automobile as a pleasing, logical vehicle for economic transportation. Maybe these questions have been ignored until recently, but they will have to be answered now.

WHEELS AROUND THE WORLD

(By James Egan)

JAPAN

The total length of all the streets in Tokyo is 6,800 miles, or more than one quarter of the distance around the globe. As Tokyo was preparing for the Olympics last year, it sometimes seemed as if every mile of every street was torn up and boarded over. According to the Tokyo Construction Bureau, the city tackled 10,000 construction projects, including roads and highways, overpasses, subways, parking lots, and monorails. That total excludes buildings. Yet, incredibly, the major projects were completed on time.

One visitor when he saw the boarded-over streets remarked, "I knew the Japanese built their houses of wood, but I didn't know they paved their streets with it."

I saw two Japanese businessmen get out of a taxi on the plank-covered Ginza, Tokyo's main shopping street. One paid off the cab and dropped a coin. It rolled into a crack between the planks. They both bent over double, lower and lower and lower. I assumed they were after the coin, but Japanese know better than to try to recover the lost treasure of the Ginza. They were simply bowing good-bye.

Of more than 2 million cars and trucks in Japan, almost half are in Tokyo. Reporting on traffic problems in the world's largest city, the English-language newspaper Asahi Evening News said, "An example of paralyzed functions of the city is the traffic jam." Contributing to the paralysis, 18 million persons commute to Tokyo every workday, well over half by taxi, private car, motorbike, bicycle, or shoe leather. The Tokyo metropolitan police have done their bit to cope with the traffic problem. They are stern. The maximum penalty for illegal parking in Tokyo is a fine of 30,000 yen ($84) or a jail sentence of 6 months.

Tokyo taxi drivers wear white gloves, ornament their cabs with bud vases filled with plastic flowers, and carry a pair of 3-foot-long feather dusters as standard equipment. Why two dusters? So they can wield one with each hand as they tidy up their cabs between fares.

By now everybody has heard about Tokyo street addresses, or the lack of them. For the Olympics, signs were erected with street names in both Japanese and English. But taxi drivers continued to seek addresses by landmarks. An American resident of Tokyo told me that he started out for a business address just south of the city, naming a building as a landmark. His driver took him almost all the way to Yokohama before the American discovered that his landmark had been torn down.

Many Japanese, including hordes of schoolchildren, see their own country by motor coach. At shrines, temples, palaces, and gardens—there are 1,700 of them in the tourist city of Kyoto alone—the coaches line up to pour out their camera clicking loads. Each coach carries a pert hostess, uniformed like an airline stewardess. I took a Japanese language bus tour around Nagasaki. The hostess kept up a running chatter into a microphone for 3 hours. Every so often, just to tide the passengers over the dull spots, she sang a sweet little song.

INDIA

Buying a new car in India is an economic nightmare in which the prospective buyer, clutching a maharaja's ransom in his fist, pursues his car down an endless corridor of time. Only 50,000 cars a year are available, one for about every 10,000 of the population.

To build up an automobile industry and conserve foreign exchange, India has clamped down hard on car imports. The developing nation now manufactures two domestic cars: the Fiat, under license from the Italian company, and the all-Indian Ambassador, a car resembling the prewar Plymouth. Both cars still use about 30 percent of imported materials.

The Fiat sells for $4,000; a buyer waits about 4 years for delivery. The Ambassador sells for $3,500, and a buyer waits for 2 to 3 years. The British Standard, an economy sedan known in the United States as the Triumph 1200, is assembled in India, sells for $2,500, and has a 2-year waiting list.

"Some of our people are getting around the waiting list," an Indian official said. "They are finding someone who is at the head of the list and paying him a black-market price. But they must then drive the car registered in the proper owner's name instead of their own name. If there is an accident, it can become very complicated."

Despite current import restrictions, American cars have maintained their standing in India pretty well because the diplomatic community and the foreign aid missions can import them duty-free.

"I own a 1960 Chevrolet—a luxury car here," one of our Embassy attachés told me, "It cost me only $3,000 new. When I leave the country I must sell it to the Indian State Trading Corp., and they'll give me exactly what I paid for it. But a late model American car is in such demand that they can turn around and sell it for $12,000 to $13,000."

In Kashmir—as far north from the big industrial centers as you can get in India—you find no smiling Kashmiri running used car lots. It would be a fertile field for their talents. With only some 1,200 cars in all Kashmir, a 1952 Chevrolet in satisfactory running condition brings as much as $4,200.

Kashmir's truck traffic is largely military, since the bulk of the Indian Army is stationed there on the Pakistan and Tibetan borders. One day in the paradisiacal Vale of Kashmir I watched a long convoy of troop-carrying trucks heading north for Ladakh on the Tibetan frontier. "Made in India," said my companion, a Kashmir Government official. On the hood of each olive-drab giant was blazoned the nameplate—"Shaktiman."

"Does the name mean anything?" I asked.

"Yes," he replied. "All powerful. Can you think of a better name for a truck?"

NEPAL

Before 1956, every automobile in Nepal had to be carried in, part by part, on men's backs. In 1956, India built the first road into Nepal, through the jungle and over the mountains to Katmandu, capital of the little Himalayan kingdom on India's northeast frontier. Now the Chinese, as a contribution to foreign aid for Nepal (and for their own military advantage), are building a road down from Tibet. It has the Indians scared stiff.

The Nepalese still venerate their antique, hard-to-come-by cars and keep them running. At the Katmandu Airport, I stepped into a 1938 Packard sedan with no glass in the windows. The starter was beyond repair. A boy handcranked the car smartly, leaped in beside the driver, and we lurched off to town.

"You don't get to the real back country here by car," said Robert Jaffie, the affable U.S. Information Service Director in Nepal. "You fly or walk." He took me over to a map on his wall. "See, there's only one road north and south in Nepal and a few lateral feeders—all right here in the Valley of Katmandu. Except for a couple of valleys and the jungle strip of the Terai along the southern border next to India, Nepal is all mountains. That takes in the Himalayas.

"You have airstrips here and there," he said, pointing to about a dozen places on the map, "but everywhere else, you walk in—a

1- to 2-day journey. Last week I went to Baghut, a marvelous town in the mountains. They have nothing in the place on wheels. They've never even seen a bicycle. Yet they take a helicopter for granted. And they have a college there."

An American Peace Corps man told me that there is a staff of a hundred in Nepal, some posted pretty far out, or up. One Corps man, who unfortunately has asthma, is stationed at a village 18,000 feet high. Peace Corps teams have to get around catch-as-catch-can, often against considerable odds.

A Peace Corps worker recently came into headquarters and reported an accident with a jeep down in the jungle of the Terai. "We ran over a tiger," he said.

"Did you hurt him?" asked the director.

"I don't know," said the Peace Corps man. "We didn't go back to find out."

ITALY

Giorgio Panni is a sculptor who lives in Vernazza, a tiny medieval port that clings to a spur of rock on the Italian Riviera some 60 miles southeast of Genoa. Vernazza has no access by road. It is a village without a single automobile. Handsome, 31-year-old Giorgio, a sculptor whose star is on the rise, works in his studio in Vernazza all summer. Last season he had an exhibition in Milan of his sculptures in native black stone and iron. It was a two-man show: the other exhibitor was Picasso. Giorgio's works were a sellout; Picasso's at considerably higher prices, did not move so well.

In winter Giorgio leaves carless Vernazza and his studio to take up another career. He is professore—no Italian would hold a lesser title—in an auto school in Rome. So is his slim, pretty wife, called "Meri," a chic Anglicized version of "Maria."

Giorgio's vision falls just short of 20–20, so he holds only a license for passenger car instruction. Meri, whose vision is as flawless as her figure in a bikini, gives instruction on all types of vehicles. At the wheel of a 20-ton trailer truck, she wears a narrow white sheath, gold sandals, and coral polish on her toenails.

Giorgio takes automobiles seriously, as do all Italians. He reads Il Giorno Motori, a 24-page color supplement that comes weekly with the respected Milan newspaper Il Giorno—it would be comparable if the New York Times were to publish a fat automobile supplement every week.

A friend of Giorgio's who summers in Vernazza, Aldo Cesare Trionfo, a well-known Italian play director, gave me an explanation of the national attitude toward automobiles. "Cars are no longer a luxury in Italy, but every Italian still wears his car as if it were a bauble, a jewel, a crown. He cannot yet accept an automobile as a matter of course. He hasn't owned one long enough."

Giorgio's and Meri's pupils—especially Meri's—include men of 90 or older. "They sometimes take a hundred lessons without learning how to drive," said Meri. "It appears that they would like to restore their virility but cannot."

I asked Giorgio which among the glittering birds of passage along the Via Veneto was the current snob car in Rome. His answer surprised me.

"A Volkswagen," he said. "It is the car of the sons of the rich—the ultimate in simplicity."

Giorgio himself drives a dashing Alfa Romeo Sprint. I asked him if he had ever had an accident.

"Only three in my life," he said in his most explosive Italian, "and always with a Neapolitan. I will tell you about Neapolitan drivers. Eh? I was standing still in a line of traffic in Rome. This car in front of me backed up and bumped me. I could see that my damage was slight—not more than 3,000 lire, $5. The other driver descended and began to wring his hands.

"'I am a poor man,' he said. 'I have driven all the way from Naples to Rome to see my sister who is in the tuberculosis hospital.' The Neapolitan began to cry. 'Do not ask me to pay. No? Do not call a policeman. I have no documents. There will be a big fine.'"

Giorgio continued. "Then a policeman came along. I tried to make nothing of the accident to help the poor fellow. But the policeman asked for our documents. And do you know what that Neapolitan did? Eh? He took out his wallet. He showed the policeman his documents. His wallet was bulging with lire."

Giorgio paused dramatically. "There was something else?" I prompted.

"E vero. The bandit blamed the accident on me. And I had to be satisfied with a thousand lire. Eh? That is a Neapolitan driver."

SCATTERED REPORTS

Booming, bustling Hong Kong installed parking meters two years ago. The Chinese populace immediately named them coin-eating tigers. Hong Kong drivers come from all over the world, so they started feeding the meters an international diet. Hong Kong police found coins from thirty different countries in the tigers' maws, including the currency of Nigeria, Algeria, Indonesia, Taiwan, Thailand, and Malaysia. Some of the coins caused indigestion, jamming up the meters. But others worked fine, and when the police figured out the net daily take, they found that the value of the foreign coins often exceeded the actual meter rate.

Thailand's capital, Bangkok, has found an easy way to build new roads and widen old ones. The roads department simply shoves earth into the networks of klongs, or canals, that thread the city. There is no need for condemnation proceedings. Randolph Hamilton, American adviser to the lord mayor of Bangkok, reports that by this ingenious method the city has added 28 miles of new roads and 62 miles of extra lanes in the past 5 years. Bangkok is now building two 12-lane boulevards, permitting traffic-flow patterns even more advanced (and possibly more complicated?) than those in the West. On the road gangs, women do the lighter work, such as carrying baskets of rocks.

Bangkok can use the new roads. Traffic there is as desperate as in any city of the Orient. Bangkok had only 4,000 registered motor vehicles at the end of the war; now it has more than 400,000. Slow-moving bicycle rickshaws have been banished to provincial cities, leaving the field open for Bangkok taxis to beat the lights—and gently swindle tourists by refusing to use their meters. The city is adding new cars at the rate of one every 2 hours, 24 hours a day. Traffic engineers calculate that each new car needs 250 square feet of additional lebensraum, says Mr. Hamilton. He is grateful for the klongs.

In Iran the import duty on cars of the Chevrolet-Ford-Plymouth class is 100 percent. On Buicks, Chryslers, and other medium-price cars, it is 200 percent. And on Cadillacs, Chrysler Imperials, and Lincoln Continentals, it is a forbidding 300 percent. The avowed purpose of oil-rich Iran's graduated duties is to discourage the wealthy from conspicuous consumption. In Teheran, automobiles are apparently considered as precious as diamonds. At night, automobile dealers draw folding iron grilles across their showroom windows, just as jewelers do in other countries.

In Israel it is against the law to leave the ignition key in an untended car. According to an Israel official, the purpose of the law is not so much to protect the car owner as to prevent an unlicensed, and presumably incompetent, driver from making off with the car and endangering others. "We are survivors here," he said. "You will appreciate that we have a high regard for human life."

The most popular cars in Israel are the small European makes, but the Volkswagen, understandably, is not one of the favorites. Nevertheless, it has its adherents. A while back, when a West German official paid a visit to Israel, he was met everywhere by protesting pickets. The leader of one picketing delegation down in the Negev arrived at the official's reception driving a Volkswagen.

In Yugoslavia just outside Dubrovnik on the Dalmatian coast is a colony of camping huts about the size of bath cabins. They are reserved exclusively for the buyers of motor scooters. The idea is to buy a scooter and get a vacation absolutely free, a gimmick that smacks of capitalist merchandising. The buyer gets a lottery number with his purchase, then waits. He may have to wait a year or more, but when his number is drawn he gets his free vacation. Painted by grateful hands on the outside wall of each hut is a life-size portrait of a scooter traveling at full throttle, slanted at a rakish angle, trailing speed lines in its wake.

HOW GOOD ARE AMERICAN CARS?

(By John R. Bond)

American cars are highly prized, greatly respected throughout Europe, where competition is extremely keen. Our cars cost anywhere from 50 to 150 percent more there than at home because of duties and discriminatory levies, yet 144,510 American passenger cars were exported in 1963.

Why are our cars so popular overseas? Because they run and run and run. Our engines use little oil and ordinarily need no major repairs for at least 50,000 miles, usually much more. The chassis components stand up better than overseas products on bad roads. The bodies do not rattle or corrode. A well-used American car with 100,000 miles on the odometer will still bring a fantastic price—in other lands.

Durability and reliability are taken for granted by the American consumer. This circumstance explains why, with the single exception of the Volkswagen, the American public has become so disenchanted with the small imported car. Many of the latter proved to be economical on fuel, but not so economical when repair charges and depreciation were added up at the end of 2 or 3 years.

Today every American car manufacturer has a large engineering department and extensive acreage devoted to proving grounds. The auto companies have found, sometimes through sad experience, that it is cheaper to test a new design exhaustively than to produce a relatively untried model and face expensive service problems or corrections in the field.

A combined total of a million miles or more of testing is virtually standard procedure before any new model is introduced. A typical example is Rambler's all-new 6-cylinder engine, announced in mid-1964. One test car with the new engine racked up 107,000 miles with no major attention except routine maintenance. At that mileage the oil consumption was still less than 1 quart per thousand miles.

An interesting sidelight of this particular Rambler test was the company used off-duty Chicago policemen for drivers. American Motors' engineers stated that their regular test drivers notice incipient malfunctions and report them for correction. Policemen drive like most ordinary people and keep going until the car quits. In all, AMC built 10 experimental test engines (very expensive) and logged 2 million miles on these and pilot production-line samples.

Tests were run also at such diverse places as Phoenix, Ariz., and Bemidji, Minn. More

than 15,000 hours were logged on dynamometer testing in Kenosha and Detroit.

Such thorough procedures as those described for AMC's Rambler "232" engine are not at all unusual; they are typical throughout the American automotive industry. Equally important, such testing is not confined to the powerplant.

The seats in a 5-year-old car, for example, do not fall to pieces as they did before the war. Why not? Every major auto manufacturer in the United States has an extensive testing laboratory, filled with strange and weird-looking machines. Seats are tested by a machine which forces a wooden model of a derriere into the cushion a given distance, then releases it. The process is repeated every 3 second and continues for a million cycles (if nothing fails). Spring sag, spring breakage, and upholstery durability are evaluated accurately.

These laboratories perform several functions. Their first and most obvious duty is to test newly designed components for function and durability before production commences. A second duty is to test items submitted by outside suppliers. A simple stoplight switch is a good example. Samples submitted for approval must pass a test of 1 million cycles without failure. Once a supplier is selected he must expect further checks on the quality of his product; such tests as are required are a continuous process on a spot check basis. It is not unusual for an entire shipment from a supplier to be turned down because half of a batch of 20 samples failed prematurely.

Laboratory tests are of course an important adjunct to the normal road-test program. A shock absorber that will stand up for 500,000 cycles within a week in the laboratory will probably outlast the car in normal use. Engineers call this accelerated testing, and talk of correlation between lab and road tests. Testing procedures are developed so that a week in the laboratory is equivalent to 5 years or more on the road. This saves time and money—especially important in an industry which has new models almost every year.

No part of the car is too small or too insignificant to escape the laboratory. The outside rearview mirror is a good case in point, and here is a brief outline of the procedure used by the Ford Motor Co.

Sample mirrors are given a 96-hour salt-spray bath to test for plating quality. Other samples get a 16-hour corrosion-abrasive test, considered even more severe than the salt bath. Qualification details are spelled out in specification sheets, even to the amount of porosity permitted in the die-cast mounting and the quality of the mirror glass. ("First surface" type of glass is specified, the best on the market, in order to avoid a double image.) Sample mirrors are also installed on test cars which run on a very rough proving grounds circuit for 40,000 miles, deemed equivalent to 100,000 miles on ordinary roads.

Other sample mirrors get an interesting lab test of the ball joint used for the adjustment feature. This joint must not stick or freeze, yet it must also retain its ability to stay put if the car owner wants to make an adjustment. Mirrors are cycled in the lab by a series of special machines which oscillate the mirror back and forth and in two different directions. At intervals during the cycling the temperature is lowered to minus 20° F., raised to 120° F. After 3,500 gyrations the ball joint must still have 70 percent of its original frictional characteristics to pass. As a result of these tests over the year, Ford specifies a special lubricant for the ball joint, which eliminates sticking yet inhibits wear during the cycling test. The testers have also found that stainless steel (rustproof) mounting screws are essential. After preproduction mirrors are approved, samples from every batch supplied by the vendor are checked on a regular schedule to insure maintenance of quality control.

The Delco Delcotron alternator adopted by GM cars in 1964 is an excellent example of thorough testing. Delco, as a large supplier for GM, has its own test laboratory. Before this new alternator was ever placed in production, Delco engineers tested various samples and designs for the equivalent of 70 million miles. Other tests included 2.2 million miles on the dynamometer and 25 million actual miles on the road—all this from a supplier. The auto manufacturer has his own additional qualification tests before acceptance.

Some tests are more dramatic than others. At Chrysler the writer watched brake hoses on test. These are the vital connecting links between the hollow steel brake lines and the bouncing wheels of your car; failure of only one of the four flexible lines would mean that you had no brakes. A battery of machines actually whips them to tatters, and this test runs 24 hours a day.

A few years ago Pontiac introduced a car with a curved or bent drive shaft connecting the engine and the rear wheels. One of the tests involved a laboratory duplicate of the backbone-like chassis; engine in front, the drive shaft inside its backbone-like tunnel cover and the complete rear axle assembly. A dynamometer replaced each rear wheel. Automatic controls actuated the engine's throttle, and once every 30 seconds the "car" started up from a standstill, raced up to 80 m.p.h. at full throttle, then came to a full stop. The curved drive shaft had to take this enormous strain without failure for 100,000 miles. Before the design and material specifications were finally settled, nearly 100 different shafts were tested. Needless to say, Pontiac Tempest's unique curved drive shaft gave absolutely no trouble in service.

In 1938 Chevrolet had 13,000 square feet devoted to lab tests; today it has over 100,000 square feet for this purpose, located at the GM Tech Center just outside Detroit.

Chevrolet has a test fixture for the front suspension which strokes the two wheels to duplicate driving over railroad ties for a distance of 1,000 miles. This severe test is computed on the basis of 250,000 cycles of the machine. Another test machine at Chevrolet simulates a loading equivalent to a front-wheel side skid. The suspension must not fail in 500,000 cycles.

Rear suspension systems get similar abuse. When Chevrolet first introduced its coil-spring system, it took a test car down to the racetrack at Darlington, S.C. The car was elaborately instrumented, and the driver made several laps at over 120 mph. Then the engineers took the recorded data back to the laboratory and built a special test machine to simulate the stresses and strains imposed on the rear end at the track. Cornering loads equivalent to 625,000 racing miles were duplicated before the rear suspension was approved for production.

Accessories, optional at extra cost, are very popular with car buyers, especially since these accessories are thoroughly engineered by the car manufacturer and built to give long life without the need for attention or repairs.

Automatic transmissions are the most popular extra-cost item: 77.6 percent of all cars produced in the United States last year were so equipped. As with engines, these complex assemblies are not redesigned every year. Chevrolet's Powerglide, for example, has been refined in detail, but it has been fundamentally unchanged since it was first introduced in 1949. But, as with engines, a new or revised automatic transmission is thoroughly tested for millions of miles before production commences. The value of this policy was amply demonstrated by the Lincoln division of Ford 2 years ago. At a new-model preview, Ford let members of the press drive one of the new Lincolns, then immediately drive a year-old model with over 100,000 test miles on the odometer. There were some differences, but the average driver would not be able to notice them.

Chrysler's durability test procedure for its optional four-speed manual transmission is interesting, and the company says that it is somewhat more grueling than the requirements of competitors. Chrysler specifies a life test of 20 hours in first gear, 28 hours in second gear, and 35 hours in third, under load. The load is varied for each gear and is equivalent to the strain of running continuously on a hill steep enough to force the engine to operate at wide-open throttle. Years of experience with this accelerated laboratory technique have shown it to be equivalent to over 100,000 miles of driving by the average owner.

Air conditioning is an optional accessory becoming more popular each year. In 1964 some 1.4 million cars left the factory equipped with air conditioning. The industry expects that the demand will rise rapidly; 76 percent of the three luxury cars produced in 1964 had air conditioning, as compared with only 17.89 percent of all cars produced.

The air-conditioning systems are not redesigned every year. The design of component parts is, however, under a continuous process of development, both to improve cooling performance and to reduce costs. A standard performance test is to put a black car out to bake in the sun, windows closed. A test driver then steps in, fires up the engine, turns on the air conditioning, and clocks the time required for the interior to come down to 70 degrees Fahrenheit. One and a half minutes for a drop from 120 degrees to 70 degrees is not unusual.

Another critical test for an air-conditioned car is the performance of its engine-cooling system. The A/C system imposes extra loads on the engine and requires a larger heavy-duty radiator. Also, an engine at idle tends to boil because there is no forward movement of the vehicle to provide a blast of air for engine cooling. For this test most manufacturers specify that on a day when the temperature is 110 degrees, the engine must not boil when idling for at least 30 minutes. For durability of the A/C components, they require 40,000 miles over the rough-road route, equivalent to 100,000 miles of ordinary driving.

Testing includes many other accessories. For instance, jacks are tested, and trailer hitches also get careful consideration. In fact, nearly all cars are available today with special options designed and tested solely for the benefit of those motorists who pull trailers. The companies even test roof racks, which surprisingly enough have in the past given a lot of trouble. The test load for a large roof rack is usually 250 pounds. Among other things, they test with a loose load at 90 m.p.h, then put on the brakes for a crash stop.

Now let us consider some of the criticisms of our cars. It is true that our most popular, so-called standard, cars have grown larger and heavier since the war. This is a simple result of the great American desire to "get ahead." The mass market for postwar cars has proved to be for something bigger and better than just transportation. And there is nothing wrong with this attitude; if the bulk of sales are in what used to be the Buick-Chrysler category, why blame Chevrolet, Ford, Plymouth, and Dodge for supplying products to meet the demand? These four cars, with weights approaching 2 tons (unloaded), account for more than half of all sales. All four are big cars in the truest sense of the term, and though gasoline consumption is not nearly so economical as the prewar standard of 20 miles per gallon, the fact remains that the consumer is willing to pay for more luxury, more performance.

As for the compacts, the figures show conclusively that only one out of five buyers is interested in economy. All these cars weigh under 3,000 pounds, and weight is the all-important factor when it comes to economy, whether we are talking about fuel, oil, tires, or even first cost. American compacts are far superior to comparable imports, primarily because they are designed, tested, and built to give genuinely economical transportation. They may not give 30 miles per gallon, but cost-conscious buyers know that the annual fuel bill is not a significant factor in computing the cost of owning an automobile.

Forced obsolescence has been much maligned. When production quantities exceed 350,000 units per year, the tooling is worn out anyway. Hence, the technical innovations evolved each year by engineers can just as well be incorporated when tools, dies, and machines are replaced. While Henry Ford may have saved a dollar or two per Model T (by making no important design changes), he spent over $100 million in 1927 to make the change to the Model A. Yet only 4.5 million Model A's were produced before complete retooling was required for the 1932 V–8. From that time on, Ford retooled every year for a new and improved model. Even Ford capitulated to the inexorable march of technological advances.

The detractors of the American car like to point out that most major technical innovations come from Europe. This may well be true if one talks of who was first. But it remained for Detroit to produce the soft-riding independent front suspension at a reasonable cost in 1934. It was Reo in Lansing which first offered an automatic transmission in 1933. Duesenberg in Indianapolis pioneered four-wheel hydraulic brakes in 1921. American tire engineers developed the balloon tire in 1924, the extra-low-pressure tire in 1949, the low profile in 1964. Goodyear pioneered the caliper-disk brake on the Crosley in 1949. The supercharger, first used on the Chadwick car in 1908 and later adapted to high altitude flying by GE, helped us to win World War II.

Current European cars often abound in technical or novelty features, but it takes American engineering, design, testing, and manufacturing to make these features practical and available to great numbers of people at a cost they can afford.

An oft-quoted example of European "leadership" is the widespread use of independent rear suspension. In the United States, we have only the Corvette and Corvair with this system of rearspringing.

I have talked with dozens of engineers in and around Detroit on this subject. They all agree that independent rear suspension has some advantages, but they also agree that the ride is not noticeably improved, that erratic handling is difficult to overcome, and that the high manufacturing cost is not justified by the results. The Corvair would not be possible without independent rear suspension because of its rear-mounted engine. The Corvette needs a similar type of suspension in order to get adequate traction with its tremendous power-to-weight ratio (up to 425 horsepower, weight only 3,200 pounds).

Independent suspension gives a much improved ride on small, light cars, but on 4,000-pound American cars the ratio of sprung to unsprung weight, even with solid one-piece rear axle assemblies, is not critical. The latest American development—positioning the rear axle more positively and accurately by means of three or four rubber-cushioned links—gives excellent results at low cost. The links are arranged to negate acceleration squat and brake lift; they give good cornering control and freedom from transmission of axle-gear noise.

The typical American car is astutely designed to supply a simple need: comfortable, reliable transportation at a reasonable cost. I regard the modern American car, at well under $1 per pound, as one of the best buys in the world today.

EXPANSION OF CAPTIONED FILMS FOR THE DEAF PROGRAM

Mr. PELL. Mr. President, in 1958 Congress approved a program providing for captioned films for the deaf. It was a small, but successful start in establishing an educational and training program for our deaf through the use of visual media. My good friend and colleague, the Senator from Maine [Mr. MUSKIE], and I joined together in 1962 in sponsoring a bill to extend the captioned film program. We join together now to submit a new amendment to the 1958 act, which will both extend and expand this important program.

These amendments will not only allow the Secretary of Health, Education, and Welfare to acquire films and other educational media, caption them and distribute them through State schools for the deaf and other agencies, but it also is intended to promote research for the educational advancement of deaf persons. It further provides for distribution of these captioned films and equipment to parents and even to actual or potential employers of the deaf.

Too often, the problems of the handicapped are viewed in the light of welfare or charity. This, I believe, is unsound, unfair, and self-defeating. Our deaf citizens want and should have, the same opportunities for education and employment as are available to others. Our approach in the captioned films program is to offer these opportunities for self-advancement.

It is quite fitting, Mr. President, that these amendments are offered at a time when the 10th International Games for the Deaf are being held in Washington. Young men and women from all over the world are participating in athletic contests, and I am particularly proud of the two young Rhode Islanders, Bonnie Turner and Raymond McDevitt, who have been selected to participate.

I ask unanimous consent that the bill be printed in full in the RECORD at this point.

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

The bill (S. 2232) to amend the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes, introduced by Mr. PELL (for himself and Mr. MUSKIE), 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. 2232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended (42 U.S.C. 2491 et seq.), is hereby amended to read as follows:

"That the objectives of this Act are—

"(a) to promote the general welfare of deaf persons by (1) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (2) providing through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (3) providing a wholesome and rewarding experience which deaf persons may share together; and

"(b) to promote the educational advancement of deaf persons by (1) carrying on research in the use of educational media for the deaf, (2) producing and distributing educational media for the deaf and for parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf, and (3) training persons in the use of educational media for the instruction of the deaf.

"SEC. 2. As used in this Act—

"(1) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(2) The term 'United States' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

"(3) The term 'deaf person' includes a person whose hearing is severely impaired.

"SEC. 3. (a) In order to carry out the objectives of this Act, the Secretary shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for non-profit purposes to deaf persons, parents of deaf persons, and other persons directly involved in activities for the advancement of the deaf in accordance with regulations promulgated by the Secretary.

"(b) In carrying out the provisions of this Act, the Secretary shall have authority to:

"(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

"(2) acquire by lease or purchase equipment necessary to the administration of this Act;

"(3) provide for the captioning of films;

"(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the deaf and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution;

"(5) provide for the conduct of research in the use of educational and training films and other educational media for the deaf, for the production and distribution of educational and training films and other educational media for the deaf and the training of persons in the use of such films and media;

"(6) utilize the facilities and services of other governmental agencies; and

"(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

"SEC. 4. There are hereby authorized to be appropriated not to exceed $3,000,000 annually for each of the fiscal years 1966 and 1967, $5,000,000 annually for each of the fiscal years 1968 and 1969, and $7,000,000 annually for fiscal year 1970 and each succeeding fiscal year thereafter."

AMENDMENT OF NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill

to amend the National Defense Education Act in order to authorize the Commissioner of Education to arrange for the operation of institutes for advanced study for individuals teaching or preparing to teach, or supervising or training teachers, of classical languages.

When the National Defense Education Act was enacted in 1958, it was confined to subject areas believed to have direct relationship to defense needs—the sciences, mathematics, and modern foreign languages. Since that time the Congress has expanded the program to strengthen other areas of education, and last year we approved a new title: "Title XI: Training Institutes." This title continued authorization for training institutes to improve the teaching of modern foreign languages and for English when it is taught as a second language. It also expanded the program to include several new areas: English, history, geography, reading, training of school library personnel, educational media specialists, and teachers of disadvantaged youth. The bill I am introducing adds classical languages to the areas for which training institutes can be authorized.

There are some who take a very rigid view of what is related to national defense. They seem to require a direct relationship between science and weapons or between modern foreign languages and espionage. I suppose for them we could try to make the case for teaching the classics by citing the number of citizens who received their best introduction to military tactics by reading Caesar in Latin class; but this is really not a very satisfactory argument.

In any event no serious question is raised in Congress about the value of a second language. Learning a second language provides a student with a new perspective and an opportunity to compare the literature, the culture, and the structure of his own language with that of people in other nations. The study of a foreign language is a unique experience in understanding other peoples and culture.

The only question which has been raised is between modern foreign languages and the classical languages. Of course, proficiency in a modern foreign language has the immediate practical value of enabling one to speak directly to those in other lands who use the language as their mother tongue and to read the literature of their nation. In my judgment there are two points to be made about the classics in this regard.

Latin is not in fact a wholly dead language, without utility, even though it is not the common speech of any contemporary culture. The language of many European peoples and of those in Central and South America is derived from Latin and closely related to it. In this sense Latin is the "mother tongue" of all of them, and it is significant for understanding English as well. It is also used in the terminology of law and science.

More important is the general relationship of the Greek and Roman civilizations to our times. They are a part of Western culture and Western ideas. The study of the classics is not confined to learning the vocabulary and structure of Greek and Latin languages. To study the classical languages is to study the art and poetry, the history and politics, the philosophy and law of two great civilizations to which we are all indebted.

The concept of national defense must not be defined too narrowly. We ought not put a premium on the sciences and ideas of immediate practical utility to such a degree that it depreciates other essential subjects and puts the curriculum out of balance. There is evidence that this is happening with regard to the classical languages in relation to modern foreign languages.

In the long view national defense is best served by a balanced education which develops the whole man. Through centuries of Western civilization the study of the classical languages has been an important channel for the study in depth of the classics. This study of the great documents of Greek and Roman civilization has helped to free the minds of men, to give them direction in their effort to secure the common good, and to give them better understanding of human conduct and social institutions.

The classics are not alone in contributing to a liberal education, but they have been an important part of the process from medieval times to the present. A proper respect for this tradition will certainly justify the small and limited assistance needed to add the classical languages to the list of training institutes approved under the NDEA program.

Besides the training institutes, the classical languages are also discriminated against in eligibility of students for fellowships under title IV of the act. In this case there is nothing in the law which requires exclusion, and in fact a few fellowships were awarded in the early years of the program. Apparently, there was some criticism that fellowships were being awarded for fields not related to national defense, and by action of the Commissioner of Education classical languages have been excluded from the fellowship program since 1962. It is my understanding that no legislative action is required to reverse this decision and that the Commissioner can remedy it by administrative action. I believe he should take this action and that it would have the support of the majority of Members of Congress.

The importance of studying foreign languages—and Latin in particular—is very well discussed by Prof. William Riley Parker, of Indiana University, in an article published by PMLA, September 1964. Professor Parker supports use of public funds to improve the teaching of Latin, not in the limited context of the National Defense Education Act of 1958, but in the context of the Government acting to strengthen the best in American education. He wrote his article before we acted last year to approve training institutes in several new areas. Now that we have broadened the act to cover English, history, and other studies, there is no barrier to adding classical languages and every reason why we should. I ask unanimous consent that Professor Parker's essay, "The Case for Latin" be printed at this point in the RECORD.

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

The bill (S. 2234) to amend the National Defense Education Act of 1958 in order to authorize institutes for elementary and secondary school teachers of classical languages, introduced by Mr. MCCARTHY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The essay presented by Mr. MCCARTHY is as follows:

THE CASE FOR LATIN

(By William Riley Parker, distinguished service professor of English at Indiana University, author of "The National Interest and Foreign Languages" (3d rev. ed., 1961), former executive secretary and past president of the Modern Language Association of America, and first chief of the language development program in the U.S. Office of Education, Professor Parker has also written two books and about 50 articles on John Milton. His two-volume "Milton: A Biography" will be published by the Clarendon Press in 1965)

In the "good old days" in the United States, as in Europe, which supplied the model, anyone who went to a secondary school and college studied Latin as a matter of course. Even in the first years of this century, when a half million students were enrolled in all our public high schools, fully half of them were still studying Latin. Those days are gone, and will never return. To regret their passing is to regret both mass education and mankind's phenomenal increase in scientific knowledge. Moreover, our world has shrunk while America's role in it has grown, and lately our society has recognized the increasing relevance of studying modern foreign languages. What, then, is the future place of Latin in American education? As one who long ago was taught both Latin and Greek, I want to try to answer this question as candidly and as objectively as I can.

For whatever reasons, Latin is still a significant factor in our educational system. Any report of its "death" is greatly exaggerated. In our public and private secondary schools, grades 7–12, about 1,167,000 boys and girls are now studying it, and in our colleges and universities nearly 1,000 students are annually choosing it as the major subject for their bachelor's degree. These numbers have been increasing, and they are not small numbers unless we are thinking in percentages; today, for example, only about 5 percent of the students in our public secondary schools are enrolled in Latin classes, whereas 30 years ago the figure was 16 percent. Should the current percentage be higher, or even lower? Many informed people believe that Latin is on its way out of the public high school curriculum. What is the objective (not accusative) case for Latin in American education in the second half of the 20th century?

In any choice among languages to learn, the main argument that can be brought against Latin is that it is no longer spoken as a mother tongue by anyone. The case must be put this way, fairly, for Latin is today read by countless people, in many countries. It has really never been a "dead language" except in the sense that its natural growth has ended and that it is no longer learned as a first language by babies. Arguments that can reasonably be brought against Chinese and many other foreign

languages in the course of choosing a second language to study—for example, the comparative difficulty of their writing- or sound-systems or of their grammars—cannot be brought against Latin. For more than 5 centuries English-speaking peoples have found Latin reasonably easy to learn, largely because there are so many Latin elements in English. Its literary content constitutes no argument against it, as the lack or thinness of literary content might for studying some languages. On the contrary, unless one insists on contemporaneity (of which, perhaps, there is enough in American education), the distinct social or political orientation of most of Latin literature gives it permanent relevance. The typical Latin curriculum introduces the student quickly to classical authors whose excellence is beyond question, whose substance is constantly referred to in Western literature and art, and whose literary genres and styles were models for writers up until very recent times.

One cannot even argue, reflecting an important contemporary concern, that Latin has no bearing on "international understanding"—unless this term is narrowed to mean only direct communication between people of two nationalities; and exceptions must even then be allowed, because Latin continues occasionally to fulfill this function, particularly among the Roman Catholic clergy—despite recent decisions to celebrate parts of the mass in vernaculars. If international understanding is ever facilitated by recognition of a common cultural heritage—as surely it is—then Latin has an extraordinary relevance. It is more than a permanent visa to a community of scholars, which it long has been. American tourists or businessmen or diplomats, meeting educated Europeans, can often earn their approval by talking their languages—if allowed to do so—but can earn more respect for American culture and education by making it clear that the classics have not been neglected in the New World—as they have, by official edict, in the Soviet Union. Let us face it: lack of knowledge of the classics makes us appear uneducated to Europeans, for whom such knowledge is the hallmark of an educated man.

Most, but not all, of the primary reasons for studying Latin are reasons universally recognized by informed people for studying any foreign language.[1] I am not talking about the reasons perhaps implied above, or about the various hoped-for byproducts so often, and so confusingly, mentioned by partisans of language study. For example, the old claim that Latin is the best developer of logical thinking has been logically discredited, and it is clear that mathematics does as well, or better, at cultivating accuracy of detail. I do not know whether or not foreign language study normally brings more facility and precision in the use of the mother tongue. I have found it so in my own experience; many people have so testified in print (and many others to me in person); but I have listened to, and read, a number of American-born foreign language teachers whose awkward use of English belies the argument, and I strongly doubt that this pedagogical objective is often achieved unless it is deliberately and intelligently sought for.[2] In any case, let us distinguish between dependable results and occasional, or even frequent, byproducts.

The strongest, most defensible reason for studying any foreign language, including Latin, is that such study, which is both a progressive experience and a progressive acquisition of a skill, enlarges the pupil's mental horizon by introducing him to a completely new medium of verbal expression and communication and consequently to a new cultural pattern. It also, of course, progressively adds to his sense of pleasurable achievement in the process; he can actually measure his own progress with some precision. To be honest, one must state the matter thus cautiously and moderately. At no point can such an experience be considered complete, or such a skill perfect; the expectancy of values to be derived from language study must be relative to the amount of time and effort devoted to it, to say nothing of aptitude and the enjoyment of skillful teaching under proper conditions. Talk about early "mastery" is usually misleading. While it has some value, language study which does not go beyond the second high school year will predictably prove more frustrating than satisfying to the student. It can, however, be affirmed of language study that, granted competent teaching, at any stage the progress made will have positive educational values, in addition to providing a foundation upon which further progress can be built. Although Rome cannot be built in a day, or ever, what exists of it at any stage can both delight and inform.

In what lie the positive educational values of language study? Educators of a certain temperament or training insist on "proof" of the "value" of any given subject before they are willing to sanction its presence or its expansion in the curriculum. By proof they usually mean statistical proof; by value they too often mean "practical" value. But there are completely convincing proofs offered by the cumulative experience of the human race which do not lend themselves to statistics, and there are theoretically impractical values which education has immemorially sought. The best reason for studying physics is not to become a physicist or mechanical engineer, or even to be able to repair something—though these are possible, and welcome, outcomes. The best reason for studying Spanish is not to be able to talk with a businessman from Latin American—though in today's world this is an increasing, and important, possibility. One should study any "academic" or liberal arts subject primarily to stock and stretch and develop the mind, in the hope of becoming more civilized. This is arguably a very "practical" matter, involving objectives that can be clearly defined and tested, but let us not quibble over definitions. How does language study profit the mind?

The Educational Policies Commission of the National Education Association has recently (1961) decided that "the central purpose of American education" is the development of the ability to think. One may accept this dictum gratefully, but then ask: "Think only in the restrictive pattern of one's own language?" Until we have acquired a second language, we tend to assume the identity of words and things. Moreover, different language structures compel people to think differently; the limitations and historical development of a given vocabulary condition thought. For example, Norwegian Landsmal has five genders, Russian three, French two, and Hungarian none. The Spanish have no word for "honest"—only "honorable." What does a Communist mean by "democratic" in any language? What does a German or Frenchman mean by the untranslatable but socially important "du" or "tu"? Every language has its own, different way of organizing the data of "reality." Assuring firsthand awareness of these facts about language is becoming a purpose of American education, as it long has been in the education of all other countries in the Western World. It is one thing to be told these facts by someone, as here; it is another to experience and understand their reality, and to ponder their implications. It takes considerable time to learn to think in a second language; but when in Rome, it is less enlightening to "do as the Romans do" than it is to try to think as the Romans think, or, if this is impossible, to realize that the Romans will, of course, think differently (without definite and indefinite articles perhaps). Breaking the barriers of a single language and a single culture has been rightly called "a Copernican step," a positive educational value of primary and permanent importance.

This value can be recognized even in the early stages of language study, before genuine proficiency or the ability to think in a second language has been achieved. The recognition is, however, a progressive experience. In 2 high school years or 1 college year of instruction, a student cannot be expected to acquire an "active" vocabulary of more than 1,000 words (experts estimate only about 700 Latin words, with their compounds), and yet a very large majority of American students stop at this point, frequently because no further instruction is available. In the educational system of no other nation on earth has so little vocabulary been assumed to confer meaningful proficiency. When the student of a foreign language begins to acquire an adult-sized vocabulary—normally impossible in under 4 high school years—the intellectual rewards of course increase proportionately.

We are discussing the values of studying any foreign language, ancient or modern. Advocates of living languages add the very practical potential of direct communication with a contemporary culture. There can be no quarrel with this supplementary value, which in our modern world has an urgent, increasing pertinence—recognized by the Congress of the United States in 1958 when it included modern foreign language study in the provisions of a National Defense Education Act. We do need more and more Americans capable of "talking the other fellow's language"; and this no longer means merely French, German, Italian, and Spanish—since about 1920 the "usual" modern languages taught in our schools—but also Arabic, Chinese, Hindi, Portuguese, and Russian, to say nothing of the many important tongues of the new nations of Africa and Asia.

As for Latin and its literature, we have the back door of English translations. Such, we are often warned, are but sorry substitutes—produced by many of the finest classicists, of course. That one should study Latin for a few years because all translations are inadequate in a non sequitur. Translations from foreign languages into English inevitably vary in quality and accuracy, but the worst is better than the translating which any student must painfully do until his vocabulary and his knowledge of linguistic, literary, and cultural nuances approach that of the professional. It takes years to acquire enough proficiency to realize that translations of a given language are indeed inadequate—and one must even then continue to use translations from other languages, including, perhaps, the Hebrew of the Old Testament and the Greek of the New.[3]

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[1] I resist all temptation to embellish my text with eloquent quotations favoring Latin study. It is easy to gather hundreds of these from well-known people, living or dead. The latest such collection that I have seen is "Latin: the Basic Language" (1964), edited by the students of Latin at Princeton (N.J.) High School.

[2] I suspect, but cannot prove, that Latin teachers more often set and really achieve this objective than do teachers of other languages, yet I am sure that not all of them do so. How polished English is learned is a complicated matter. Aspiring stylists frequently absorb the manners of good literary company.

[3] I do not want to be impaled on this touchy point. Translations are indispensable, but literary masterpieces often defy

With so much now needed, and so little room in the crowded curriculum for our attempts to supply it, what excuse can there be today for studying any ancient language? Few of us are at heart antiquarians. Should we not jettison Latin in the age of the jet? There are no ancient Romans to be met, and talked to, in the forums of current affairs.

Or are there? Rephrase it in sensible educational terms, and we are at the nub of the present matter.

Education that neglects the past is unthinkable, suicidal. Preoccupied as we may be with the present, we need roots in order to survive and to grow. One of the purposes of education has always been, and always must be, to make us fully cognizant of our roots—the continuum of our culture, our immense debt to the past, and the blessed timelessness of so much of our literary, artistic, and political heritage. Consciousness of these roots is not only instructive and reassuring; more importantly, it provides a perspective needed for intelligent, purposeful living in the present and the future. If we delude ourselves by assuming that today's pressing problems were all born yesterday (or since 1776), we stand little chance of understanding them and solving them wisely. Neglect of experience, personal or recorded, condemns us to repeating its follies. We sorely need knowledge of the past, especially when the present presses upon us most insistently.

This knowledge can be even more serviceable if to it can be added a sense of the past. Knowledge of the past, most efficiently gained through the study of cultural and political history, can be both interesting and informing; a sense of that past, and of the varieties of our relationship to it, can be transforming. To live intellectually only in one's own time is as provincial and misleading as to live intellectually only in one's own culture.[4] Study of a modern foreign language fortunately enables one to break the bonds of his own peculiar culture, but Latin not only does this effectively but also, when studied beyond the elementary stage, enables one to live intellectually in the distant past out of which all Western cultures developed. One may gain some sense of this past by advanced study of any modern European language, including English if one reads Beowulf, Chaucer, and Shakespeare in addition to recent literature. The point is that the subject matter of Latin is the very roots of Western civilization. Latin is not, therefore, just another foreign language. It is the oldest variety of "area study." When one studies Latin, he directly encounters and experiences the significant past, whose most significant records still rank, for the most part, as belles lettres. The ancient Romans do have something to say to us: for example, a reminder that they handed on to us, through Englishmen of the 16th and 17th centuries, and hence Americans of the 18th century, our dearest concepts of political freedom. In a third-year Latin classroom, Cicero may ask us for a reckoning.[5] He is better read than "dead."

There are linguistic roots as well as cultural roots. Latin is the mother of five important languages of Europe and the Western Hemisphere, and is also the greatest benefactor of modern English, including a vast scientific and technical vocabulary to which it is still actively contributing. More than 50 percent of our total vocabulary is derived, at first or second hand, from the parent of the Romance languages; or, to put it differently, approximately one out of every four Latin words has found its way into English.[6] This is the factual basis of the often heard claim that a knowledge of Latin helps one to understand and to write—even to spell—English with greater precision. The half of English vocabulary that is of Latin origin is the more difficult and important half for educated men, because it includes many scientific terms and a high proportion of words necessary to express abstract ideas and sophisticated concepts or distinctions.

The very different grammar of Latin provides an illuminating and much-needed perspective on how English grammar works. It may not invariably do so; that it often does many have testified and commonsense would suggest. Unlike English, which has far fewer "signals" to indicate "gender," tense, number, and case, Latin is a highly inflected language, and the contrast can make us sensitive to the analytical syntax of our own language. The grammars of all foreign languages provide a contrast with English; the point is that Latin grammar provides an unusually sharp one. It also, of course, gives us much of our grammatical terminology, a heritage we have not always used wisely. Only of late have English teachers been learning the folly of trying to apply Latin grammar to English, instead of using it, as a good Latin teacher does, to clarify differences.

When a student's ultimate objective is to be able to read (not speak) a number of important foreign languages, knowledge of Latin can have extraordinary practicality. It would be ridiculous to argue that one should study Latin in order to learn French, but genuine competence in Latin can speed the informal acquisition of reading proficiency in not only French, but also Italian, Portuguese, Rumanian, and Spanish—more languages than most students, or most practicing scientists, can find the time to study formally. In this respect, the study of Latin offers a certain advantage over the study of ancient Greek, rewarding as the latter can be.[7] In another respect, the fact that Latin differs so greatly from English in structure, the study of Latin offers an advantage over the study of the Romance languages if one's next foreign language is to be a highly inflected one—Russian, say. American education has been slow to realize that high school students rarely know—and no one can tell them—which of many foreign languages they will eventually need to use. There is thus a highly practical reason for choosing a first foreign language which is a demonstrable steppingstone to others.

While we are being practical—but first reminding ourselves that we are now discussing, not general education, but the needs of comparatively few students in our schools—we might recall in passing the peculiar usefulness of Latin to students of law, medicine, pharmacology, and theology, as well as to advanced students of such subjects as educational history, philosophy, literature, Romance philology, linguistics, European history, and medieval studies of any kind. As a professor of English with a special interest in Renaissance literature, I deeply wish that all my students had proficiency in Latin and ability to recognize classical allusions. I am not so unrealistic as to expect American education to accommodate itself to those students who actually want to read Shakespeare and Milton with some understanding, but it might at least advise prospective English majors that they had better learn Latin.

Though the teaching and interpretation and influence of it may change, and do change, Latin no longer changes.[8] Of all

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adequate rendering into another language. Let doubters who know a foreign language read any favorite English work in that language. Poetry, by its very nature, is a special use of language that defines translation. Similar or roughly equivalent effects can, with luck or ingenuity, be achieved, but the peculiar "meaning" of poetry depends, not only on the denotations of words, but also on their connotations, sounds, relationships, and arrangement. There is therefore no way of expressing in English (or any other language) what Catullus, Horace, Lucretius, and Vergil really "say" poetically. This is true also of unusually eloquent (i.e., poetic) prose.

Translations can convey form, but they convey thoughts without conveying the way of thinking, express feeling without giving us the true "feel" of the original. It is like being kissed through a veil—exciting contact of a sort, no doubt, if one has never been kissed directly. Emerson used another metaphor to defend the use of translations: why, he asked dryly, should one swim across the Charles River when one wishes to go to Boston? His figure is more revealing than he intended. Swimming is an exercise pleasurable and profitable per se. Getting to the other shore is only part of the experience.

[4] This problem, Meriwether Stuart reminds me, was old in Cicero's day: "Nescire autem quid ante quam natus sis acciderit, id est semper esse puerum. Quid enim est aetas hominis, nisi ea memoria rerum veterum cum superiorum aetate contexitur?" (Orator 120).

[5] So also many Augustine and other Latin church fathers. I do not mean here to minimize our Christian heritage. The subject matter of Latin includes this too.

[6] James B. Greenough and George Lyman Kittredge long ago asserted: "* * * our vocabulary has appropriated a full quarter of the Latin vocabulary, besides what it has gained by transferring Latin meanings to native words" "Words and Their Ways in English Speech" (New York, 1901), p. 106. See also the excellent essay by Gerald F. Else, "Classical Languages, Especially Latin," in "The Case for Basic Education," ed. James D. Koerner (Boston, 1959), pp. 123–137.

In the above paragraphs I discuss what must be labeled a byproduct of Latin study. It can be and has been said that "an English teacher should be able to teach the roots and the grammar as well in a small fraction of the time spent on Latin, and at least as effectively. Why should we go around Robin Hood's barn?" The question was asked by a classicist; as an English teacher let me reply, simply, that in 12 or more years of trying we don't do the job. One reason is that familiarity with English breeds contempt for formal teaching of English. Another reason is the general confusion among English teachers about both ends and means. Only within the past 100 years or so have we thought that English can be taught exclusively by English teachers—a theory I often question.

[7] The case for the study of Greek is in most respects identical with that for the study of Latin. If I may be permitted an irrelevancy, as a sudent I enjoyed Greek more than I did Latin, and still find Greek literature and civilization more appealing. Nevertheless, I do not attempt here to plead both cases, partly because there are some differences (e.g., in alphabet and in structure), but chiefly because Greek is taught today in but a handful of public or private high schools and studied by only a small number of persons in college. I should like to see a revival of Greek, but in the present state of things Latin offers the only feasible opportunity for an early introduction to our Graeco-Roman heritage—despite the powerful and persistent influence of Plato, Aristotle, and other Greeks on modern thought. Ironically, the mansion of American education has numerous rooms, but the storehouse of many of its basic concepts and categories is the attic.

[8] This statement is practically (or pedagogically) true for all except advanced students and scholars, but therefore in several technical senses needs qualification. For example, epigraphical and papyrological evidence continues to add to the specialist's knowledge of Latin and of Roman matters, and each new generation of critics rein-

the standard subjects in the curricula of our secondary schools and colleges (most of the others added during the past 100 years), Latin is the only one which remains forever constant, its life not ended, but its age and development arrested—and given eternal youth. Physics and mathematics change, but not Latin. Each new decade adds to the stock of history, or of English literature and language, but not to that of classical Latin. In the anxious, transitory present, it is the permanent past. One can study Roman civilization under laboratory conditions. Little wonder that many students in our uncertain, rapidly changing world find Latin of almost therapeutic value.[9] It is reassuringly stable. It is tried and true. Studying it, young victims of insecurity and spiritual isolation are likely to realize that their culture has roots that are deep and firm. One can be told this, of course; it is something more to experience and feel it. The impact can be memorable and long sustaining. This is the bittersweet compensation for the decline of the classics: when the ancients no longer command customary respect, the thrill of personal discovery is greater.

A "dead language" is not a dead subject unless in a given classroom it is taught in deadly fashion; and when this happens, it is not the fault of the subject. Inadequate preparation yields poor instruction, and Latin has not escaped this general curse of American education. Many Latin teachers confuse language learning with memorizing of rules—or with the cultivation of humility. Moreover, in either enthusiasm or desperation, teachers of Latin have sometimes offended even sympathetic listeners or readers by claiming too much; I have read speeches in committee reports that practically equated success in Latin with good conduct and good hygiene. This is frantic, foolish pleading. Equating success in Latin with developing intelligence is, on the other hand, to misinterpret the surely significant fact—known to every college admissions officer—that the most intelligent students are often, for whatever reasons, attracted to Latin. All academic subjects well taught develop intelligence. Other defenses have been too defensive, and a recent one that I have seen was insufferably snobbish, arguing in effect that Latin is only for the intellectual elite.

The case, when made quite soberly, turns out to be strong enough: Latin, simply as a foreign language, offers a demonstrably valuable experience, and, studied to the point of reasonable competence, it offers also an educationally unique experience: a sense of our relevant past, cultural and linguistic.

To argue that every American youngster should study Latin would be to ignore the history of American education, but to argue that we can now do without Latin would be idiotic. Ancient languages continue to offer much to those students in school or college who have the curiosity, or have had the good counsel, to elect them. May their numbers increase, in our public schools no less than in our private ones, in our State universities no less than in our Ivy-League colleges. Latin is not for an elite group; it is not, as the Communists sneer, a "tool of class discrimination"; it is for anyone who wants to be well-educated in the Western tradition. If a modern foreign language is studied first, or later, so much the better.[10] Tomorrow's leaders in all walks of life must listen intelligently to our past and be prepared to talk and read intelligently in our multilingual future.

Should school boards or school principals drop Latin in favor of modern foreign languages? Important as modern language study seems to me (and I have given 11 full years of my life to promoting this other good cause), I can see no valid educational reason for introducing Russian, say, at the expense of Latin. If—as might sometimes happen—we cannot have both, then let us never scrap a solid, time-tested subject for the sake of climbing aboard the latest educational bandwagon.[11] (When American education did just this in the 1930's and 1940's, it was the modern foreign languages that were often scrapped.) Should Latin, on the other hand, ever be made a required subject? Yes; as an alternative in every curriculum in which study of a modern foreign language is required, from elementary school to graduate school. Latin's values are not less; they are different. I am not here arguing for language requirements. I am saying that any language requirement which excludes Latin (or Greek) as an option is educationally indefensible.

These are difficult days for school administrators and, as a former administrator of sorts, I sympathize with them and wish them well. They and curriculum planners do their best under various and vexing pressures from single-minded groups and individuals. They know—what the faddish public too often forgets—that you cannot fill a glass beyond the brim. They also know that nourishing liquid can be added when there is less foam; for proof, look at the recent expansion of modern foreign language study in many of our schools. But this expansion has brought new problems, and educational supervisors now seek honest, reasonable answers to the troublesome questions of which language, and when, and for how long. Let me, therefore, suggest such answers as my own experience, enriched by the wisdom of many well-informed friends and colleagues, has thus far taught me.

One high school year of instruction—or study—in any foreign language is educational nonsense, a waste of time and money. Two years of any foreign language is close to nonsense (as Mr. Conant has said, "They might as well play basketball"), but it is better than no instruction at all in a foreign language. A curricular offering of 2 years in two foreign languages is, however, nonsense, bad in every way, leading often to double frustration for students taking both. It is the worst possible administrative solution to the problem of competing needs. An absolute minimum of 4 years of one foreign language, ancient or modern, makes sense, for it can provide meaningful proficiency. If a small school can offer 4 years of instruction in only one language, the choice of language should depend primarily upon the quality of instruction available, secondarily upon the wishes of the students and their parents. All things being equal—which they almost never are—I myself would choose to offer a living language, but better 4 years of Latin well taught than 4 years of badly taught Spanish. If a larger school can offer 4 years of instruction in two foreign languages without displacing equally valuable courses in something else, one of these languages, if practicable, should be Latin, for reason I have tried to make clear. American boys and girls are entitled to this choice.

In the expansion of any foreign language program, the expansion should always be from the senior year backward, never from grade 7 or 9 forward. This is the only expansion that guarantees continuity by recognizing the shortage of qualified teachers, and it is the only one that is fair to the more than 50 percent of our high school graduates who are now going on to college—many of whom will be required, and others of whom will wish in any case, to continue their foreign language study immediately, without serious loss of momentum.

Should the Congress of the United States use public funds for the improvement of Latin teaching, as it has done for the modern foreign languages? In the limited context of the National Defense Education Act of 1958, no. In the wider and equally defensible

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terprets Latin literature. Latin as a language went through a number of fairly distinct phases of development, known to philologists as old Latin, classical Latin, late or low Latin, medieval or middle Latin, and modern or neo-Latin (since about 1500). There is a scholarly newsletter for students of neo-Latin. Vulgar Latin was the everyday speech of the Roman people, from which the Romance languages developed. Today, priests and scholars are constructing new forms of modern Latin by coining words or phrases for contemporary things and activities. There is sometimes a playful spirit about this construction, as when Adlai Stevenson warns: Via ovicipitum dura est; "the way of the egghead is hard."

[9] This is not intended as a sentimental argument, although I realize that it can easily be parodied and ridiculed as such. I state what I believe to be both true and important. I am not, of course, arguing that Latin study is a substitute for psychiatry, or that this particular byproduct is experienced by all students. I am arguing the almost unique status of Latin as the inexhaustible mother lode of Western civilization. All great literature of the past can give us faith, or renew our faith, in the ageless dignity of the human spirit—in an age when our own literature often challenges that faith. An irony in what I am here arguing is the fact that the stability of Latin can attract teachers who are intellectually timid or sluggish. It can also, alas, encourage a false notion about the nature of living languages, unless the teacher does his job properly.

[10] We need, however, an objective and reliable answer to this problem: at what educational level should Latin be introduced in order that it may best provide the chief benefits inherent in study of it? Like the modern languages, it can be, and is, taught at all levels, from elementary to graduate school. But when does its study give optimum results? In the competition with modern languages, a convincing answer might well strengthen the status of Latin in the total curriculum. I do not know this: some students (I wonder how many) react adversely to the tension of audiolingual methods of language teaching, but enjoy the more familiar, bookish methods of most Latin teaching. The chairman of a Spanish department tells me that, as an administrator and teacher in two universities, he has observed "over and over again that a significant number of students who failed in modern languages had a successful academic experience in Latin or Greek." This phenomenon, which other teachers have reported to me, should not be confused with a different, less important problem—the occasional relaxing of standards in Latin or Greek as a desperate bid for enrollment. Improve the status of the classics, and the football team will have to relax elsewhere.

[11] I would make the same objection to hasty attempts to introduce our students to the non-Western cultures which we have so long and so foolishly ignored. They need this knowledge of civilizations in which they have no "roots," but not before, and certainly not at the expense of, a significant knowledge of their own culture. It is my impression that too many students have feelings of insecurity or doubt resulting from the various assaults upon Western tradition emanating from the Communist bloc—and more recently from the non-Western nations. It can be argued that what these nations really seek is some ideological equivalence with what the West has created by relating its vital heritage and traditions to its contemporary discoveries in science and technology. An American student ignorant of Graeco-Roman culture is unlikely to understand such an aspiration, and very likely to misunderstand it.

context of Government acting to strengthen the best in American education, yes. Both Government and the major foundations have done much in recent years to support modern foreign language study, especially study of many languages which had never or but rarely been taught. It is time, now, for both Government and the foundations to pay more attention to those solid, basic elements in the curriculum that do not have the additional advantage of sudden, temporary relevance in our competition with communism; and for an appropriate beginning, I strongly recommend the subject that, in my considered opinion, has suffered, and otherwise will suffer far more, as a direct result of Federal and foundation interest in the modern languages.

Latin is unchanging, but exciting new ways of teaching it have been discovered, and are now known to a few.[12] They should be made known in summer institutes to the many who had their training long ago, and to the new teachers now being trained. Let us have better, truly modern instruction in this ancient language, so that our past can contribute more vitally to our future. American boys and girls, hopeful heirs to the best in Western civilization (whether or not they yet realize it), deserve nothing less at our hands.[13]

[12] This writer cannot pretend to any expert knowledge of the reforms in methodology and curriculums currently advocated by classicists, but he applauds the critical, questioning spirit of many teachers in this tradition-taut field. Some are concerned to see what can be learned from the audiolingual approach now widely employed by modern foreign language teachers; others are experimenting with applied linguistics, along lines set forth in Waldo E. Sweet's "Latin: A Structural Appoach" (Ann Arbor, 1957). Professor Sweet has just completed the first year of a "programed" course in Latin, for use with or without a language laboratory. The synthetic "made Latin" that has crept into many textbooks is under vigorous attack, as are the trinity of Caesar, Cicero, and Vergil in their monopoly (since about 1894) of the second, third, and fourth years of secondary school instruction. The "Gallic Wars" may go, to give place to new, untraditional material (e.g., Erasmus) chosen for its permanent relevance. Prose composition may also go, or be minimized. Ovid may enjoy a revival—a development that would doubtless be cheered by English teachers, who have the cheerless task of explaining mythological allusions to student who should be happily recognizing them instead of merely understanding them.

In reporting these trends, I am neither predicting nor expressing any personal preferences—beyond the irresistible one above Caesar, I should think, can be effectively taught today as a master of political self-justification, rather than as a dull reporter of strategy and tactics. Cicero can be taught as a voice of moderate conservatism. In any case, most Latin teachers are proud of the fact that their students quickly encounter real classics, and this is as it should be, for they can't have it both ways—offering to reveal the roots of Western culture while actually giving us diluted Latin and equally diluted ancient history. They have their clubs and contests and Roman banquets, but I have met no movement to substitute Winnie Ille Pu for Vergil.

[13] A second draft of this essay was read and most helpfully criticized by 55 colleagues in 28 different schools, programs, or departments at Indiana University. A third draft was then seen and criticized—often at great length—by 115 persons throughout the United States and Canada. I regret the impracticality of thanking here individually so large a number of collaborators, to very many of whom I am deeply indebted—as they will realize upon reading my final version. I was greatly encouraged by the unanimous expression of genuine interest in my subject.

Some wondered why this piece should appear in PMLA. The editor of PMLA invited me to write it, and reprints are available from the Modern Language Association (4 Washington Place, New York, N.Y., 10003) for all who wish to join me in getting into the hands of those who most need to be informed and, perhaps, persuaded—guidance counselors, school and college administrators, school boards, curriculum experts, and others. It is my earnest hope that, in this effort, teachers of English, linguistics, the modern foreign languages—indeed, all the humanities—will find common cause. My personal motive is to renew my allegiance to the humanistic tradition. The case for Latin seems to me a crux—in all senses of that word. My basic concern as an English teacher is the relation of language to wisdom. I like to believe that most members of the MLA share this concern. [Reprints of this article are available at the following rates from the address given above: single copy, 25 cents; 10 copies or more, 10 cents each.—ED.]

AMENDMENT TO HIGHER EDUCATION ACT (S. 600)

AMENDMENT NO. 304

Mr. JAVITS. Mr. President, I introduce an amendment to part D of title IV of the Higher Education Act (S. 600), presently pending before the Senate Education Subcommittee. This amendment is designed to deal with the concerns that have been expressed with respect to the high delinquency rate in repayment of National Defense Education Act loans and the costs to the colleges in administering these loans. The amendment is largely drawn from suggestions advanced during the recently concluded hearings and from those institutions which have had actual experience with NDEA loans.

Briefly the amendment provides the following:

First. Combining to contract for collection by colleges is enhanced and encouraged by permitting the student loan fund to be used for collection costs where approved by the Commissioner of Education.

Second. Student loan repayments begin 6 months rather than 1 year after the student leaves school.

Third. Loan repayments must be made bimonthly rather than annually as now stipulated.

Fourth. Payments of student loans must be at the rate of at least $15 monthly.

Fifth. Penalties for delinquency are provided of not to exceed one-half of 1 percent of any monthly overdue installment but not exceeding $1 for the first month of delinquency and $2 for each month thereafter.

These changes in the law would help bring National Defense Education Act practices in line with proven loan and collection procedures; they do not impose onerous burdens on borrowing students whose resources are necessarily limited.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 304) was referred to the Committee on Labor and Public Welfare.

ESTATES OF CERTAIN FORMER MEMBERS OF U.S. NAVY BAND—AMENDMENTS

AMENDMENT NO. 305

Mr. BREWSTER submitted amendments, intended to be proposed by him, to the bill (S. 1503) for the relief of the estates of certain former members of the U.S. Navy Band, which were received, ordered to be printed, and appropriately referred.

The amendments (No. 305) were referred to the Committee on the Judiciary.

TREATMENT AND REHABILITATION SERVICES FOR DRUG ABUSERS—AMENDMENT

AMENDMENT NO. 306

Mr. CASE submitted an amendment (No. 306), intended to be proposed by him to the bill (S. 2115) to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers, which was received, ordered to be printed, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Maine [Mr. MUSKIE] be added as a copsonsor on bill S. 2225, which I introduced yesterday. The bill relates to the extension of our territorial waters to 12 miles.

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

Mr. MAGNUSON. Mr. President, I have another request. On yesterday, I introduced a bill on the propagation of wildlife, S. 2217. I ask unanimous consent that the name of the distinguished Senator from Texas [Mr. YARBOROUGH] be added as a cosponsor of the bill.

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

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 17, 1965, the names of Mr. AIKEN, Mr. ANDERSON, Mr. CARLSON, Mr. DODD, Mr. FONG, Mr. KUCHEL, Mr. LONG of Missouri, Mr. PELL, Mr. RANDOLPH, and Mr. YOUNG of North Dakota were added as additional cosponsors of the bill (S. 2158) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, introduced by Mr. COOPER on June 17, 1965.

NOTICE OF HEARING RELATING TO REORGANIZATION PLAN NO. 2 OF 1965—CONSOLIDATION OF WEATHER BUREAU AND COAST AND GEODETIC SURVEY

Mr. RIBICOFF. Mr. President, I wish to announce that the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations

will hold a public hearing on July 12, 1965, on Reorganization Plan No. 2 of 1965, providing for the consolidation of the Weather Bureau and the Coast and Geodetic Survey into a newly created agency in the Department of Commerce to be known as the Environmental Science Services Administration.

The hearing will be held in room 3302 of the New Senate Office Building, commencing at 10 a.m. Those interested in testifying should contact Jerome Sonosky, subcommittee staff director, in room 162, Old Senate Office Building, extension 2308, prior to July 9.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 8147) to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. BYRNES of Wisconsin, and Mr. Curtis were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap; and

H.R. 8131. An act to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. ROBERTSON:

Statement on Robert E. Lee, from speech delivered by Representative GEORGE H. MAHON, of Texas.

GEORGE ORWELL'S "1984" IS HERE IN 1965

Mr. THURMOND. Mr. President, on June 21, 1965, the Secretary of the Interior, Mr. Stewart Udall, filed a petition of intervention before the Federal Power Commission against an application by Duke Power Co. for a license to construct a $700 million electric power complex on the Keowee and Toxaway Rivers in Oconee and Pickens Counties in South Carolina.

This arbitrary action on behalf of the administration has no basis whatever in good reason or logic. Rather it is rooted in the idea that big-brother-type government is going to dictate the supply of electric power in this country and is going to determine what power supply is needed for what is left of our free enterprise system and also for individual home use.

Mr. President, there is no competing Federal power project at the site selected by the Duke Power Co. in an effort to plan for its future power needs and also for the purpose of trying to help develop an area of our State which has been labeled as a poverty-stricken area under the administration's Appalachia program. In his petition filed before the Federal Power Commission, Mr. Udall seeks to set himself up as the best judge of the power needs of Duke Power Co. in the 1970's. Also, Mr. Udall undermines by his actions the administration's contention that Oconee and Pickens Counties in South Carolina are in dire need of economic development impetus.

Mr. President, this action by Mr. Udall reminds me of an earlier arbitrary action he took in withdrawing a contract which his Department had with the Fouke Fur Co., of Greenville, S.C., because Fouke moved its plant operations from St. Louis, Mo. to Greenville, S.C. In that case, Mr. President, Mr. Udall made an arbitrary contract award to a corporation which promised to operate in St. Louis but which was not qualified to be a processor of Alaska sealskin furs. In fact, I called this matter to the attention of the General Accounting Office. After a thorough investigation, the GAO issued a report which showed that the newly selected contracting firm was nothing more than a paper organization. Subsequently, Mr. Udall was forced to cancel this contract and then to eventually renew a contractual relationship with the Fouke Co. because of the GAO report.

In order, Mr. President, that the arrogance of Mr. Udall in handling the Fouke Fur case might be available to all Senators, I ask unanimous consent that an article published in the October 21, 1963, issue of Barron's, the National Business and Financial Weekly, be printed in the RECORD at the conclusion of these remarks and subsequent insertions I will make.

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

(See exhibit 1.)

Mr. THURMOND. Mr. President, Mr. Udall has demonstrated that he will not listen to reason but that he is determined to socialize every aspect of American life over which he feels that he has control as Secretary of the Interior. This is why I believe it is necessary that I present to the U.S. Senate today his petition of intervention and the reaction in South Carolina which has been caused by his baseless petition.

I am confident that the Federal Power Commission will reject Mr. Udall's petition because of the fact that it is completely without merit. What he contends for in his petition is to try to force Duke Power Co. to purchase its future power needs from a proposed Federal power project which Mr. Udall hopes to build many miles away on another river. There is no assurance, Mr. President, that the Federal power project at Trotter Shoals on the Savannah River will be built. Even if it were to be built, the Federal Government should not be able to force any private enterprise company to have to contract with the Government on a 5-year basis in order to meet its consumer demands for electric power. What Mr. Udall is trying to do is to make a reality out of Mr. George Orwell's book, "1984," in 1965.

The people of South Carolina and the people throughout the rest of the country do not want Mr. Udall's type of big brother government. So that Senators might have an indication as to the reaction to Mr. Udall's move, I ask unanimous consent that the following materials be printed in the RECORD: Two articles from the Greenville News, of Greenville, S.C., dated June 25, 1965, and June 29, 1965; a news release from Duke Power Co. in Charlotte, N.C.; an editorial from the News & Courier of Charleston, S.C., dated June 27, 1965, entitled "Holding Up Progress"; an editorial from the Greenville Piedmont, of Greenville, S.C., dated June 26, 1965, and entitled "Everyone's Out of Step Save Mr. Stewart Udall"; an editorial from the Greenville News dated June 27 and entitled "Udall's Fantastic Outrage"; an editorial from the Spartanburg Herald, of Spartanburg, S.C., dated June 26, 1965, entitled "Real Motive Emerges: Government Control"; a telegram I sent to Secretary Udall on June 24, 1965; a letter from the president of the Greater Greenville Chamber of Commerce to the President of the United States; and the petition of intervention filed by Mr. Udall before the FPC.

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

[From the Greenville (S.C.) News, June 29, 1965]

PROJECT SAID INCREDIBLE—THURMOND, RUSSELL, DORN IRRITATED BY POSITION OF UDALL

(By Lee Bandy)

WASHINGTON.—South Carolina Capitol Hill lawmakers Thursday termed Interior Secretary Stewart Udall's opposition to Duke Power Co.'s proposed $700 million Keowee-Toxaway project "incredible" and a "stark, open bid for national socialism."

In a telegram to the Cabinet official, Senator STROM THURMOND told Udall the latter's position is inconsistent with the Johnson administration's Appalachia and antipoverty programs.

But he added, "It does seem, however, to conform to the administration's efforts to stifle our free enterprise system and subject our people to the type of Government regulations and control as depicted in George Orwell's book, "1984."

The book predicts total socialism for this country by that year.

Senator DONALD RUSSELL noted that as Governor he "enthusiastically" endorsed the Duke project and that he continues to adhere to that position "irrespective of any objections by Secretary Udall."

OPEN ATTEMPTS

Greenwood Representative W. J. BRYAN DORN blasted the Secretary's opposition as an open attempt to gain control of the water and power resources of the Savannah River Basin.

He warned that if the Cabinet official can control the seventh largest river in this country, "then he will control industry and the people. This is a stark, open bid for national socialism."

"Evidently," DORN added, "Udall's position is an ecknowledgment that the Federal project—Trotters Shoals—is not needed for power."

For several years, the Government has been trying unsuccessfully to get congressional authorization for the $78 million Federal dam and reservoir.

Proponents of private power have been able to knock it down each time it was brought up.

Duke Power Co. also proposes to build a $280 million steam generating plant on the Savannah.

However, the North Carolina-based firm has been unable to get congressional authorization due to the complicated Trotters Shoals question.

Duke needs congressional approval for its Savannah River project because it involves an interstate stream.

The private company contends both the steamplant and Trotters Shoals are compatible as long as Duke can build first and pump-back storage is omitted in the Federal project.

DORN argues that Trotters Shoals was not a part of the Govenment's original overall plan to develop the Savannah. "It was added," he said, "only after Duke announced plans to build the steamplant."

"The Federal project," the Congressman asserted, "was designed to harass Duke and force it into a shotgun wedding with Trotters Shoals."

"The whole scheme," he said, "is set up so the Federal Government can step in, regulate and harass Duke, take over our resources and subvert our people."

FLOOD SITES

DORN repeated his opposition to Trotters Shoals on grounds it will flood 14 industrial sites.

He charged that the Federal dam is being used to "destroy and prevent" Duke from proceeding with its Oconee and Pickens Counties complex and steamplant on the Savannah.

The Third District Democrat noted that Trotters Shoals will take out of taxation forever some 23,000 acres, whereas both of Duke's projects would put millions of dollars into the Federal till.

THURMOND ridiculed Udall for knowing better than Duke what the private firm's power needs will be in the 1970's.

Duke, the Republican pointed out, will need about twice its present output by 1975.

He praised the company for exercising "good judgment" in planning for the future and in selecting a site in South Carolina where there is no question of a competing Federal power project.

THURMOND termed Udall's intervention "contrary to the best interest of the people of Oconee and Pickens Counties and our entire State.

The Aiken Senator urged the Secretary to withdraw his opposition and support further development of "this vital area."

SHARPLY CRITICIZED

First reaction from State officials Wednesday to the opposition by the U.S. Department of the Interior to a proposed $700 million Duke Power Co. electric generating complex in Pickens and Oconee Counties was sharply critical.

State and local officials joined South Carolina lawmakers in Washington in bitter issue with the action of Interior Secretary Stewart Udall, who filed a petition with the Federal Power Commission for intervention in Duke's application for approval of the vast project on the Keowee and Toxaway Rivers.

Gov. Robert E. McNair declared he was "surprised to learn the Department of the Interior has filed such an intervention."

The Governor said, "This is a project of vital importance to South Carolina, and, particularly to the upstate area. It is my hope that the Federal Power Commission will hold an immediate hearing.

"Of course, as you know, the general assembly overwhelmingly passed a resolution supporting the Duke plan. This is the official position of the State itself and it certainly is mine."

Following is the text of a telegram to Secretary Udall from State Senator Earl E. Morris, Jr., of Pickens County:

"The overwhelming majority of Pickens County and South Carolina disagree with and resent the unwarranted interference of your Department to oppose the construction of the Duke Power Co. complex in this area. You are obviously quite unfamiliar with the plans and future requirements of Duke Power Co., a taxpaying utility which is willing to invest $700 million in this area of South Carolina.

"No Federal budget can approach the magnitude and benefit of the Duke development. Every official agency in the county and State intends to oppose the efforts of the Federal Government to delay or prevent the realization of the Keowee-Toxaway project. The most meaningful one of this century.

"I implore your review of the facts and your withdrawal of opposition."

State Senator Marshall J. Parker, of Oconee County, was in Washington, D.C., on other business and could not be reached for comment. He was a key champion of support for Duke's proposal when it first was announced and declared then, "Woe be unto anyone who should try to block this development."

[From the Greenville News, June 29, 1965]

UDALL RAPPED BY ANDERSON CITY COUNCIL

(By News staff writer)

ANDERSON.—The intervention of Interior Secretary Stewart Udall in the proposed $700 million Keowee-Toxaway project of Duke Power Co. and continued delay in approval of Duke's proposed Middleton Shoals plant on the Savannah River was criticized in a resolution adopted unanimously by Anderson City Council Monday night.

Stating that the Duke projects would be more beneficial to the area than a "federally sponsored dole," council urged that approval be granted both projects as soon as possible.

The text of the resolution follows:

"Whereas the present administration has proclaimed nationally that the Appalachian area is an economically deprived area and urged State and national business leaders and industrialists to participate in programs economically beneficial to the Appalachian area; and

"Whereas the construction of the Duke steamplant at Middleton Shoals on the Savannah River in Anderson County, S.C., and the construction of Keowee-Toxaway dam and powerplant in Oconee and Pickens Counties of South Carolina by Duke Power Co., a public utility company, would be far more beneficial to the people of the Appalachian area than a federally sponsored dole, since new jobs, new business and recreational opportunities would accrue to the people of this area in addition to the millions of dollars in local, State and Federal taxes that would be paid annually; and

'Whereas these projects cannot be begun until clearance is granted by the Federal Power Commission: Now, therefore, be it

Resolved, That the President of the United States and all Federal agencies in position to grant clearance on these projects be and they are hereby respectfully requested to act favorably on these projects as expeditiously as practical."

Copies of the resolution are to be sent to President Johnson and such Federal agencies as are in position to grant favorable action.

[From public relations department, Duke Power Co., Charlotte, N.C.]

CHARLOTTE.—Duke Power Co. has been notified of a second intervention in its application to the Federal Power Commission for a license to build a $700 million electric generating complex in northwest South Carolina.

The Department of Interior, over the name of Secretary Stewart L. Udall, has filed an intervention with FPC protesting Duke's plans for its Keowee-Toxaway project in Pickens and Oconee Counties.

The tristate committee, representing the electric cooperatives in Georgia and the Carolinas, filed another intervention document with the FPC on March 20, 1965.

The Secretary of Interior stated in his petition to the Federal Power Commission that Duke Power Co. "has no need for the hydro power that could be produced by the project in 1971," because its need can be met from the Trotters Shoals project which he, the Secretary, is currently recommending for approval in this session of Congress.

The Secretary's petition further states that Duke Power "has no need for steam electric power from a plant located on the Keowee Reservoir about 1972 or later," because its need for steampower "will be satisfied by Congress' permission to build a 2-million-kilowatt steamplant below Hartwell concomitant with the Trotters Shoals authorization."

The Interior intervention said that Duke's "asserted needs for hydropower in 1971 can be met from the third unit in the congressionally approved plan, Trotters Shoals," and that Federal power, "when developed to ultimate potential," can meet Duke's hydro needs in the mid-1970's.

W. B. McGuire, president of Duke Power Co., in commenting on the intervention, said:

"To the best of my knowledge this is the first time that the Secretary of Interior or any other officer of the Federal Government has ever suggested that he knows more about our future power requirements than we do. It also is the first time, to my knowledge, that any agency of the Federal Government has ever taken the position that we should not build our own generating plants, but should buy our hydroelectric power from Federal Government plants."

Continued McGuire: "The Secretary of Interior is saying, in effect, that Duke Power Co. should make itself dependent upon the Federal Government for supplying the future power requirements of Duke's customers. It must be noted that preference customers under Federal law have the first claim on power produced by Federal plants. Only after the Secretary of Interior has sold all the power he can sell these preference customers (cooperatives and municipalities) does Duke Power have an opportunity to purchase power from these plants.

"Furthermore, the contract which the Secretary of Interior has made with Duke Power for Hartwell production is for 5 years duration only. At the end of 5 years the Secretary of Interior could say to Duke Power that no further power would be available to the company. Obviously, Duke Power Co. cannot be dependent upon such short-term sources of electricity for supplying the needs of the rapidly developing area served by the company."

McGuire pointed out that both the South Carolina Legislature and the Governor's office have expressed firm opposition to construction of the Federal Trotters Shoals plant.

The Keowee-Toxaway project received endorsement from the South Carolina General Assembly, which by joint resolution urged prompt approval of the company's license application by the FPC, the Governor and many other State, city, and county agencies in South Carolina.

Duke's present generating capability is 4.4 million kilowatts, and the company expects its 20,000-square-mile service area, which encompasses the rapidly growing Piedmont Carolinas, to require twice that amount by 1975.

The completed Keowee-Toxaway project would generate $20 million annually in State and local taxes, and $24 million in Federal taxes.

"The Secretary of Interior predicates his intervention upon forcing the will of the Federal Government upon the State of South Carolina," said McGuire. "If Duke Power Co. and its customers became dependent upon the Federal Government for the supply of electricity needed by its customers, then the will of the Federal Government would be even more broadly imposed upon the people of the State."

The intervention said that Duke Power had "no need for steam electric power from a plant located on the Keowee reservoir about 1972 or later." The intervention contended that Duke Power's need for steam-electric power will be met by construction of the company's proposed steam plant at Middleton Shoals on the Savannah River.

"Duke Power first tried to get the necessary authority to build the Middleton Shoals Plant in 1961," said McGuire, "and the customers of this company would indeed be in a sorry fix today if Duke Power's sole reliance for its power was its ability to obtain authority from the Federal Government for construction of this plant."

The Duke president added that even if authority is obtained to build the Middleton Shoals plant, it would supply the needs of the Piedmont Carolinas for only a relatively short period of time.

"It is quite bewildering to us to see an agency of the same Federal Government which advocated and obtained passage of Congress of the aid to Appalachia bill," added McGuire, "register official opposition to our request for authority to invest millions of dollars of private capital in the Appalachia region in order to meet the power needs of our customers."

McGuire pointed out that the short-term planning for future power needs as contained in the intervention "is grossly inconsistent with the advice Joseph C. Swidler, Chairman of the Federal Power Commission, issued to the power industry several months ago.

"Swidler, in a news article appearing November 15, 1964, was quoted as saying that now was the time for the power industry to look beyond its customary planning, and plan an effective system for 1980 and beyond. This has been a longtime practice of Duke Power, and even if we are permitted to build our Middleton Shoals project on the Savannah River, the Keowee-Toxaway project is a vital part of our planned needs for the future."

McGuire concluded by saying: "The Secretary of Interior seems to be saying that not only should Duke Power Co. be foreclosed from planning well into the future for the power supply of its service area, but in addition the company should make itself dependent upon the Federal Government to do this planning and also to supply the needs of the area for power.

"The Secretary would override the expressed wishes and desires of the State of South Carolina and its people. If the Secretary should accomplish his stated objectives, not only would the company's ability to plan and prepare for the future be thwarted and the area subjected to further Federal direction and control, but in addition the local and State governments would be deprived of the tax support which will be provided by the Keowee-Toxaway project which Duke Power wishes to undertake."

Since authority was requested for construction of the Middleton Shoals plant, Duke Power has constructed, or has under design and construction, steam electric capacity equal to Middleton Shoals on Lake Norman in North Carolina.

One unit of this 4-unit plant, called Marshall Steam Station, already is in operation, and a second unit will be completed in mid-1966. Net peak capability of the first two units is 374,000 kilowatts each, with the two future units pushing total capability over the 2-million-kilowatt mark.

Duke announced its Keowee-Toxaway project on January 2, 1965, and filed its application for a license to the Federal Power Commission 2 days later.

First phase of the development called for dams on the Keowee River and the Little River. The two resulting reservoirs, covering a total of 18,100 acres, will be connected by a canal to form one body of water, Lake Keowee.

All hydro power generation for the twin lakes would be at the Keowee Dam and capacity of the installation is planned for about 140,000 kilowatts.

Another dam and hydroelectric facility would be located near Jocassee on the Keowee River near where the Whitewater and Toxaway Rivers join. This 385-foot-high dam would result in a lake of 7,400 acres. The Jocassee development is planned for 160,000 kilowatts of hydroelectric capacity and 450,000 kilowatts of pumped-storage, a total installation of 610,000 kilowatts.

In addition to the hydro power developed, the Keowee development's connected lakes will provide sites for steam generating stations totaling 7 million kilowatts.

More than 100,000 acres of land were purchased by Duke Power for the project, and a lease with the South Carolina Wildlife Resources Department, establishing a game management area on 68,000 acres of the land, was signed.

BEFORE THE FEDERAL POWER COMMISSION IN THE MATTER OF DUKE POWER CO., PROJECT NO. 2503—PETITION OF STEWART L. UDALL, SECRETARY OF THE INTERIOR, FOR INTERVENTION

Comes now Stewart L. Udall, Secretary of the Interior, and files this Petition for Intervention in the above-designated proceeding, and assigns as reasons therefor the following.

1. He is a citizen of the United States and the head of the Department of the Interior, one of the executive departments of the U.S. Government. As Secretary of the Interior, he has charge and supervision of all the bureaus and agencies of said Department, including the Southeastern Power Administration.

2. His rights and interests in this proceeding are derived from section 5 of the Flood Control Act of 1944 (16 U.S.C. (1958 ed.) sec. 825s) and from the ruling of the Supreme Court in *United States ex rel Chapman v. Federal Power Commission*, 345 U.S. 153, 92 L. ed. 918, 73 S. Ct. 609 (1953).

3. Under said section 5 of the Flood Control Act of 1944, the Secretary of the Interior is charged with the responsibility to transmit and dispose of all power and energy generated at reservoir projects under the control of the Department of the Army not required in the operation of such projects. He is required to dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles and to give preference in the sale of such power and energy to public bodies and cooperatives.

4. The Secretary also has broad responsibilities in regard to the formulation, evaluation, and review of plans for use and development of water and related land resources under Senate Document No. 97, 87th Congress, 2d session.

5. The Secretary of the Interior, through the Southeastern Power Administration, a bureau of the Department of the Interior under his control and direction, has and is disposing (under said sec. 5) of power and energy generated at the existing Department of the Army's Clark Hill and Hartwell projects, located on the Savannah River, Georgia and South Carolina, the first two units in the comprehensive plan of development of the Savannah River Basin as approved by Congress in the Flood Control Act of 1944, 58 Stat. 887, 894.

6. The Secretary has participated in the study, as directed by Congress, of the Trotters Shoals project, located between the existing projects, which has been recommended for prompt authorization by the Chief of Engineers and Secretary of the Army as the next logical step in the congressionally approved plan of comprehensive development of the Savannah River Basin. The Secretary through Southeastern Power Administration will dispose of power and energy produced at the Trotters Shoals project when available.

7. Power and energy from the Hartwell project is presently being sold to the applicant and to public bodies and cooperatives located in South Carolina and North Carolina and served from the applicant's system. It is anticipated that a portion of the output of the Trotters Shoals project will likewise be disposed of in the applicant's service area, all of which power will be scheduled to meet applicant's system load requirements.

8. As grounds for his intervention, the Secretary states his position as to applicant's license application No. 2503 is as follows:

(a) The project is not best adapted to a comprehensive plan for improving or developing the waterway or waterways within the meaning of section 10(a) of the Federal Power Act, 16 U.S.C. 803(a). It is incumbent upon the Federal Power Commission to accept as "the comprehensive plan to be used" the comprehensive plan for the development of the Savannah River Basin as set forth in House Document No. 657, 78th Congress, 2d session, and approved by Congress in the Flood Control Act of 1944. *United States v. Federal Power Commission*, supra, at pages 168–169.

(b) The application for the Keowee development is contrary to the basic policy adopted by Congress in the Flood Control Act of 1944 for the systematic development of the Savannah River Basin. Congress has already made the decision, binding upon the Commission, as to "the desirable order of construction" of the proposed projects in the plan no matter by whom they may be built, *United States v. Federal Power Commission*, supra, at pages 163–164, and has decreed that other projects included in the plan were to follow Clark Hill in the order approved, the first to be the Hartwell site, "as the demand for power increased." *United States v. Federal Power Commission*, supra, at page 165.

(c) The next step in the comprehensive plan for the development of the Savannah River Basin is the Trotters Shoals project, developing the main stem of the Savannah between the Clark Hill and Hartwell projects, recommended for construction by the United States by the Chief of Engineers and Secretary of the Army and which recommendation for public construction has been concurred in by the Federal Power Commission and the Department of Interior, Agriculture, Commerce, and Health, Education, and Welfare, and the Atomic Energy Commission.

(d) Applicant has no need for the hydropower that would be produced by the project in 1971. Applicant's asserted needs for hydropower in 1971 can be met from the third unit in the congressionally approved plan, Trotters Shoals, recommended for authorization promptly, and when developed to ultimate potential, including pump-storage and another unit at Hartwell, can meet additional hydro needs of applicant asserted to be needed in the mid-1970's. Subsequently, power may be made available to applicant from the four Chattooga River plants, which comprise the next step in the comprehensive plan after Trotters Shoals.

(e) Applicant has no need for steam-electric power from a plant located on the Keowee Reservoir about 1972 or later. Applicant's asserted need for steam power from a plant in the lower portion of its service area will be satisfied by Congress' permission to build a 2-million-kilowatt steamplant below Hartwell concomitant with the Trotters Shoals authorization.

Therefore, your petitioner requests permission to intervene in this proceeding, and to participate in any hearings or other proceedings herein, as the Commission may deem appropriate to properly dispose of the matter.

Respectfully submitted.

STEWART L. UDALL,
Secretary of the Interior.
FRANK J. BARRY,
Solicitor of the Department of the Interior.
EDWARD WEINBERG,
Deputy Solicitor.
HARRY J. HOGAN,
Associate Solicitor.
RAYMOND C. COULTER,
Assistant Solicitor.
CURTIS H. BELL,
Field Solicitor, Counsel for the Secretary of the Interior.

BEFORE THE FEDERAL POWER COMMISSION IN THE MATTER OF DUKE POWER CO., PROJECT NO. 2503

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing petition for intervention upon the following-named parties of record in this proceeding, by mailing a copy thereof properly addressed, to each of the parties named or, where indicated, to the attorney of record of a party named:

Duke Power Co.: Mr. Carl Horn, Jr., vice president and general counsel, Duke Power Co., Power Building, Charlotte, N.C.; Mr. George W. Ferguson, Jr., assistant general counsel, Duke Power Co., Power Building, Charlotte, N.C.

Federal Power Commission: Mr. Richard A. Solomon, General Counsel, Federal Power Commission, Washington, D.C.; Mr. Joseph B. Hobbs, trial attorney, Federal Power Commission, Washington, D.C.

Tristate Power Committee: Mr. William T. Crisp, Crisp & Wells, attorneys at law, First Citizens Bank Building, Raleigh, N.C.

Dated at Washington, D.C., this 21st day of June 1965.

RAYMOND C. COULTER,
Assistant Solicitor of Counsel for the Secretary of the Interior.

[From the Greenville News and Courier, June 27, 1965]

HOLDING UP PROGRESS

With both U.S. Senators and the Member of Congress from the Third South Carolina Congressional District in favor of the Duke Power Co. development of hydroelectric power on the Keowee and Toxaway Rivers, it is hard to understand how the Johnson administration can continue to ram Federal control of hydroelectric power down the throats of the people.

From what we can gather, sentiment in Oconee and Pickens Counties is solidly in favor of private enterprise. Both counties are included in the roll of poverty-stricken segments of Appalachia. The prospect of a $700 million power complex ought to be welcomed at Washington as a relief for the taxpayers.

On the contrary, the Department of the Interior has intervened and is trying to stop it.

Senators RUSSELL and THURMOND both have protested. So has Representative W. J. BRYAN DORN.

The attitude of the Department is an example of bureaucratic disregard for the will of the people. It is another attempt to promote socialism at the expense of private enterprise.

We hope that the White House will reverse Secretary Udall and remove a bar to progress in upcountry South Carolina.

[From the Greenville Piedmont, June 26, 1965]

EVERYONE'S OUT OF STEP SAVE MR. STEWART UDALL

Nobody wants Duke Power Co. to build a $700 million hydroelectric power complex in Pickens and Oconee Counties except Duke, the State of South Carolina, its U.S. Senators, its Congressmen and its Governor; the counties involved and their officials; the tax agencies of all those political subdivisions, and the people resident in or near the area to be developed who would be the chief beneficiaries of cheap power.

Who does that leave in opposition? Interior Secretary Stewart Udall and rural electric cooperatives, that's who.

Udall's meddling got him scorched once before in the Fouke fur case. His present intervention with the Federal Power Commission, by all the rules of logic, should get him burned again.

Duke has strong support for its proposed project, based on the feasibility, the need, the benefit to power consumers, the contributions in taxes to the State and two counties and the community service that are inherent in the proposal.

Udall's case is based on his assertion that Duke has no need of hyproelectric power by 1971 and that its needs could be met by Savannah River Dam developments. These assertions are disputed by Duke.

If the case is to be determined on merit, Duke will win. If it is to be determined by allowing the dubious arguments of Federal bureaucracy, to prevail, Duke will lose.

[From the Greenville News, June 27, 1965]

UDALL'S FANTASTIC OUTRAGE

Ever since it asked 5 years ago for permission of Congress and Federal regulatory agencies to build a small dam at Middleton Shoals on the Savannah River to cool steam for a $300 million plant for generating electricity, the Duke Power Co. has been subjected to political persecution and bureaucratic harassment.

The events of the fall of 1962, when Duke's Middleton Shoals project died because the Senate resolution stipulated that a Federal hydroelectric project at Trotter's Shoals had to be approved or rejected simultaneously, were shameful enough a crime against private enterprise and the public interest.

The attitude of a government which is supposed to foster private investment by stockholders and taxpayers and to protect their legitimate interests was almost unbelievable. Until one dug beneath the surface facts the actions of the Senate were beyond understanding.

But such digging revealed that the real reason for the Senate's behavior was the amazing pressure the public power lobby, especially the Association of Rural Electrification Cooperatives, was able to bring. And it revealed firm evidence that this is part of a movement the ultimate aim of which is nationalization (socialization) of the power industry.

The situation now has approached the fantastic, with Secretary of the Interior Stewart Udall's intervening before the Federal Power Commission in an attempt to deny Duke a license to begin construction of a vast, $700 million hydroelectric and steam power generating complex in Pickens and Oconee Counties on rivers which lie solely within South Carolina and on land which Duke owns.

This petition follows one filed by the tristate power committee, representing rural electrification authority cooperatives in South Carolina and Georgia, last spring, only a few weeks after Duke announced its plans on January 2.

Both petitions urging denial of FPC action in favor of Duke are predicated on demonstrably false premises and have been presented in an atmosphere of patent falsehoods.

For instance, officials of the tristate committee said publicly that they were not opposing the Duke project, but merely sought a hearing where public opinion could be voiced and the public interest thereby protected.

But the petition itself stated unequivocable opposition on grounds that all of the power potential of the region should be developed, not by private enterprise, but by the Federal Government.

The Udall petition says that Duke will not need the power proposed to be produced by the Keowee-Toxaway projects, that its generating plant at Middleton Shoals and the public power projects at Trotters Shoals and elsewhere will meet the needs of the company's present and potential customers.

This is something the Department of the Interior could not know. If it did, the matter is none of its businesss. Interior is concerned primarily with the conservation of natural resources and their orderly development. In that category, the Pickens-Oconee proposition is an ideal, almost a dream, of the conservation and development of land, water, and forests.

As for the power supply, Duke does not yet have permission to build at Middleton Shoals. If it could start now, it would be years before construction would be far enough along to generate the first kilowatt. In desperation, Duke had to turn to projects already underway in North Carolina and add capacity to meet power needs which were pressing ever closer.

Furthermore, only a thorough study such as Duke has made, and no Government agency has made, can enable anyone to predict what the power needs will be 10 to 25 years from now. And that is how far ahead Duke is planning.

Nor can Duke depend on Federal power projects to supply the electricity needed by its customers. These facilities cannot deliver a constantly dependable flow of power even if the Government would give the company a firm and indefinite commitment.

But it won't do this. Duke would be given a 5-year contract which could be terminated at any time the bureaucrats chose, and Duke's customers would be left in the lurch.

There can be no explanation of this, except that it is part of the same movement to take over the power industry in the name of the Federal Government. In no other context does it make sense.

And in that context it amounts to outrageous bureaucratic tyranny and a frightening threat to the private property and individual liberty of every citizen of the United States.

The issue is that much bigger than one company's right to do business under reasonable regulation in a free country.

[From the Spartanburg Herald, June 26, 1965]

REAL MOTIVE EMERGES: GOVERNMENT CONTROL

For years, the U.S. Government has obstructed private industrial development along South Carolina's greatest remaining water source, the Savannah River.

This has been under the guise of Federal plans for a $90-million dam of its own. Its justification has been flood control—with secondary benefits of recreation and electric power.

(The Government has no authority to construct dams for the production of electricity. In this case, it cites flood control as its reason even though Army Engineers

attribute well over 90 percent of the economic justification to power.)

More and more, the real motive of all this is emerging. It is Government ownership and control for their own sake.

This is all too evident in the opposition of Interior Secretary Stewart Udall to Duke Power Co. plans for a $700 million power and recreation complex in northwestern South Carolina and part of North Carolina.

U.S. Representative BRYAN DORN, who has fought constantly for private development and against Government domination along the Savannah, declares: "For the first time, (Udall) openly revealed his design to control the water and power resources of the Savannah Valley."

Udall based his opposition on the argument that Duke's project would interfere with orderly development of the Savannah River.

DORN added, "This is a stark, open bid for national socialism."

Senator STROM THURMOND also was blunt in a telegram to Udall: "Your petition is inconsistent with the administration's Appalachia and antipoverty programs. It does seem, however, to conform to the administration's efforts to stifle our free enterprise system."

Senator DONALD RUSSELL reiterated the support for Duke's project that he stated as Governor.

The situation is indeed frightening in its implications.

Every economic measurement favors Duke's project against Government development. In taxes alone, the completed complex would pay $24 million annually to the United States, $14 million a year to South Carolina, and $6 million a year to Oconee and Pickens Counties.

There is room for only one more Federal project on the Savannah River north of Augusta—the proposed Trotters Shoals Dam.

Its only legal justification is flood control. Yet, there is no need for Government flood control. About 95 percent of its value would be in electricity, according to Federal authorities themselves.

There is no need for the Government to provide this, either. The Duke proposal would be more than sufficient. And Duke's Federal taxes alone would pay for the Trotters Shoals project in 4 years.

The only logical conclusion is that Udall and the Federal Government propose the nationalization of development in one of the most promising industrial areas of the country.

TEXT OF TELEGRAM SENT TO SECRETARY OF INTERIOR STEWARD UDALL, JUNE 24, 1965, BY SENATOR STROM THURMOND

Your petition of intervention before the Federal Power Commission against the proposal of Duke Power Co. to construct a $700 million power development complex on the Keowee and Toxaway Rivers in Oconee and Pickens Counties in South Carolina is incredible. Both Oconee and Pickens Counties have been included in the administration's Appalachia regional development plan as being poverty-stricken counties requiring development impetus. Your petition is inconsistent with the administration's Appalachia and antipoverty programs. It does seem, however, to conform to the administration's efforts to stifle our free enterprise system and subject our people to the type of Government regulation and control as depicted in George Orwell's book "1984."

How can you possibly know better than Duke Power Co. what the power needs of this company will be in the 1970's and on into the future? By 1975, Duke will be needing approximately twice its present power output. This company has exercised good judgment in planning for the future and in selecting this particular site in South Carolina where there is no question of any competing Federal power project. Why should not Duke Power Co. be permitted to risk a $700 million investment to develop a location where you have not even proposed a Federal project which offers any advantages in power development, navigation, flood control, or recreational facilities? This project will cost the taxpayers nothing, but rather will provide $18 million annually in State and local tax receipts and another $24 million for the National Government. The South Carolina General Assembly has given its strong endorsement to the project. Your intervention in this matter is contrary to the best interests of the people of Oconee and Pickens Counties and our entire State. Thus, I request that you withdraw your petition and give your support to the further development of this vital area of our State and Nation.

GREATER GREENVILLE
CHAMBER OF COMMERCE,
Greenville, S.C., June 25, 1965.

The PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The intervention before the Federal Power Commission by Interior Secretary Udall earlier this week against the proposed Duke Power Co. Keowee-Toxaway project in the rural area of northwestern South Carolina leaves us somewhat confused as to the direction being taken by your administration.

This project is in that portion of South Carolina which has been included in your Appalachian program.

We have examined every facet of the Duke project and find it completely compatible with your own stated aims for improving the lot of these rurally oriented people. It is a fine example of private American enterprise working to hasten economic growth in an area which has not kept pace economically with other regions of the country. Your speeches and announced programs have not indicated that you propose the Federal Government assume total responsibility for accelerated development of Appalachia. Indeed, you have publicly spoken to the contrary, calling on everyone to participate and assist these economically deprived areas. Duke Power will be doing this with its project, giving new jobs, new business and recreational opportunities, and adding to the tax coffers of local, as well as Federal, governments. Local and State taxes annually would be $20 million, and $24 million would accrue to the Federal Government.

It seems to us that Secretary Udall's philosophy is inconsistent with the goals of your administration for this area of the country. It seems further to us that the Secretary should be told to withdraw his intervention in the Keowee-Toxaway project. We will not further belabor the circumstances surrounding the Secretary's involvement in this matter. Our immediate concern is that this project will add much to the growth and prosperity of Appalachia, and should receive every encouragement from your administration.

We, therefore, respectfully urge your cooperation and personal attention to this serious administrative blunder on the part of the Secretary of the Interior.

Sincerely yours,

JAMES R. MANN,
President.

EXHIBIT 1

[From Barron's National Business and Financial Weekly, Oct. 21, 1963]

MAKING THE FUR FLY: AN INVALID CONTRACT POINTS UP THE ARROGANCE OF BUREAUCRACY

Buyers from all over the world gathered last week in the thriving town of Greenville, S.C., to listen to the chant of the auctioneer. On the block were not the fine tobaccos usually associated with that part of the country but a few million dollars worth of furs, mostly from Alaskan seals, bearing such exotic names as Matara, Kotovi, and Lakoda. As prearranged hand signals were flashed to spotters on the rostrum, and the gavel descended again and again, Fouke Fur Co., sponsor of the semiannual sale, was delighted to discover that the pelts were performing like many another economic indicator these days. In a generally strengthening market, eager bidders, representing dozens of furriers in the United States and several foreign lands, gladly paid up to 6 percent more than in the spring.

Under a longstanding agreement with the Interior Department (which happens to control the U.S. supply of sealskins), Fouke has been staging these colorful affairs for nearly half a century. Two years ago, however, Interior terminated its contract, and thereby hangs quite a tale. As subsequent events have disclosed, the Department proceeded to sign a new contract with a firm which boasted no previous experience in treating Alaskan seals. In the process, it ignored the interests of the Nation's furriers, who have a major stake in the quality of the products they sell, as well as those of their customers. It apparently connived at the misappropriation of trade secrets and the infringement of patent rights. Finally, for reasons that are either specious or unexplained, it rode roughshod over the established procedures which govern competitive bidding—conduct which the General Accounting Office has bluntly labeled "either improper or highly questionable." The Truman administration was plagued by mink coats; Eisenhower's fell afoul of vicuna. Viewed in terms of public rather than private morality, seal now shapes up in equally scandalous fashion.

To grasp why the fur is flying today, one must go back almost a century, to the Alaska purchase. At the time, the fur seal, which lives mainly in the northern Pacific, faced extinction. To save it from that fate, the United States launched an international effort to control the size of the annual kill. The latest of a series of such pacts was signed in 1957 by Canada, Japan, the Soviet Union and the United States. Under its domestic monopoly, Washington (i.e., the Bureau of Fisheries), "harvested" the skins, which then were handed over for processing and sale to Fouke. In the fall of 1961, learning that it needed additional capacity for the installation of newly designed machines, the company closed down in St. Louis and moved to Greenville, S.C. The very next month, Interior, claiming that it had not been consulted on the move, terminated the contract with Fouke. (Last week's auction served only to work off inventory.)

Considering the adverse effect of the relocation on the economic life of St. Louis, said the aggrieved Department, it could only conclude the company lacked the "business characteristics so essential to a negotiated contract with the Federal Government." Subsequently, Interior went through the motions of competitive bidding. Fouke and four rivals entered the lists, submitting sample skins as evidence of their technical competence. Last March, Secretary Udall awarded the contract to a joint-venture partnership known as Supara, the principals of which had decades of experience in dressing and dyeing mink. The winner, an Interior official explained, was chosen on the basis of the relative quality of the samples, as evaluated by an industry panel and the National Bureau of Standards, as well as for its corporate "responsibility."

On both counts, the GAO flatly disagrees. As to the products themselves, it bluntly concludes that "while the * * * evidence would clearly have substantiated a conclusion that the Fouke processed sample skins were superior in quality and potential marketability, it does not substantiate a similar

conclusion for the Supara processed skins." In fact, at least some of the latter fell significantly short of acceptability in water repellency and resistance to breaking.

As to the question of responsibility, Interior's chief spokesman has admitted that many of the elements involved are "subjective and intangible." The record does show clearly that an NLRB examiner rejected as without merit a protest by the Amalgamated Meatcutters & Furriers that Fouke's move to Greenville was an effort to "run away" from its union contract. Beyond that, Interior's case against the company charges it with everything from a "paternalistic, if not oppressive," attitude toward the Aleuts, who do the initial processing of its skins, to racial discrimination in Greenville. Of these far-ranging charges, the GAO says bluntly: "It would appear to be sufficient to point out that the responsibilities of a Government contractor, and the rights of the Government, should properly be defined in the contract. Where * * * it was your Department's belief that additional responsibilities or restrictions should have been assumed by, or imposed upon, the contractor, such results * * * should have been accomplished by appropriate amendments to Fouke's contract."

Indeed, if anyone has shown a lack of responsibility in the whole affair, it is clearly the Department of the Interior. In the first place, it displayed a remarkably casual attitude toward patent rights. The Department, says the watchdog agency, urged Ehrhardt Tool & Machine Co. to build, for Supara, dehairing machines deemed "essential for the processing of the sealskins." Ehrhardt, however, regarded such equipment as proprietary to Fouke; hence it had previously refused to build for anyone else. If Supara had incurred patent infringement costs, the GAO observed, the Government, under the contract, might have wound up paying the bills. The Comptroller General also was shocked to learn that Interior, when pressed for documentation, could or would furnish no written records of negotiations with Supara.

Equally eye-opening was the disclosure that Supara was not even formally organized at the time it won the contract. Wrote GAO acidly to Secretary Udall: "The fact that your Department announced the award of the contract on March 5, 1963, to a joint venture which does not appear to have come into existence until March 14, 1963, is not explained by the record." Up to that time, no sealskin processed by Supara had ever been sold, and no garment had been manufactured from Supara processed skins or subjected to actual wear. "The corporation, as such, had no record of past performance, integrity, judgment or ability on which to base a comparative evaluation of the degree of its responsibility." Crowning evidence of Interior's bias in the whole affair is the fact that after the company had won the contract, the Department, without seeking a quid pro quo, agreed to relay its terms—first, by absolving Supara from meeting the requirements of the National Bureau of Standards; subsequently, by extending the deadline by which Supara must acquire the capacity to process 50,000 sealskins a year. All things considered, said the GAO: "It is our opinion that your Department was acting outside of the scope of its authority in awarding a contract to Supara."

Confronted by that hard-hitting judgment, presumably even Secretary Udall soon will be forced to backtrack. For the aroused fur trade, in short, this may yet be a case of all's well that ends well. For the United States as a whole, by contrast, the great fur controversy sounds yet another warning of the threat to freedom implicit in arbitrary bureaucractic power. Washington is now spending some $100 billion a year. In wielding this vast leverage, every Federal agency is sworn to follow procedures that will do justice to producer, consumer, and taxpayers alike. Mr. Udall's department, it would seem, has something to learn about good government.

INCLUSION OF YEARS OF SERVICE AS JUDGE OF THE DISTRICT COURT FOR THE TERRITORY OF ALASKA

Mr. TYDINGS. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 293, House bill H.R. 5283.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5283) to provide for the inclusion of years of service as judge of the district court for the territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. TYDINGS. Mr. President, this is a companion bill to the omnibus judgeship bill which provides for the inclusion of years of service while Alaska was a territory for a judge who served as a district judge while Alaska was a territory and in consideration of his retirement privileges now, as he is a district judge for the State of Alaska.

This would make the law the same as it applies to Alaska as it presently does for Hawaii.

We deleted the temporary judgeship for Alaska from the original recommendation of the Judicial Conference with the understanding that this bill would be enacted at the same time.

The ACTING PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an excerpt from the committee report be printed in the RECORD at this point.

There being no objection, the excerpt from the report (No. 305) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to provide that service as a judge of the District Court for the Territory of Alaska shall be included in computing the aggregate years of judicial service of a U.S. district judge for the district of Alaska for purposes of retirement in accordance with the provisions of sections 371 and 372 of title 28 of the United States Code.

STATEMENT

The bill H.R. 5283 was introduced in accordance with the recommendations of a communication directed to the Congress by the Administrative Office of the U.S. Courts in behalf of the Judicial Conference of the United States which recommends its enactment.

The bill is required to correct a situation which resulted from the fact that the Alaska Statehood Act made no provision for counting territorial service as a judge for retirement purposes in computing the length of service as a U.S. district court judge. The Statehood Act failed in this respect even though the act did provide that in striking from section 373 of title 28 the provision authorizing credit for retirement purposes for service as a judge of the District Court for the Territory of Alaska "that the amendments made * * * should not affect the rights of any judge who may have retired before it takes effect." By way of contrast, the committee observes that the Hawaii statehood bill, Public Law 86–3 (73 Stat. 4), approved March 18, 1959, specifically provided for the exact situation H.R. 5283 is intended to meet.

It is therefore clear that H.R. 5283 would make it possible for those persons who served as a judge of the U.S. District Court for the Territory of Alaska and then served as a U.S. district judge for the district of Alaska to be given the same retirement credit as was provided for a U.S. district judge of the district of Hawaii who also served as a judge of the District Court for the Territory of Hawaii.

Mr. HART. Mr. President, as we conclude action on the two omnibus judgeship bills, I wish to express to the junior Senator from Maryland my admiration for the manner in which he has handled both measures.

Although from a mere reading of the RECORD it might appear that this was no specially difficult assignment for the Senator from Maryland, those of us who have had some experience with these matters appreciate the fact that in connection with bills of this nature great difficulty could have developed. It has not developed because the Senator from Maryland has been extremely objective in his evaluation of the subject and forthright in his responses to questions, and understanding and patient, both in committee and on the floor.

It has been a remarkable performance by the Senator from Maryland. I would not wish it to go unnoticed.

Mr. TYDINGS. I thank the distinguished Senator from Michigan.

Mr. PASTORE. Mr. President, I join my colleagues in complimenting my distinguished friend from Maryland for the exemplary fashion in which he managed the judgeship bills on the floor today. I commend him for the fact that he has given consideration to the situation in the State of Rhode Island.

We tried to obtain an additional judgeship for Rhode Island in connection with the previous bill that was passed by the Senate, but the provision was deleted in conference for the reason, as I understand it, that the Judicial Conference had not recommended it. Now the Conference has recommended it.

I am happy that the committee accepted that recommendation. We in Rhode Island are beset with a serious situation in connection with the caseload in our Federal courts. For a long time we have felt that justice has been delayed because one judge could not expeditiously handle the pressing caseload in the district of Rhode Island.

I am very happy that this recommendation by the committee was adopted.

Mr. TYDINGS. I thank the distinguished Senator from Rhode Island.

JAMES F. LINCOLN, OF CLEVELAND

Mr. LAUSCHE. Mr. President, in Cleveland, last week, there passed from life a very distinguished citizen, James F. Lincoln. He was the board chairman of the Lincoln Electric Co., and a citizen of Cleveland who was a constant participant in civic activity.

Jim Lincoln was a very close friend of mine. I admired him because early in his life as a businessman he gave recognition to the rights of his workers. It was Jim Lincoln who adopted the profit-sharing plan of the Lincoln Electric Co. in Cleveland, Ohio. As a consequence of that program, the workers at the Lincoln Electric Co. were the highest paid workers in the United States.

I had a very close friend, a newspaperman, whose father, an Italian, worked at the Lincoln Electric Co. as a sweeper. In one year, as part of the profit sharing, he was paid $6,000 in addition to his annual salary.

Jim Lincoln was sued by the U.S. Government on the basis that he was distributing his money to the workers, and thus avoiding the payment of income taxes.

I do not know definitely what the outcome of that lawsuit was, but I believe that the eventual result was approval of the program adopted by this man.

He was firm in his convictions and had no hesitancy about asserting them, regardless of their popular acceptance.

He was a good man. In his passing Cleveland has lost a very distinguished civic leader. Cleveland mourns his loss, and I join the citizens of that community in the loss they have sustained by his passing.

Mrs. Lausche joins me in expressing deep-felt condolences to his widow and children.

I ask unanimous consent that there may be printed in the RECORD at this point newspaper articles published in the Cleveland newspapers about this man. I especially wish to include in the RECORD an editorial from the Cleveland Plain Dealer and an editorial from the Cleveland Press.

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

[From the Cleveland (Ohio) Plain Dealer, June 24, 1965]

JAMES F. LINCOLN DIES; INCENTIVE PAY PIONEER

James F. Lincoln, board chairman of the Lincoln Electric Co., and the originator of the Lincoln incentive pay system for workers, died yesterday at 2:15 p.m., at St. Luke's Hospital.

He had worked on Monday, but left early because he felt ill. He entered the hospital in the early afternoon.

Mr. Lincoln, who was 82 on May 14, was a pioneer in the arc-welding industry and in business management. He was the inspirational business genius behind the company, the world's largest manufacturer of arc-welding machines and electrodes.

Through his writings and speeches, Mr. Lincoln, a commanding, 6-foot-2-inch figure, became known throughout the world for a philosophy of rewarding employees according to their contributions.

His ideas in the labor-management field were revolutionary when first expressed the early part of the century. But over the years his philosophies, creeds, and policies as carried out at the Lincoln plant became a matter of widespread study and discussion.

Mr. Lincoln's labor-management creed was:

"We do not distinguish between so-called management and labor. All management must labor and labor must manage."

His efforts in this field were directed toward creating an attitude among workers to do their best. As he said in 1914, when he took over management of the company:

"I knew if I could get the people in the company to want to succeed as badly as I did, there would be no problems we could not solve together."

Mr. Lincoln firmly believed that no matter how good a company's product or its system, employees were essential to a company's success.

The net result of his approach to business and manufacturing is a pay scale for Lincoln workers that is double the national average.

Much of this is received in a cash bonus at the end of each year. The amount of the bonus is based on the company's efficiency during the year.

Each employee's share in the bonus depends on his contribution during the year. The total bonus distributed to 1,400 workers in 1964 was $13 million.

Many of Mr. Lincoln's ideas stemmed from his early background and training. His father, William Elleby Lincoln, was a minister and a fervent abolitionist.

Mr. Lincoln was born on a farm near Painesville, where he spent his early years on the farm. He attended nearby schools and worked to save money for an education. He was determined to go to Ohio State University and study electrical engineering, as his older two brothers had done.

He worked at various jobs and with the help of his brother, John Cromwell Lincoln, 17 years his senior, James was able to attend Ohio State.

At Ohio State he qualified for the football team and played all 4 years of his college life. He captained the team in his senior year. One of the school's outstanding fullbacks, he played every minute of 10 games in his senior year, as captain.

In the spring of 1907 he caught typhoid fever and was forced to drop out of school.

He was not graduated, but some years later Ohio State awarded him the degree of electrical engineer.

After recovery from the illness, he joined his brother, John, who had founded the Lincoln Electric Co. in 1895. James' first job was as a salesman. He never worked for another company.

The organization of the Lincoln company was informal and flexible, and Mr. Lincoln's responsibilities increased over the years. He assumed executive management in 1914 and, when his brother retired in 1928, he became president.

John Lincoln had founded the company for repair and manufacture of electric motors. He was an engineering genius.

Noted as a strong supporter of the single-tax movement, he had been a close friend of Cleveland's famous mayor, Tom L. Johnson. John Lincoln died in 1959.

In addition to management duties, James Lincoln was interested in all of the technical problems of the welding industry and did much to develop the arc welding processes and their applications. He registered 25 patents in his name.

One of his first actions in 1914, when he took over, was to form an advisory board. Board members were elected from all departments.

It was at one of these board meetings that the idea of incentive management was born. One of the workers asked Mr. Lincoln if he would pay more for greater production.

The outgrowth of that conference was the Lincoln incentive management system, described by Mr. Lincoln as "a human relationship between labor and management with benefits obtained for worker, producer, purchaser, and the owner or shareholder."

A stanch Republican, Mr. Lincoln wrote a number of political brochures, among them: "Tell the Truth and Keep Out of the Way," "An Industrialist Looks at the New Deal," and "Ignorance of the Law is No Defense." At one time he was a member of the Republican National Finance Committee.

An outspoken foe of the international armaments race, Mr. Lincoln in recent years was convinced that peaceful coexistence was the only existence possible in a nuclear world. He visited the Soviet Union several times.

A frequent newspaper contributor, Mr. Lincoln, in 1963, wrote that "automation must be encouraged, not discouraged."

"If automation is attacked our position in competition with other nations will be defeated," he wrote. "We will be far outdistanced. We will disappear as a dominant Nation."

Mr. Lincoln advocated that "the union must train the worker so that he will be able and willing to take the millions of jobs that are now available and needed."

In 1951, while Mr. Lincoln was guiding the company, the Lincoln plant moved from 12801 Coit Road NE., to a 30-acre plant at 22801 St. Clair Avenue, Euclid. The sprawling buildings cost $10 million.

In 1954, Mr. Lincoln moved up from the presidency to board chairman. He had remained active until the present time.

He was also vice president and director of Lincoln Electric of Canada and director of Lincoln Electric of Australia and La Soudure Electrique Lincoln.

Mr. Lincoln received an honorary doctor of science degree from Ohio State University, had served as president of the Ohio State University Association, was a longtime trustee of the university and a trustee of its research foundation. He actively assisted Ohio State University football players through the Front Liners, a boosters group.

He was chairman of the trustees of Lake Erie College, trustee of Case Institute of Technology and a member of the Fenn College Corp. and the advisory committee of the University of Cincinnati Engineering College. He had received honors from Fenn, Wooster, Lake Erie, and Oberlin Colleges.

Mr. Lincoln had served as president of the Cleveland Chamber of Commerce, president of the National Electrical Manufacturers Association, chairman of the Ohio Republican Finance Committee, a director of the National Association of Manufacturers and manager of the American Institute of Electrical Engineers.

He was a trustee of the Cleveland Hearing and Speech Center and the Council of Profit Sharing Industries. He was a member of the National Industrial Conference Board, American Welding Society, National Welding Supply Association, American Society of Mechanical Engineers, American Society of Electrical Engineers, Cleveland Engineering Society, and the Church Industry Group of the Church Federation.

Mr. Lincoln was married in 1908 to Alice Patterson, who died in 1954. They had three daughters and a son.

In 1961 he was married to Jane White, who had been dean of women at Lake Erie College.

In addition to Mrs. Lincoln, he is survived by his daughters, Mrs. Joseph H. Morris, Mrs. Kenneth Steingass, and Mrs. Robert A. Wilson; his son, James F. Lincoln, Jr.; a sister, Mrs. Grace Newbury, of Washington; 22 grandchildren and 11 great-grandchildren.

Memorial services will be held Saturday at 1 a.m. at Fairmount Presbyterian Church in Cleveland Heights. The family will receive friends Saturday from 1 to 3 p.m., at the residence of Mr. and Mrs. J. H. Morris,

2574 Fairmount Boulevard, Cleveland Heights.

Mr. Lincoln had resided at 17715 Shaker Boulevard, Shaker Heights.

The family suggests contributions to the Lincoln Library Fund of Lake Erie College.

[From the Cleveland (Ohio) Plain Dealer, June 24, 1965]

LINCOLN'S VIEWS PUZZLED MANY

(By Martin T. Ranta)

James F. Lincoln, a powerful personality who did and said things unflinchingly, seemed puzzling to many.

He was an industrialist, a capitalist, if you wish. Yet he rewarded his employees so well that the Government sued him. And he believed firmly in coexistence with the Communist world.

In 1915, a year after he became general manager of the Lincoln Electric Co., Lincoln initiated an advisory board of employees to help him build the business.

"There would be no problems we could not solve together," he said.

Employees were given paid life insurance policies in 1915 and 2-week vacations in 1923. Stock was made available to the workers in 1925.

Lincoln's famous bonus pay plan, which put his employees among the highest paid in the country, was started in 1934.

Since 1934, the company has paid bonuses totaling more than $126 million to its employees.

"Man is inherently lazy, he must have the proper incentive to produce more than just enough to live," were words of Lincoln. Another quote: "Incentive is the key to all progress."

Three books on the subject of incentive and management came from Lincoln's pen: "Lincoln's Incentive System," "Incentive Management" and "A New Approach to Industrial Economics."

In 1941, Lincoln and his company were hit by a lawsuit by the U.S. Government over the bonus plan. It was said that the company should pay taxes on the money paid as bonuses, that workers were not worth the pay they received, that the pay was not a proper item of expense.

It took 10 years in the courts for Lincoln to win the suit. During the World War II years he asked a Government representative whether he would have been sued if he had twice as many workers.

Receiving a negative answer, he said:

"The only crime for which we are being fined is that we have released 2,500 men for jobs elsewhere in the war effort."

Lincoln wrote often to the newspapers. In 1961, he took editors to task for their attitude toward Russian leaders.

"It would seem that it would be well to recognize the accomplishments they have made and perhaps learn from them," he wrote.

"We are spending a very large part of our income in order to prepare for war, which, if it occurred, would destroy both countries," he continued in urging disarmament and praising Clevelander Cyrus Eaton. "He (Eaton) is the only one who has come forward with a program that would solve the current war threat."

He himself was firmly allied with the Presbyterian Church.

Perhaps because of this background, he frequently reflected teachings in the Sermon on the Mount, especially: "Do unto others as you would have them do unto you."

And, finally: "The worker should be worthy of his hire but his hire should be proportionate to his ability to produce."

[From the Cleveland (Ohio) Plain Dealer, June 24, 1965]

JAMES FINNEY LINCOLN

James Finney Lincoln, industrial giant whose busy and productive life ended yesterday, will be best remembered for his two greatest accomplishments—the Lincoln Electric Co. and his philosophy of incentive management under which that company grew and prospered.

Under Mr. Lincoln's leadership the company became the world's largest manufacturer of arc welding machines and its employees among the industry's best paid.

He believed that everyone working for his company was part of a team and that all should be given incentives to increase efficiency. For many years employees of other companies have read with amazement and some envy the reports of the tremendous annual bonuses received by Lincoln workers.

His appreciation of team effort was heightened during his youthful years at Ohio State University where he played on the varsity football squad 4 years, the last as captain of a team whose line was never crossed.

But Mr. Lincoln was also a rugged individualist, toughminded and uncompromising when the principles in which he believed were challenged. He never hesitated to say or to write what he thought. Many of this newspaper's readers will recall him as a frequent contributor to the letters-to-the-editor columns. The last of these, written in collaboration with another man, appeared on these pages June 17. It urged that the United States negotiate to settle the war in Vietnam.

He also managed to find time to write three books on his incentive management system and his approach to industrial economics, a number of political brochures and served in such civic and industrial capacities as president of the Cleveland Chamber of Commerce and the National Electrical Manufacturers' Association.

In his lifetime almost innumerable honors were heaped upon Mr. Lincoln. All were eminently merited for here was a man whose contributions to his industry, to his community and to his Nation were manifold.

[From the Cleveland (Ohio) Press]

JAMES F. LINCOLN, A SPECIAL KIND OF FRIEND

Big Jim Lincoln was my friend for 40 years. We lunched together, argued together, traveled together, confided in each other. Yesterday afternoon, only a month after his 82d birthday, he went to his eternal rest.

"What are you doing this afternoon that's so important you can't drop out to the plant and see us hold our annual incentive bonus meeting?"

I hesitated a moment.

"I'll send a driver down, pick you up, and return to your office right afterward," he added. Then he said:

"You know, my friend, you are the first person outside of our own organization I have ever invited to attend this meeting."

I had fully intended from the beginning to go, but Jim Lincoln was such a persuasive salesman that he put all of his "ducks in a row," as he would say, or, in this instance, arguments, so you couldn't say yes or no until he'd finished.

"Now if you'd let me get a word in—just one word—I'll say, yes," and added, "I'll drive myself out, thank you."

Jim Lincoln had gained world attention by the manner in which he ran his big electric plant. He innovated the incentive bonus plan. It worked. Many couldn't understand it. Many criticized it, called it by many different names. That didn't bother Jim Lincoln. Nothing bothered Jim Lincoln—business, politics, personal problems—if he thought he was right—which, most of the time, he was.

Out at his big plant that afternoon I gained yet another insight into Big Jim Lincoln's character.

Jim Lincoln was anything but a poser. He was a completely unaffected man, simple, direct, earnest, and expected you, in dealing with him, to be likewise.

That afternoon, as on many subsequent visits to Jim's big, sprawling but efficient plant, I saw him in his shirtsleeves, moving restlessly around his whole operation, the details of which he knew as well or better than anybody else. He also knew something else.

He knew the people with whom he worked. He knew them by their first names—and, what was more important, knew their personal problems, and had great concern for their lives and families. That, in fact, it seemed to me, was as important as the incentive bonus plan he had installed.

In his typical short, almost brusque, and direct way, Jim Lincoln told his people what the score was that year, how much was made, how, where, and what the company was going to have to take out to operate, and then how much of the balance was being divided among the people who helped make the company the unusual success it was.

Many times Jim Lincoln and I took walks downtown. He liked to walk rather than ride. Like another extraordinary Cleveland industrialist, Johnny Virden, another friend, he would park his car blocks away from where he was attending a meeting, or going to lunch, and walk.

Jim was a big man, 6 feet-plus, and built powerfully, as would be expected of Ohio State's former football captain and campus strongman. As many people know, I have difficulty in breaking 5 feet 5 inches, and can't get the scales to register beyond 125. I had to look up at Jim Lincoln.

But I did more than look up at Jim Lincoln. I looked up to him. He was a very remarkable man. Underneath his direct, sharp and almost blunt manner was, as so often happens in such unusual men, a soft and understanding heart—and I know, as a result of my friendship with him over the years, and from the many things Jim did quietly about which not many people knew, that he had this "soft side."

Yet his soft side made him feel a little self-conscious and uncomfortable, and he made a special effort to tuck it away inside the facade of a big bluff exterior.

From what is here written the impression may be gained that I thought James Finney Lincoln was a very special kind of man. I did—and I do. The like of Jim Lincoln doesn't happen often, a man who is honest with himself, and honest with everybody else—a man who has sharp convictions about business, and government, and people's behavior, and the future of the world, and does not hesitate to say what is on his mind and in his heart.

Over the many years I have been a newspaperman it has been a rare privilege to enjoy friendships with men and women whose names constantly appear in public print. It is one of the most precious experiences of our profession.

I put my friendship for Jim Lincoln—and his for me—at the top of a lifetime of such experiences. He was really a man—a good, solid, honest, durable man—a man you never forget.—L.B.S.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair. Before the decision is rendered, I wish to say that it will not be a very long recess.

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

Thereupon (at 12 o'clock and 55 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 1:16 p.m., when called to order by the Presiding Officer (Mr. BASS in the chair).

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

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

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

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

Homer Thornberry, of Texas, to be U.S. circuit judge for the Fifth Circuit;

Joseph F. Radigan, of Vermont, to be U.S. attorney for the district of Vermont;

William Marion Parker, Jr., of Alabama, to be U.S. marshal for the middle district of Alabama; and

Arthur H. Behrens, of Washington, to be an Examiner in Chief, U.S. Patent Office.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the first nomination on the Executive Calendar.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of LeRoy Collins, of Florida, to be Under Secretary of Commerce.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FEDERAL AVIATION AGENCY

The legislative clerk read the nomination of Gen. William F. McKee, of Virginia, U.S. Air Force, retired, to be Administrator of the Federal Aviation Agency.

Mr. YOUNG of Ohio. Mr. President, on several occasions recently, I have spoken against this nomination. There is no occasion for me to speak at length at this time.

I deeply regret that the nomination was made in the first place by the President. I am regretful that the committee that held hearings on the nomination has favorably reported it to the Senate.

I wish to make it crystal clear that I still object to the confirmation of the nomination of General McKee. I want the RECORD to show that I consider this to be a bad appointment. Of course, as an administration Senator, it is my desire to support the President in all things, whenever I can.

The Federal Aviation Act of 1958 required and demanded civilian control of the Federal Aviation Agency. By confirming the nomination of General McKee, the Senate will, in fact, be revoking this provision and making it null and void.

Gen. William F. McKee has had distinguished service in the armed services of our country. Without a doubt, he is a remarkably able, loyal, patriotic citizen.

Some Senators tell me that the general has proved his ability as an administrator and that he would perform the duties of the office to which the President appointed him in a most creditable manner. I am not disputing any of those statements.

I do not know General McKee personally. I have heard statements regarding him, not only from Senators, but also from personal friends in Washington whose judgment I respect. Everything that I have heard about the gentleman has been very good. I have no criticism to offer concerning him personally. However, it is a fact that the men who wrote the Constitution of our country—the Founding Fathers—provided that in the United States civilian authority must always be supreme over military authority.

It has appeared to me that unfortunately this administration has been steering more and more toward the military. For instance, four generals and admirals now serve as Ambassadors. If there is any class of professional men in this country which does not qualify as diplomats, it would certainly be former generals of our Armed Forces.

I know a little something about the subject because I served as a private in our Armed Forces in World War I, and as an officer in World War II. Frankly, I will speak out at any time and say that I would much prefer to be an officer in our Armed Forces than a private. It is much easier to be an officer than it is to be a private.

We have pending the question of confirming the nomination of General McKee. Of course his nomination will be confirmed as Administrator of the Federal Aviation Agency. However, in confirming him, we will add one additional officer who will receive his adjusted retirement pay and also the salary of the office to which he would be appointed.

General McKee, as Administrator of the Federal Aviation Agency, with the receipt of his adjusted retirement pay and the salary of his office, would be one of the four highest paid officials of the executive branch of our Government.

The President and Vice President of the United States, and one other retired general of our Armed Forces, who is holding a high position, would be the only ones to receive more than would General McKee. General McKee would be receiving approximately $39,000 a year.

Making no personal objection to General McKee, I wish to recall in passing that a general of our Armed Forces, the Supreme Commander of our Army in World War II, General Eisenhower, at the time of leaving the Presidency, warned against the influence of generals and high-ranking officers of the Armed Forces. Just before he left the White House following 8 years as Chief Executive, he said:

> In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or the democratic process.

Every time a retired officer of our Armed Forces is placed in a high-salaried position in government and still retains—as General McKee intends to retain, because he has not offered to waive it—his adjusted retirement pay, we are furthering that complex. General McKee would not waive his retirement pay upon taking this position.

I take a dim view of this appointment. I take a very dim view of confirming this nomination, and having this general, though he is a fine man personally and an able administrator, assume this high position.

I want the RECORD to show that I am protesting and that my vote is cast against his nomination.

Mr. THURMOND. Mr. President, I rise in support of the confirmation of the nomination of Gen. William F. McKee to be Administrator of the Federal Aviation Agency.

He is a man of very fine reputation who has much experience in aviation matters. His knowledge of administration makes him peculiarly well qualified for the position for which he has been nominated.

He is an experienced officer who has held responsible positions which, in my judgment, add to his qualifications rather than detract from them. His service in the Armed Forces, where he gained valuable experience, should be to the nominees credit. Undoubtedly, the President has carefully weighed all the factors and has arrived at the conclusion that General McKee is the best available candidate for this important post.

I commend the President for seeking out a man who is so well qualified. I hope that the Senate will confirm the nomination.

Mr. HARTKE. Mr. President, these unusual times in which we live have brought new crisis after new crisis to us, presenting us with daily new problems and frustrations.

Millions of Americans were civilian soldiers in younger days. Millions more face an uncertain future of service in uniform for a semipeace or worse. A new generation of mothers and the sons they did not bear to become soldiers are with us.

The hydrogen bomb, intercontinental ballistic missiles, undersea weapons, outer space weapons, brushfire wars that are not wholly ours and not wholly not ours, cold wars, lukewarm wars, uneasy peaces—these are but a few of the things that trouble these Americans.

From the days before we were colonies to all our wars—from the Revolution to VE Day and VJ Day, Korea, Vietnam and the Dominican Republic—Americans have hated war and suspected the professionals needed to direct and win wars. In fashioning our unique democratic experiment, which has worked so well for so many, our founders wove into our governmental fabric the assurance that civilians would reign and that the military would forever be subject to the will of civilian leaders.

They realized full well that the success of government by consent of the governed depends upon such civilian rule. They knew, as we know today, that our

Government has the same power over individual Americans as any dictatorship has over its citizens. The essential difference is that, in our system, due process insures individual rights and the prevailing will of the majority without injury to minorities and their rights.

Americans today are worried about these things, more perhaps than ever before because of the pace of events and the ominous light of a world neither in peace nor war.

These are days of crises wherein crisis seems to bring on crisis and wherein there is an ever-present danger of world-wide nuclear holocaust. The tendency in crisis is to take direct action, sometimes emergency action. And this is quite understandable as well as being absolutely correct.

Yet it is also correct and quite understandable that Americans react instinctively to these moves. Americans everywhere wonder whether there is compelling need, for instance, to depend so heavily on military men in civilian positions. Americans everywhere wonder whether civilian decisions of life and death on divergent issues must be made by military men. And, because of their own fears and frustrations with crises and events, they are given new causes to worry about this increasing trend.

Everywhere in our Government we see a burgeoning of retired and active military men. Too often we are told that the needs of science and technology, of sea and space, and a myriad of others demand the instant solution of a military mind or the specialized training of the military man.

Regardless of need or crisis, suspicions of countless Americans are aroused. Americans who trace their American ancestry to colonial days carry the rich and unique tradition of insistence on subordination of military to prevent military control. Americans whose families come from abroad also are steeped in an inborn suspicion of military rule because many of their ancestors came here to escape militarism. Military men have been, and are, moving increasingly into civilian government. Tradition and necessary safeguards against military dictatorship and military takeover are being eroded.

Civilians have been, and are being, pushed from civilian jobs by military men—most of them retired brass.

Some weeks ago a new situation arose: The Administrator of the Federal Aviation Agency was leaving his post. It is a time of decision for this Agency, a time when the actions of the FAA and the way in which it operates will affect not alone the air safety of millions, but the technical preeminence of our country in civil aviation.

With due concern for these problems, the President sought advice and help of trusted advisers in finding a replacement for the Administrator of FAA. Thus was Gen. William F. McKee thrust upon the scene into a position he could not legally attain at the time.

It then became necessary for the President, if he were to appoint General McKee, to come to Congress and ask that the Federal Aviation Act of 1958 be set aside so that this general could be appointed.

My objections were principally these: That the Administrator was supposed to be, with good cause, a civilian, and that, surely, a qualified civilian could and should be found.

I pointed out that the military man is trained and experienced for the problems of war and preparations for war. His responses to problems are instinctively the responses of the military mind. While these are necessary to success in war, they are equally devastating to peaceful pursuits of civilian government.

I am, of course, mindful that some military men have been able to rise above this narrowness. Yet, it was President and Gen. Dwight Eisenhower who warned us of the dangers of too much military domination. And it was Gen. Omar M. Bradley who told us 13 years ago there could be no military takeover in America if we sought our Government leadership from the ranks of civilians and if the civilian government leaders exercised traditional tight controls over the military.

Unquestionably, the increased military requirements arising from our involvement in world affairs contributed to this higher level of military influence. But—and here is a real concern—there appears that there may be a weakness of civilian institutions and civilian leadership. On this latter point the whole question of the appointment of General McKee was predicated. In other words, the civilian leadership of our country is so weak that it could not provide a civilian for a Government position which by law required it to be filled by a civilian. There is apparently no ready source of civilian adminstrators available—a civilian administrative gap.

In all fairness a further conclusion is probably inescapable; that is, there is today widespread acceptance of the professional military viewpoint. Here it is necessary to note that the result is even more alarming. Military procedures and policy are now being accepted and extended by civilian government policymakers and administrators.

The military influence in American society has increased significantly in recent years. In fact, by comparison to our previous history, military officers wield for greater power in the United States today than at any period in our history. Three manifestations of their influence are: First, the influx of military officers into governmental positions normally occupied by civilians—the problem we have before the Senate today; second, the close ties which have developed between military leaders and the business leaders—the specific problem that President Eisenhower warned against in his farewell address; third, the widespread popularity and prestige of individual military figures. One of our great political parties has turned to a popular former general to be its chief fundraiser.

My fears for our constitutional American way, my concern over the tendency to turn to generals and admirals, my concern over dependence upon the military to do civilian jobs prompted my opposition to S. 1900 and H.R. 7777, which were written to clear the way for appointment of General McKee as Administrator of FAA.

I was not alone and am not alone now. Millions of Americans who share these concerns, fears, and frustrations opposed setting aside the law for this appointment. Many of those in this Chamber joined us for similar reasons.

If this request to pass a bill to allow the appointment of one general to one civilian job in a civilian agency, created by Congress to be civilian run, were all that was involved, I could understand and might have agreed to the bill. I could say with some of my distinguished colleagues, "Just this once, let us set the law aside and let us resolve never to do so again."

This was not, however, an isolated incident, a single crisis calling for emergency action. It had, in my judgment, to be viewed against the broad panorama of erosion of civilian government and civilian leadership. Hence, my grave concern and the spirit of the opposition among those who joined us in and out of the Senate.

The Senate voted to amend the Federal Aviation Act and to allow the appointment of General McKee. The action was, I said at the time, tantamount to confirmation. The advice and consent, of the Senate has been given. Today it is to be ratified officially one more time.

I do not believe that this will begin a new wave of military appointments. I do not believe that this portends immediate disaster for FAA or our system of government.

I do, however, believe it is an ominous link in an ominous chain.

While I was one of the minority of the Commerce Committee opposing enactment of S. 1900, I was one of those expressing unanimous committee opinion that the trend of military appointments to civilian jobs should be examined and checked.

The increased influence of the military mind in America is a clear warning of ultimate militarization of the Government, the loss of civilian control and the beginning of a totalitarian state.

It is impossible to demonstrate that the appointment of one particular military man or that the actions of one particular military man reflects the inherently dangerous qualities of the military mind. The professional military man blends into our society. I suppose that few developments dramatize the acceptability of the military better than the new industrial-military associations. It is not news to point to the large number of retired generals and admirals that have in the past and even now occupy executive positions of corporations. But by training and conditioning, mass control of key civilian government positions by military persons ultimately leads to the conclusion that the Nation must concentrate its complete trust—politically, economically as well as militarily—in military leadership. The steps are taken one by one but slowly the military standard supplants the civilian democratic standard.

Many Senators will join me in keeping close watch on what happens not only in the FAA, but everywhere in our civilian government.

I propose that a complete study be made to determine whether we have in this country a continuing source of high level civilian administrators with the necessary education and experience to fill government administrative positions.

If our discussions accomplish this one purpose—that of a watchful Congress concerned over an alarming trend—it will have been worthwhile. It will have been of service in preserving our system of government under civilian leadership. And it will have strengthened our President and his civilian colleagues as they lead an uneasy citizenry in an uneasy world from crisis to new crisis.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gen. William F. McKee to be Administrator of the Federal Aviation Agency?

The nomination was confirmed.

FEDERAL AVIATION AGENCY

The legislative clerk read the nomination of David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF THE ARMY

The legislative clerk read the nominations of Stanley R. Resor, of Connecticut, to be Secretary of the Army, and David E. McGiffert, of the District of Columbia, to be Under Secretary of the Army.

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

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF THE NAVY

The legislative clerk read the name of Robert H. B. Baldwin, of New Jersey, to be Under Secretary of the Navy.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

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

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion of Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ALLEVIATION OF BOXCAR SHORTAGE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the bill (S. 1098) which was reported earlier today be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1098) to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, on page 2, after line 15, to insert:

In the consideration of any element included in determinations pursuant to this paragraph as an incentive to car acquisition and maintenance the Commission is empowered to make such element, or any part thereof, inapplicable: (1) to carriers determined by the Commission as owning an adequate number of freight cars to meet their responsibilities to the needs of commerce and the national defense (2) to carriers which terminate a substantially higher percentage of interline traffic that they originate; (3) to types of freight cars the supply of which the Commission finds to be adequate, and (4) to such other cases or circumstances as the Commission finds to be in the public interest.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1(14)(a) of the Interstate Commerce Act is amended by adding at the end thereof a new sentence reading as follows: "In fixing the compensation to be paid for the use of freight cars, the Commission shall give consideration to the level of freight car ownership and to other factors affecting the adequacy of the national freight car supply and shall, on the basis of such consideration, determine whether compensation should be computed on the basis of elements of ownership expense involved in owning and maintaining freight cars, including a fair return on value (which return shall be fixed at such level as in the Commission's judgment will encourage the acquisition and maintenance of an adequate freight car fleet), or should be computed on the basis of elements reflecting the value of use of freight cars, or upon such other basis or combination of bases as in the Commission's judgment will provide just and reasonable compensation to freight car owners, contribute to sound car service practices, and encourage the acquisition and maintenance of a car supply adequate to meet the needs of commerce and the national defense."

In the consideration of any element included in determinations pursuant to this paragraph as an incentive to car acquisition and maintenance the Commission is empowered to make such element, or any part thereof, inapplicable: (1) To carriers determined by the Commission as owning an adequate number of freight cars to meet their responsibilities to the needs of commerce and the national defense; (2) to carriers which terminate a substantially higher percentage of interline traffic that they originate; (3) to types of freight cars the supply of which the Commission finds to be adequate, and (4) to such other cases or circumstances as the Commission finds to be in the public interest.

Mr. MAGNUSON. Mr. President, the bill, which was ordered reported unanimously by the Commerce Committee, concerns the freight car shortage that occurs annually in the United States, particularly in the West, where there are seasonal movements of grain and other agricultural products that must be moved to market.

Every year we encounter the problem because there are not enough freight cars to handle the needs of commerce. The shortage results from the fact that many western roads build sufficient cars, but the trouble is that when the cars are on eastern roads, in the course of delivering goods to eastern markets, there is a reluctance on the part of some railroads in the East to return the cars, sometimes for no good reason. Some of them have not been able to build enough freight cars to take care of their own needs.

For many years there was a daily rental charge of $2 a day. Now, through voluntary agreements, the rental charge averages about $4 per day for an individual boxcar of the type we are talking about.

Some railroads find it more desirable to keep the boxcars and pay the $3 or $4 rental—at one time it was less than $2—than to buy boxcars. It is less costly to rent cars than to build them.

In addition, some boxcars are lost in Canada or in Mexico—not too many, but a few.

We have tried for many years to have the railroads work out a voluntary agreement whereby the rental charge for cars would be sufficient so that there would not be any temptation to keep them rather than building cars.

Frankly, some of the eastern railroads, particularly those in the Northeast, which may be terminal railroads, at the end of the line, find that when the goods are delivered there, the cars stay there until there is a return load. Many of them, particularly the New England roads, have not been financially able to do anything about the boxcar situation.

For many years we have urged the railroads to enter into a voluntary agreement on this matter, but they have not been able to do so. We have to pass the bill which I have just reported, to give the Interstate Commerce Commission sufficient authority to act in this matter. The Commission would make a survey of railroads that live up to their responsibilities to build freight cars, those that have and those that have not, and could act to relieve the situation, so that we in the West can obtain the cars we need.

The reason why the majority leader was motivated to bring up the bill at this time is that, from all reports we receive, the car shortage in the West, and particularly the Midwest, could become the worst in peacetime history. The figures are in the report. The decline in car

construction has been greater in the past 2 or 3 years than ever before, despite the fact that the railroads are doing better and that we are in a period of general prosperity. Still there has been no move to build boxcars.

The average boxcar costs about $8,000 or $9,000 to build. If we consider the reefer, a special type of boxcar, it costs between $10,000 and $15,000. If a railroad can rent a boxcar for a $4 a day—there is a sliding scale, but the average runs less than $3—railroads will be reluctant to spend the money needed to build boxcars.

Our friends from New England have a real problem. Such railroads as the Boston & Maine, and other New England railroads, even the Pennsylvania, may find themselves in a financially strapped position, because they are terminal lines. It is difficult to handle this situation.

We are trying to find an equitable solution so as to have the boxcars available at the time they are needed.

There is an amendment to the original bill which was introduced by myself and many other Senators. The bill has an amendment which will allow the Interstate Commerce Commission to take into consideration, in issuing an order or regulation, the situation of a terminal railroad.

We have as members of our committee the distinguished Senator from Rhode Island [Mr. PASTORE], the distinguished Senator from New Hampshire [Mr. COTTON], and other distinguished Senators who have been very considerate in this matter. The amendment which has been adopted will take care of this situation.

We hope we can have expeditious action, because the bill, if it is passed, will allow the Interstate Commerce Commission to begin work immediately on this matter.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. YOUNG of North Dakota. I join the Senator from Washington and the Senator from Kansas in support of this legislation. We have had this problem in the West at harvesttime, going back 15 or 20 years or more. The situation is somewhat better, but we still face a serious problem. In North Dakota we already have a shortage of boxcars, and it is a month before harvest. We may have to do what we have had to do in the past, and that is dump a lot of grain on the ground at harvesttime if we cannot get cars.

The ICC is doing a good job trying to take care of the situation, but I do believe this legislation will help all around.

Mr. MAGNUSON. The Senator from North Dakota, as well as the Senator from Montana and other Senators, have tried to arrive at a sensible solution whereby we would not penalize the terminal lines, and still have freight cars available. This looks like the only solution.

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

Mr. MAGNUSON. I yield to the Senator from Kansas.

Mr. PEARSON. The distinguished chairman of the committee, who has worked so long and hard on this particular problem, has, in the explanation of the bill, laid out the problem as it exists.

Actually, the incentive is twofold. First, it is to get the receiving lines to return the cars, and, second, to have lines which have a shortage of boxcars encouraged to build more.

The other point I would like to make is that we learned from the hearings which the chairman permitted me to hold in the Midwest that this is no longer a seasonal problem, because it exists the year around; it is no longer a sectional problem, because it exists all over the United States; and it is no longer directed to a particular industry, because it just does not affect the grain marketing area. It affects the steel industry and other industries all over the United States. Let me add further that, in relation to the amendments to which the chairman of the committee the distinguished Senator from Washington referred—this is the ICC in determining a fair per diem rate, considering all the factors which are quite complicated:

> In considering any element included in the determination pursuant to this paragraph as an incentive to correct acquisition and maintenance, the Commission is empowered to make such elements or any part thereof inapplicable.

Then it goes on through four things.

The point I wish to make is in reference to the word "empowered." I was absent at the time this matter was adopted, although I knew about it all along. What is the real meaning, the legal interpretation, as the committee considered it in reference to the word "empowered"?

Mr. MAGNUSON. First of all, we were striving to enact freight car legislation which would apply overall, but in this amendment we empower—that is, give authority—extend to the ICC authority to take under consideration certain factors, which we list, which could effect what we call terminal lines. The ICC was not too happy about the amendment because they said that they would do it, anyway, but that if we passed a law without the amendment they would have to apply any criteria to the New Haven Railroad, very much in the same way they applied any criteria to a prosperous railroad in the Middle West not living up to its responsibilities.

Mr. PASTORE. Mr. President, will the Senator from Washington yield on that point?

Mr. MAGNUSON. Yes—I believe that is my understanding. It does not make it mandatory. It does not say that the Commission shall do it, but they will consider the situation. I do not see how any ICC Commissioner, now or in the future, could help not being conscious of the situation.

Mr. PASTORE. The record should be made clear on the question that the wheat-producing States do have a serious problem on the car shortage. It so happens that we who live in the East and have a terminal railroad like the New Haven are met with the proposition that when there is an empty car that comes into our part of the country, that car must be filled up before we can fill up our own to send it back. This creates a serious problem, especially when we take into account the fact that the New Haven Railroad is already in serious economic trouble.

It was I who raised the question in the committee. I take this occasion to thank my colleagues for the consideration they gave to the problem which I raised. I suggested at the time that the staff talk with the members of the ICC, and also with the representatives of the railroads, to see if we could not somehow fashion an amendment which would take care of that particular problem.

In the process, we were assured by the ICC that they would do it anyway, but many of us on the committee, feeling that men change, that commissions also change, felt that it would be better if we wrote it into law and that is the reason for putting it in the law. I believe I have stated the proposition correctly, have I not?

Mr. MAGNUSON. The Senator has done so correctly. It will allow the Commission to take into consideration these matters where there is a railroad that is in this situation. I would rather have a much stronger bill than this kind of bill, which would cover everything, but this bill is a great step forward in solving our problem. I am sure that the Commission can work within the amendment, and do what they wish to do. They probably would have done it anyway.

Mr. HRUSKA. Mr. President, will the Senator from Washington yield?

Mr. PEARSON. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am glad to yield to the Senator from Kansas, and then to the Senator from Nebraska.

Mr. PEARSON. I agree with the Senator from Washington that the bill is not going to solve the whole problem. As the Senator from Rhode Island has mentioned, traffic moves from west to east to the great exporting ports. There are many things, perhaps, which we can do. The ICC could be given the power, perhaps, to make a reduction in the per diem rate for the prompt and quick shipment back of boxcars, or allow a greater tax writeoff for amortization on the construction of boxcars. This will not solve the whole of the problem, but it will be a real step forward.

Mr. MAGNUSON. The Senator is correct. The ICC would be able to pinpoint what the problem is, and say to railroad A, "Look, in the first place, you are not building enough cars to take care of your needs. You are switching cars where you do not have the turnaround, and you are using too high a percentage of cars from other railroads on a rental basis." I do not believe that they will have to do much enforcing. I believe that when this matter is brought to light, these problems will work themselves out.

Mr. HRUSKA. Mr. President, I should like to make a brief comment. I wish to say how much we are gratified in our part of the Nation for the action which has been taken by the Commerce Committee, its chairman and members.

This has been a sore problem for many years, ever since I can remember in my

previous business experience and in my political experience.

It used to be only a seasonal problem, during the harvesting months, but now it is the year-round, as has already been observed. This year is no exception.

I believe that the dearth of boxcars this year will be as great or greater than at any other time.

The Senator from North Dakota [Mr. YOUNG] has already commented on that.

It has been felt, of course, that adoption of the amendment would dilute this measure somewhat, but I do believe the bill as now written is a step forward and we should go ahead with it.

In addition to acknowledging the good work of the committee and its members, I also wish to acknowledge the cooperation of the Interstate Commerce Commission. The Commission has consistently responded to service orders and other means available to them to try to alleviate the many burdens which have come to our part of the country because of the boxcar shortage by extending the investment incentives. With investment incentive as well as the return incentive as provided here will vastly improve the situation.

Again, I commend the chairman of the subcommittee for having acted in this fashion to meet this important need.

Mr. MAGNUSON. No one has been more concerned than the Senator from Nebraska concerning this matter. The Senator from Kansas [Mr. PEARSON] held hearings this year out in the field where we heard from the people. This is not just someone making a great outcry over it. This has become a very serious matter. It used to be, as the Senator from Nebraska just said, confined to grain, but now it is on every kind of raw material which we transport. The shortage is all over the country. It may be that what we say today, in enacting the bill, will make all railroads a little more active in the field of assessing the freight car situation. I believe that most of them have been waiting for the other railroads to do something, or vice versa. It is a sort of built-in retardation on freight cars. This does not help the statistics. The report is alarming in the number of boxcars which have gone out of existence this past year, or have become too old for use. No one has built any new ones.

We have had this bill before the Senate before—as the Senator will remember—and we used to count noses and found out that everyone east of the Mississippi would vote against the bill, and everyone west of the Mississippi would vote for it. There were just more Senators east of the Mississippi in the Senate than there were west of the Mississippi. So we used to hold hearings every year, and on the floor of the Senate both sides almost gave it up, but the situation is getting so bad overall that now the southern railroads are feeling the terrible pinch on freight cars.

It may be that this action will stimulate everyone to do a little more in this field.

Mr. HRUSKA. The situation has been described correctly. For years, in the Middle West, we have felt that the railroads there have furnished more than their share, certainly a very generous share of the cars, considering the mileage and the freight that they generate. However, there has always been the cry that the other railroads did not do their share.

When the Senator from Kansas held the hearings in my home city of Omaha, that same song was sung once again. The conclusion was expressed that something must be done in a fundamental way. We are sure that this bill will represent some real progress.

Mr. ALLOTT. Mr. President, I compliment the chairman of the committee on bringing the bill to the floor. The problem has recurred every year that I can recall. Each year we have been faced with a boxcar shortage. The facts which the chairman and the Senator from Nebraska have recited have been recited over and over again. There has always been the feeling, because there has not been a sufficient daily rate charged, that certain railroads were furnishing more than their share of the boxcars. Our railroads in the West have always felt that they were furnishing more than their share of boxcars.

Mr. MAGNUSON. They were.

Mr. ALLOTT. The figures seem to support the statement that they were.

Now we get to the point where the ICC will be able to do something about the problem. Through the past few years the distinguished chairman [Mr. MAGNUSON] and some of us in the Midwest have had numerous conferences with the ICC. They have moved in some people on an emergency basis, and I believe they have done everything that they could do under the law and under the circumstances to alleviate the situation.

Now we have put in the Commission's hands the power to do something about it.

I would be remiss in paying my respects to the chairman and to the distinguished Senator from Nebraska [Mr. HRUSKA], who has done so much work on this situation in the last few years, if I did not also say to the distinguished Senator from Kansas [Mr. PEARSON] that we in Colorado were deeply appreciative for having been given the opportunity to have a hearing held there, at which our people could testify. Some of that testimony bears out the statements that have been made on the floor. My junior colleague from Colorado has also been very much interested in this subject. I believe we are moving in the right direction.

Mr. DOMINICK. Mr. President, I appreciate the courtesy of the Senator from Washington. He has been working on this problem for about 17 years. It must be a great relief to him to get the bill to the floor and in a position where it is almost assured of passage.

While we are passing out accolades, in addition to the junior Senator from Connecticut, who has spearheaded drives in this field, in which I have participated, I also wish to say a word in behalf of the Senator from New Hampshire [Mr. COTTON], who has been able to bring about a meeting of minds in working out language which helped to avoid some of the internecine fighting that we had before between the railroads in connection with this problem. I know at firsthand that the railroad car shortage is growing worse, instead of better.

The bill is a step in the right direction, even though it may not cure the whole problem overnight. I congratulate the chairman and the Senator from Nebraska and the junior Senator from Kansas and everyone else who has worked on this program of trying to get something done. I am not sure that we have found the whole solution to the problem. I might say to the distinguished chairman that it may be that as time goes on, if we find it does not form a right method by which the ICC can work out the problem of getting more boxcars, we shall have to enact some kind of incentive program. However, that is for the future. At least, this is a step in the right direction. I congratulate everyone.

Mr. MAGNUSON. Mr. President, when the Senator from Colorado said that this problem has been with us 17 years, I was reminded that it has indeed been with us for a long time. When the distinguished Senator was holding his hearings, the former chairman of the Committee on Commerce, Ed Johnson, from the State of Colorado, former Governor of the State, said, when the hearing was scheduled, that this was one hearing he wanted to attend. He did.

Mr. DOMINICK. I remember that during one of the hearings the chairman himself said that the first record we had of complaints in the Senate, at least written records, concerning the shortage of boxcars, was in 1906.

Mr. MAGNUSON. Yes.

Mr. DOMINICK. The problem has been with us for a long time.

Mr. MILLER. Mr. President, I wish to add my commendation to the chairman for taking action on the bill. I would have preferred to have the bill left as it was. I recognize the problems the chairman had with the bill. Perhaps there is a need at this time to have a modification of it. I trust that if the results are not what we hope they will be, the chairman of the committee will keep an open mind on the subject for possible future changes, which will alleviate the problem. I am sure he will do so.

Mr. MAGNUSON. We shall have another go at it.

Mr. MILLER. That is a fair approach. I thank the chairman for taking action in support of the bill. I support his action.

Mr. CURTIS. Mr. President, this measure is designed to help alleviate the boxcar shortages which each year create acute hardships in Nebraska and other Farm Belt States. I am pleased to be listed as sponsor or cosponsor. All Nebraskans are very grateful to Chairman MAGNUSON of the Committee on Commerce for his consideration of this problem.

It is important that Congress enact legislation which would help assure the midwestern grain industry of an adequate supply of cars to ship their product when it is ready for shipment, and which would help avoid losses occasioned by shortages of this equipment.

I will not dwell upon the details of the very simple proposal which would provide an incentive for railroad management to build freight cars essential to the Nation's needs. It would grant authority to the Interstate Commerce Commission to fix rental rates which would provide just and reasonable compensation to freight car owners and it would encourage the acquisition and maintenance of a car supply sufficient to meet the needs of both commerce and the national defense.

I wholeheartedly endorse this proposal, and I urge its passage to offer relief to an important segment of our economy.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the amendments of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the United States Constitution relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF VICE PRESIDENT—CONFERENCE REPORT

Mr. BAYH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BAYH. Mr. President, we have before us for final passage Senate Joint Resolution 1, which is a proposal to amend the Constitution to assure Presidential succession and authority in our Government.

The progress of the bill has been the result of the labors of many persons, particularly the President of the United States, the leadership of this body, the leadership of the House of Representatives, the executives of the American Bar Association, and my colleagues on the Judiciary Committee, with particular emphasis upon those who labored on the Subcommittee on Constitutional Amendments.

The measure was introduced by myself on behalf of myself and many other Senators. It has been slightly modified from the form in which it was introduced in December 1963. Since then it has been the subject of two sets of hearing before the Senate Subcommittee on Constitutional Amendments. It has been studied by the full Committees on the Judiciary of both the House and the Senate. It was twice passed in the Senate by unanimous yea and nay votes, and it was overwhelmingly approved by the other body.

Earlier this year the proposed amendment received the full support of the President of the United States. Earlier it had been endorsed, as was brought out in some detail in the debate which ensued in this body, by such distinguished nongovernmental groups as the American Bar Association.

At long last the Senate and House conferees have completed their studies of the proposed amendment. A short while ago the conference report was approved by the House of Representatives. All that remains is for this body to approve the conference report, and then the measure will be sent to the States for ratification.

If the Senate acts affirmatively, it will be the 11th time in the past 90 years that Congress has submitted a proposed amendment to the Constitution to the several States. Of the last 10 that have been submitted, 9 have been ratified.

We have every reason to believe that the States will look with favor upon the proposed amendment, which is not designed really to alter the Constitution, but rather to fill a void in that great document which has existed for 178 years. As all of us know, the amendment is designed to do three specific things. I should like hastily to review the three purposes:

First, the proposed amendment would make forever clear that when the office of President becomes vacant, the Vice President shall become President, not merely Acting President. We would clearly state in the Constitution what has become precedent through the actions of Vice President Tyler following the death of the then President Harrison.

Second, if the office of Vice President should become vacant, the proposed amendment would provide a means to fill that office so that we would at all times have a Vice President of the United States.

Third, the proposed amendment would provide a means by which the Vice President may assume the powers and duties of the Chief Executive when the President is unable to do so himself.

The conference report, which has now been approved by the House of Representatives, contains certain changes from the proposal which the Senate approved earlier this year by a vote of 72 to 0. I should like to describe those changes and then urge approval of the conference report by this body.

In the Senate version of the measure we prescribed that all declarations concerning the inability of the President or of his ability to perform the powers and duties of that office, particularly a declaration concerning his readiness to resume the powers and duties of his office made by the President of the United States himself, be transmitted to the Speaker of the House and to the President of the Senate.

The conference committee report proposes that those declarations go to the Speaker and to the President pro tempore of the Senate. The reason for the change is, of course, that the Vice President, who is also the President of the Senate, would be participating in making a declaration of presidential inability, and therefore would be unable to transmit his own declaration to himself. In addition, I believe that we would be on better legal ground not to send the declaration to a party in interest. The Vice President, who would be shortly assuming or seeking to assume the powers and duties of the office, would indeed be a party in interest.

In the Senate version of the bill we did not specify that if the President were to surrender his powers and duties voluntarily—and I emphasize the word "voluntarily"—he could resume them immediately upon declaring that his inability no longer existed. We believe that our language clearly implied this. Certainly the intention was made clear in the debate on the question on the floor of the Senate and in the record of our committee hearings, but the Attorney General of the United States requested that we be more specific on this point so as to encourage a President to make a voluntary declaration to the effect that he was unable to perform the powers and duties of the office, if it was necessary for him to do so.

We made that point clear in the conference committee report.

We added specific language enabling the President to resume his powers and duties immediately, with no waiting period, if he had given up his powers and duties by voluntary declaration.

That had been the intention of the Senate all along, as I recall the colloquy which took place on the floor of the Senate; and we had no objection to making that intention crystal clear in the wording of the proposed constitutional amendment itself.

In the Senate version we prescribed that the President, having been divested of his powers and duties by declaration of the Vice President and a majority of the Cabinet, or such other body as Congress by law may provide, could resume the powers and duties of the office of President upon his declaration that no inability existed, unless within 7 days the Vice President and a majority of the Cabinet or the other body issued a declaration challenging the President's intention. The House version prescribed that the waiting period be 2 days. The conference compromised on 4 days, and I urge the Senate to accept that as a

reasonable compromise between the time limits imposed by the two bodies.

Furthermore, we have clarified language, at the request of the Senate conferees, to make crystal clear that the Vice President must be a party to any action declaring the President unable to perform his powers and duties.

I remember well the words of President Eisenhower before the American Bar Association conference, when he said that it is a constitutional obligation of the Vice President to help make these decisions. We in the Senate felt that to be the case, and thus changed the language a bit to make it specifically clear.

That, I am sure, had been the intention of both the Senate and the House, but we felt that the language was not specific enough, so we clarified it on that point.

The Senate conferees accepted a House amendment requiring the Congress to convene within 48 hours, if they were not then in session, and if the Vice President and a majority of the Cabinet or the other body were to challenge the President's declaration that he, the Chief Executive, were not disabled or, once again, able to perform the powers and duties of his office.

We feel that the requirement would encourage speedy disposition of the question by the Congress, and I urge its acceptance by the Senate.

Finally, the Senate version imposed longtime limitations upon the Congress to settle a dispute as to whether the President or the Vice President could perform the powers and duties of the office of President. Senators know the question would come to the Congress only if the Vice President, who would then be acting as President, were to challenge, in conjunction with a majority of the Cabinet, the President's declaration that no inability existed. The House version imposed a 10-day time limitation. The Senate conferees were willing to have a time limitation as a further safeguard to the President, but we were unanimous in agreeing that 10 days was too short a period in which to decide on that grave a question.

The conferees finally agreed to a 21-day time limitation after which, if the Vice President had failed to win the support of two-thirds of both the Houses of Congress, the President would automatically return to the powers and duties of his office. I urge the Senate to accept that change.

I should like to specify one thing further about this particular point since I feel it is the main point of contention between the House and the Senate, and one upon which I was happy to see we could find some agreement.

First, including a time limitation in the Constitution of the United States would impose upon those who come after us in this great body a limitation on their discussion and deliberation when surrounded by contingencies which we cannot foresee. The Senate conferees felt that a 10-day time limitation was too short a period.

Our feeling in the Senate, as represented by the views of the conferees, was that we should go slowly in imposing a maximum time limitation if we could not foresee the contingencies that might confront those who were forced to make their determination as to who would be the President of the United States. I believe 21 days is a reasonable time. I emphasize that it is our feeling that this is not necessarily an absolute period. The 21 days need not always be used. In my estimation, most decisions would be made in a shorter time. But if the Nation were involved in a war or other international crisis, and the President had suffered an illness whose diagnosis might be difficult, a longer time might be needed, and the maximum of 21 days that was agreed upon might be required.

It should be made clear that if during the 21-day limit one House of Congress, either the Senate or the House of Representatives, voted on the issue as to whether the President was unable to perform his powers and duties, but failed to obtain the necessary two-thirds majority to sustain the position of the Vice President and the Cabinet, or whatever other body Congress in its wisdom might prescribe at some future date, the issue would be decided in favor of the President. In other words, if one House voted but failed to get the necessary two-thirds majority, the other House would be precluded from using the 21 days and the President would immediately reassume the powers and duties of his office.

I feel that further remarks are unnecessary. I thank all who have made it possible for us to bring the amendment to this stage, especially the distinguished Senator from Nebraska [Mr. HRUSKA].

I observe in the Chamber the father of the last constitutional amendment to be adopted, the distinguished Senator from Florida [Mr. HOLLAND], whose advice I shall be seeking with respect to the method of approaching State legislatures.

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

Mr. BAYH. I yield.

Mr. HOLLAND. I compliment the Senator from Indiana warmly on the fine service he has rendered to the Senate and the Nation. I hope he will have early success in obtaining action by the 43 State legislatures whose ratification of the amendment is necessary before it becomes a part of the Constitution. I believe he will receive that kind of action, because the Nation realizes that in these perilous times this difficult question, which has been pending for so long, should have this method of solution available at all times, and as speedily as possible.

I wish I could help the Senator from Indiana in relation to his contacts with Governors and State legislatures. But judging by the fine ability that he has shown in consulting others up to this time, he certainly needs no suggestions from me or from anyone else.

May I ask the distinguished Senator a question?

Mr. BAYH. Yes.

Mr. HOLLAND. Is it the Senator's intention to ask for a quorum call and then to ask for the yeas and nays?

Mr. BAYH. That is not my intention. Inasmuch as the Senate has voted on much the same proposal by a substantial margin on two occasions; inasmuch as the House, when it concurred in the conference report, did not take a yea-and-nay vote; and inasmuch as some Senators are not present at this time, I believe it is really unnecessary to have a yea-and-nay vote.

Mr. HOLLAND. I shall defer, of course, to the views of the distinguished Senator, who is the principal author and cosponsor of the measure, and to the views of the majority leader and the acting minority leader, who are in the Chamber.

I believe it would be impressive—and this is the only comment I shall have to make—when action is taken by the States if more than one or two Senators had affirmatively espoused a particular version of an amendment which had reached State legislatures. But I shall gladly defer to the judgment of the Senator from Indiana and the majority leader and acting minority leader.

Mr. HRUSKA. Mr. President, I join the Senator from Indiana in urging the adoption of the conference report.

The proposed constitutional amendment is a correction of a long-exposed defect in the organization of our National Government. The amendment provides for a solution of the disastrous but inevitable situation that would confront the Nation in the event of a fallen leader of the Nation, either because of violence, illness, or disability. It has been a troublesome problem, one which has provided many uneasy moments to the people of the Nation from time to time during our history.

In the course of examining the problem, we have found that there is an infinity of contingencies which could be raised in any number of hypothetical situations. If we ever tried to provide for all of them or for any substantial number of them, it would require an infinite number of days or months, or perhaps years, to continue the debate on this subject. So we had to fill the vacuum by agreeing upon the joint resolution which is before us as the resolute action of this body and the other body and of the conference committee.

I believe the solution is sound. It would restrict the role of Congress considerably. Under the amendment Congress would act only as an appellate body in the event there were a difference of opinion between the President, on the one hand, as to his ability to return to his office, and the judgment of the Vice President and a majority of the Cabinet, or some other body that might be constituted by law, which might have an opinion to the contrary.

Congress by itself would have no power to initiate a challenge of the President's ability or inability in this regard.

I wish to comment upon the role of the junior Senator from Indiana in the preparation of the joint resolution, not only with respect to sponsoring it, but also in so consistently pursuing the background and foundational material.

That material was gathered in conferences with, for example, representatives of the House of Delegates of the American Bar Association and with the house of delegates itself. That effort was followed by many discussions with professors and scholars learned in the law, in addition to the committee hearings themselves.

An effort was made to follow the established procedures of Congress in both bodies for the implementation of the amendment. That was not found to be possible with respect to the time limitation in section 3 which provides for the event of the issue of disability being joined between the President, on the one hand, and the Vice President and a majority of the Cabinet, on the other.

In deciding upon a period of 21 days, I believe we have provided a reasonable time in which the issue can be canvassed and acted upon intelligently.

A new duty has been placed upon Congress. It is a duty that lies upon men and women of good purpose in responding to the needs of their Nation in a time of crisis. It is my hope that the amendment will be consistently unneeded. Nevertheless, such an agreement, as provided in this fashion, is wise, indeed.

So I join the Senator from Indiana in urging the Senate to adopt the conference report and to do whatever any of us can do toward urging the legislatures of the several States to ratify the amendment to our organic law, so that it may be duly promulgated and given force and effect.

Mr. BAYH. I thank the Senator from Nebraska for his thoughtful words, but more particularly for the dedicated effort, the long, tiresome hours of hearings and conference work, and the constant writing and rewriting that were necessary to reach the end of the tortuous journey we have been making.

Mr. KENNEDY of New York. Mr. President, I congratulate the junior Senator from Indiana [Mr. BAYH] on the outstanding job he has done in shepherding Senate Joint Resolution 1 from the realm of abstract proposal to its realization today. Along the way he consulted with a great number of people about this problem, and he heard a considerable variety of ideas on how it should be solved. It is to his credit that he was able, with patience and diplomacy, to resolve these differences.

I call to the Senate's attention a most important aspect of Senate Joint Resolution 1 which has not received as much notice as it should have. That is the provision, in section 4, which gives Congress authority to provide by law for a body other than the Cabinet to determine the inability of the President to exercise the powers and duties of his office when he is unwilling to make the declaration of inability himself.

This provision was wisely added by the framers of Senate Joint Resolution 1 because of the doubts which some people voiced as to the workability of using the Cabinet as the body to determine the President's inability. Now that we are finally enacting Senate Joint Resolution 1, we must not cease thinking about this aspect of the inability problem. We must keep in mind that we have given Congress the power to provide a different body to determine Presidential inability, and we should engage in a continuing study of whether there is some better way to handle this very difficult matter.

The need to engage in continuing reexamination of whether the Cabinet is the best available body to determine Presidential inability is demonstrated by certain historical evidence which I call to the Senate's attention today.

I refer to the facts surrounding the resignation of Robert Lansing as President Wilson's Secretary of State. These facts were brought to my attention by Mr. Allen Dulles, who has served the Government for many years in many capacities. Secretary Lansing was his uncle, and Mr. Dulles has made available certain relevant correspondence and memorandums, which are now on deposit at Princeton University and are not yet available to the public.

Together with Secretary Lansing's correspondence with President Wilson at the time of the resignation—which is a matter of public record—these documents are interesting and revealing.

President Wilson fell ill during the latter months of 1919. Mr. Lansing, after consultation with other members of the Cabinet, decided that it was necessary for the Cabinet to meet and carry on the affairs of Government as best it could. About 25 meetings had taken place, over a period of some 4 months, when Wilson wrote to Lansing, charged him with usurpation of Presidential powers because of the Cabinet meetings, and asked for his resignation. After an exchange of letters, Lansing did resign.

There were other reasons for friction between Lansing and Wilson. They were at odds over the negotiation of the Treaty of Versailles and subsequent congressional consideration of the treaty. Nevertheless, Wilson's inference that the Presidential Cabinet had usurped power demonstrates the wisdom of the framers of this amendment in leaving open to further consideration the question of who should decide when the President is disabled.

For the point of the Wilson incident is that, even though no procedure there existed for declaring a President to be disabled and even though there was no evidence of any overt attempt to usurp the powers of the President, the ailing President nevertheless decided to dispose of any Cabinet member who seemed to present a threat. More serious conflict might follow, in a comparable situation, now that a procedure for determining disability is established. Indeed, a President might fire his entire Cabinet.

This is a matter concerning which I have had numerous conversations with the Senator from Indiana.

It is true that the committee reports and other legislative history make it quite clear that, for purposes of Senate Joint Resolution 1, the Deputies or Under Secretaries in the various departments would, when there clearly are vacancies in the Cabinet, become acting heads of the departments until new principal officers were confirmed, or, if Congress were not in session, until recess appointments were made. I believe this legislative history is extremely important, but if the President did become involved in this kind of dispute with his Cabinet the situation would nonetheless be most difficult and disruptive, especially in a period of crisis for the United States either domestically or with other countries around the world.

What could ensue is a conflict as to who is actually acting as President at a particular time.

The question that might arise is whether the President had, in fact, fired the Cabinet at the time they had met and decided to put in a new President. What we could end up with, in effect, would be the spectacle of having two Presidents both claiming the right to exercise the powers and duties of the Presidency, and perhaps two sets of Cabinet officers both claiming the right to act.

Thus there are dangers in the amendment, with all due respect to the Senator from Indiana. Nevertheless, I believe we should go forward, since the dangers involved in not enacting Senate Joint Resolution 1 are greater still and we do not know whether a procedure better than Cabinet determination can be found. Certainly if one were now possible, I believe the Senator from Indiana would have found it.

The Senator has wisely left open the way to further improvement. I urge that the Congress follow his lead, and move directly to continued examination of alternate procedures, to be enacted by the Congress, for determining when a President is unable to discharge the duties of his office.

Mr. BAYH. Mr. President, first of all, I am indebted to the Senator from New York, and so is the Senate, not only for his present statement, but also for the discussion which he stimulated on the floor when we were considering the measure for passage earlier this year. The Senator points out very correctly that there is a degree of flexibility in this measure.

I am not so bold as to suggest that this is a perfect amendment. I believe that its perfection is based upon the ability of the men living at the time when the measure must be used to cope successfully with the problems and contingencies with which they are confronted. For that reason, we believed that the Cabinet, as we see it now, is the best body to serve as a check. However, we might be wrong. Why close the door? Why not leave us a degree of leeway so that when Congress is confronted with different circumstances than we presently foresee, it could designate a different body and give it authority to act.

Mr. KENNEDY of New York. Mr. President, as I said to the Senator from Indiana, I have strong reservations about the use of the Cabinet in this matter. I believe that the Senator from Indiana has considered my suggestions and every other suggestion and recommendation which he has received.

I praise the Senator for coming forward with this legislation, for which he is more responsible than anyone else. I should like to ask a series of questions of

the Senator from Indiana on another aspect of the proposed constitutional amendment. I think this would help in clarifying another important issue.

I go back to the colloquy which took place on the floor of the Senate when the matter was considered a month or so ago. Is it not true that the inability to which we are referring in the proposed amendment is total inability to exercise the powers and duties of the office?

Mr. BAYH. The inability that we deal with here is described several times in the amendment itself as the inability of the President to perform the powers and duties of his office.

It is conceivable that a President might be able to walk, for example, and thus, by the definition of some people, might be physically able, but at the same time he might not possess the mental capacity to make a decision and perform the powers and duties of his office. We are talking about inability to perform the constitutional duties of the office of President.

Mr. KENNEDY of New York. And that has to be total disability to perform the powers and duties of office.

Mr. BAYH. The Senator is correct. We are not getting into a position, through the pending measure, in which, when a President makes an unpopular decision, he would immediately be rendered unable to perform the duties of his office.

Mr. KENNEDY of New York. Is it limited to mental inability to make or communicate his decision regarding his capacity and mental inability to perform the powers and duties prescribed by law?

Mr. BAYH. I do not believe that we should limit it to mental disability. It is conceivable that the President might fall into the hands of the enemy, for example.

Mr. KENNEDY of New York. It involves physical or mental inability to make or communicate his decision regarding his capacity and physical or mental inability to exercise the powers and duties of his office.

Mr. BAYH. The Senator is correct. That is very important. I would refer the Senator back to the definition which I read into the RECORD at the time the Senate passed this measure earlier this year.

Mr. KENNEDY of New York. It was that definition which I was seeking to reemphasize. May I ask one other question? Is it not true that the inability referred to must be expected to be of long duration, or at least one whose duration is uncertain and might persist?

Mr. BAYH. Here again I think one of the advantages of this particular amendment is the leeway it gives us. We are not talking about the kind of inability in which the President went to the dentist and was under anesthesia. It is not that type of inability we are talking about, but the Cabinet, as well as the Vice President and Congress, are going to have to judge the severity of the disability and the problems that face our country.

Perhaps the Senator from New York would like to rephrase the question.

Mr. KENNEDY of New York. Is it not true that what we are talking about here, as far as inability is concerned, is not a brief or temporary inability?

Mr. BAYH. We are talking about one that would seriously impair the President's ability to perform the powers and duties of his office.

Mr. KENNEDY of New York. Could a President have such inability for a short period of time?

Mr. BAYH. A President who was unconscious for 30 minutes when missiles were flying toward this country might only be disabled temporarily, but it would be of severe consequence when viewed in the light of the problems facing the country.

So at that time, even for that short duration, someone would have to make a decision. But a disability which has persisted for only a short time would ordinarily be excluded. If a President were unable to make an Executive decision which might have severe consequences for the country, I think we would be better off under the conditions of the amendment.

Mr. KENNEDY of New York. The Senator realizes the complications for the people of this country and the world under those circumstances.

Mr. BAYH. I do, indeed. I also recognize our difficulty if we had no amendment at all. The Senator from New York realizes the consequences in that case. The Senator is aware of the time limitations which give the President a certain amount of leeway now. If he recovers from the illness within the time limitations, he would have protection under the amendment.

Mr. KENNEDY of New York. As I said at the beginning, I believe there should be a continuing study of the problem. Based on my own personal experience and on what was brought out in the hearings, I believe that members of the Cabinet could be subjected to political strains of one kind or another under certain circumstances of danger which might arise for the United States. They might be impelled to challenge the President's ability and capacity for the wrong reasons. And when we think of the great crisis in 1919 with President Wilson and Mr. Lansing, it is apparent that under the procedure set out in section 4 of Senate Joint Resolution 1 there could actually be a question as to who was acting as President of the United States at a particular time. That is why this subject should receive continuing study by this body to determine whether an alternative to the Cabinet's acting could be evolved.

What if the President of the United States made a decision which was very unpopular with members of his Cabinet?

I think back to the time of Abraham Lincoln in 1863. I think back to the time of President Andrew Johnson, and recall how unpopular he was with all the members of his Cabinet. They could have taken action, under the slightest pretext, to have him removed. Even with all the protections provided, I say the situation is dangerous. We would be deluding ourselves in thinking that by adopting the amendment the danger to our people and the people around the world would disappear, because a danger would still exist. The subject deserves our continuing effort and attention.

Mr. BAYH. I agree. There is leeway with respect to Congress and the committees and the Cabinet.

In discussing dangers to the people, think of the danger after President Garfield had been felled by a bullet and we had no President for 80 days. The danger of such a situation in this day and age is considerably more than the danger that could arise if the provisions of this amendment were invoked.

Mr. KENNEDY of New York. That is why I intend to support this amendment.

Mr. BAYH. I appreciate the Senator's comments.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

Mr. MANSFIELD. Mr. President, will the Senator yield without losing the floor?

Mr. BAYH. I yield.

Mr. MANSFIELD. I ask unanimous consent, for the purpose of providing regular procedure, that the consideration of Calendar No. 352, H.R. 7105, follow consideration of the present conference report.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7105) to provide for continuation of authority for regulation of exports, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request? Without objection, it is so ordered.

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF THE VICE PRESIDENT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

Mr. BAYH and Mr. McCARTHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. McCARTHY. If it were not for the fact that the amendment provides that the Congress of the United States has a right to designate some body other than the Cabinet to pass upon the question of Presidential disability, I could not support the amendment. The Senator from New York has pointed out the necessity, and I hope that the appropriate committees of the Congress and the Congress will give consideration to some other body's passing upon the question of Presidential disability. If that provision were not in the amendment, I could not support the proposed amendment, and I would urge its rejection.

History shows that it is better to have one sane king rather than two who are not, each one of them claiming to be the

right king. There is the possibility of a situation in which one man, having been elected President, claims he was capable of exercising the duties of his office, and the other person, the Vice President, engages in a letter-writing contest as to which is the appropriate man. There could be a body other than the Cabinet which should have the ability to make a decision which would have the effect of giving the American public confidence in the person they had approved and a disposition not to accept the authority of someone who would be disapproved.

It is my judgment that it would have been better to follow the recommendations made by the Senator from Illinois [Mr. DIRKSEN] and not try to be so specific as provided in the present amendment.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. KENNEDY of New York. Let us go back to another situation, which I am sure the Senator from Indiana recognizes. A Cabinet decides that a President was disabled. The President fires the Cabinet. The members of the Cabinet say they did not receive notice that they were fired until after they had declared the President disabled. The President says he fired them first. If the Congress is in recess, the President appoints another Cabinet, or else he says the Deputies and Under Secretaries are now the Cabinet. There would be two Presidents and two Cabinets. There would be a conflict as to which ones were the members of the Cabinet and as to whether the members of the first Cabinet had made the decision before or after they were fired by the President.

It is recognized by the proposed legislation that this is a problem. I do not believe the danger disappears by the adoption of the amendment. I do not think, when we adopt the measure, that the problems of our Executive are gone and that we do not have to worry about it any more. We have to continue to worry about it. Although the legislation is better than the situation at the present time, there will be situations which might cause difficulty.

Mr. McCARTHY. Generally speaking, it is better, but there could be worse situations arising under the amendment than there would have been under the indeterminate and vague way in which we could have moved.

The amendment has nothing to say about whether the executive officers who pass on the disability have been confirmed by the Senate. This is a point which might well be included in the amendment. I believe that they have to be executive officers confirmed by the Senate. We would have to work out the making of temporary appointments. The Senator from New York said that we could have two Cabinets. This would be something like the old days in Avignon, when there were two Popes, which created a great deal of trouble, the same kind of trouble which was created for many, many years in England when two Kings claimed the crown. It has meant nothing but trouble.

I do not know whether, under this amendment, the executive officers would have to be confirmed by the Senate. They could be temporary appointees, which could be passed upon by the Senate.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Minnesota yield to the Senator from Tennessee?

Mr. McCARTHY. I yield.

Mr. GORE. The Senator from Minnesota finds some consolation in the fact that, if I have understood him correctly, the amendment provides that Congress could designate another body by law. I invite his attention to the possibility that this could compound the question, because the amendment reads:

> Whenever the Vice President and a majority of either officers of the executive departments or of such other body as Congress may by law provide.

I should like to inquire of the Senator if, in addition——

Mr. McCARTHY. Ask the Senator from Indiana.

Mr. GORE. There would be a possibility of a contest or controversy between the Cabinet that may or may not have been dismissed, and one which may or may not have been confirmed by the Senate. Might there not be the probability of a contest between the two groups which, by the conjunction or, are permitted to perform the same function?

Mr. McCARTHY. I believe that there is great uncertainty as to whether Congress could act and designate some other group, or define the executive officers who were to pass upon this question—officers who would be approved by Congress. But this is an open question. I should like to ask the Senator from Indiana whether this is an open question, or whether there is some uncertainty.

Mr. BAYH. First, let me go into a brief explanation of why this provision was included. This was the result of the consensus meeting with scholars and ex-Attorneys General whom I shall not bother to enumerate, trying for the first time in congressional history to weld together the 42 different proposals which previously came before Congress. This has always been historically a problem, in trying to reach agreement and to reconcile the differences in order to obtain a two-thirds majority.

It was felt that if there was an arbitrary Cabinet that completely refused to go along with the fact that the President, who was obviously disabled, was disabled—the condition referred to by the Senator from New York—the President might get wind of it and, although he might be in extremely bad condition, he might manage to have issued a document firing the Cabinet. This would not preclude Congress, in its wisdom, from establishing another panel, perhaps, of the majority and minority leaders of both Houses, the Chief Justice of the Supreme Court. We in our wisdom as Members of Congress, would do so because it is wise. This body, in conjunction with the Vice President, could make its determination.

Mr. McCARTHY. In the meantime, who would control the Army, Navy, and Air Force?

Mr. BAYH. The President of the United States.

Mr. McCARTHY. Whoever he might be.

Mr. BAYH. Whoever he might be.

Mr. McCARTHY. Which one might be?

Mr. BAYH. He would be the President until a declaration from the Vice President and a majority of the Cabinet or the other body had been made and received by the Speaker——

Mr. McCARTHY. We do not accept the determination of this body. We are going to set up another body.

Mr. BAYH. That is correct.

Mr. McCARTHY. Congress would have to act quickly to set up another body which might act in such a case.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. GORE. The answer of the Senator from Indiana indicates that he is thinking of the possibility of action by Congress at such time, and after such time as there may be an obstinate, nonexistent, or otherwise inactive Cabinet.

As I read the proposed amendment, Congress could, by law, provide now, subsequent to approval of this amendment—

Mr. BAYH. The Senator is correct.

Mr. GORE. For such a body. Or, to add still further to the uncertainty, it could await such time as the Senator has foreseen when, because of uncertainties, or because of uncertainties which are not now unforeseen. Congress could act at that time.

Mr. McCARTHY. I am not sure whether this body could not be a body within the Congress itself.

Mr. GORE. Will the Senator yield once more?

Mr. McCARTHY. I am glad to yield to the Senator from Tennessee.

Mr. GORE. This is done specifically for the purpose of giving Congress a certain amount of leeway which the Senator from Minnesota feels it should have?

Mr. BAYH. I should be glad to respond to that. Any time Congress in its wisdom thought it necessary, if further discussion and deliberation on this issue by Congress led it to believe that another body should be established, it could establish it.

Mr. GORE. Do I correctly understand the able Senator to say that Congress could, immediately upon adoption of this constitutional amendment, provide by law for such a body as herein specified and that, then, either a majority of this body created by law or a majority of the Cabinet could perform this function?

Mr. BAYH. No. The Cabinet has the primary responsibility. If it is replaced by Congress with another body, the Cabinet loses the responsibility, and it rests solely in the other body.

Mr. GORE. But the amendment does not so provide.

Mr. BAYH. Yes, it does. It states—

Mr. GORE. The word is "or."

Mr. BAYH. It says "or." It does not say "both." "Or such other body as Congress may by law prescribe."

I wish the RECORD to be abundantly clear that that is the case. I am glad the Senator brought up that point. I believe that this colloquy on that point is important and should be added to that already in the RECORD.

The Cabinet, upon enactment of ratification, has the responsibility, unless Congress chooses another body, at which time that other body, and that other body alone, working in conjunction with the Vice President, has the responsibility. Indeed, Congress may choose a third body.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. GORE. I suppose it might be possible to read legislative intent into this conjunction, but——

Mr. BAYH. If I may interrupt here—let me read the exact wording: "and a majority of either the principal officers of the executive departments or—"

Either/or "of such other body as Congress may by law provide."

So when there is an "either/or" solution, it nails it down to one or the other.

Mr. GORE. It seems to me that if it is "either/or" it places the two on a par——

Mr. BAYH. I do not see how that would be the case at all. The Cabinet has the responsibility. What if Congress by law should provide for another body that it feels should have the responsibility?

Mr. GORE. Then it has such a responsibility, too.

Mr. BAYH. Then it has such a responsibility, too.

Mr. McCARTHY. Could we not have both?

Mr. BAYH. If we have one or the other, we do not have both. If I have apples or pears, I do not have both.

Mr. McCARTHY. Under the language of the amendment we could keep the Cabinet and set up another body. We could run it through two or three bodies, and have the Cabinet act and then have the other body act.

Mr. BAYH. Whatever body acts should act quickly.

Mr. McCARTHY. The Vice President would have to act with either body. We might have a Vice President who would be reluctant to take office, and the Government would be paralyzed, unless the Vice President were willing to say, "I believe the President is not able to act."

Mr. BAYH. It would be possible to impeach the President and the Vice President.

Mr. McCARTHY. It would not be possible to impeach the Vice President unless he were not willing to preside over the Senate or to vote in the case of a tie.

Mr. BAYH. We cannot put the Vice President in office if he is unwilling to assume the office.

Mr. McCARTHY. He might be suffering from inability himself, even before the President. I believe the amendment should provide that the elected officers of the Government, of the House and Senate, should decide that the President is unable to fulfill the duties of his office, and we ought to be able to move directly.

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

Mr. McCARTHY. I yield.

Mr. COOPER. Mr. President, I should like to direct questions to the distinguished Senator from Indiana, who is managing the conference report. I join with all my colleagues in paying tribute to the Senator for sponsoring the proposed constitutional amendment and for his persistent effort to bring it to final action. I raise these questions with respect to particular phraseology of the amendment. I quote this language:

> Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate.

And so forth. The language is repeated in the next paragraph.

Is it the intention of Congress, as interpreted by the Senator from Indiana, who is in charge of the conference report, that the Vice President and a majority of the principal officers of the executive departments would transmit the information of the President's inability to perform his duties to Congress, unless Congress had by legislative action provided for the establishment of another body to perform this function?

Mr. BAYH. I should like to answer the Senator's question by setting up a hypothetical example. If the President became disabled, the Vice President would get the Cabinet together and say, "Gentlemen, I think the best interests of the country would be served if I, reluctant as I am, assumed the powers and duties of President."

The Cabinet, let us assume, would refuse to agree.

Congress, in its wisdom, upon studying the situation, and the obvious physical condition of the President, might judge that the Vice President was correct.

At that particular time Congress might by law set up another body. This body, upon agreeing with the Vice President, again might declare that the President was unable to perform his duties. At this time the Vice President would assume the office of Acting President.

Mr. COOPER. Then it is the intention, that this function and duty shall be that of the Vice President and the Cabinet unless the Congress provides that it shall be performed by another body. Is that correct?

Mr. BAYH. The Senator is correct.

Mr. COOPER. The duty would fall on the Vice President and the Cabinet, unless Congress by law provided that it should be the function of some other body created by Congress. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. COOPER. It is intended that the words "principal officers of the executive departments" mean all the members of the Cabinet?

Mr. BAYH. The Senator is correct. It means the official members of the Cabinet.

Mr. COOPER. In case the Cabinet acted and performed this function, the assent of the Vice President would be required, even though a majority of the Cabinet members were willing to transmit information to the Congress that the President suffered from an inability.

Mr. BAYH. The Vice President must be a party to the decision.

Mr. COOPER. I believe it is well to have an answer to another question. In the event Congress decided to enact legislation to provide that another body, a body other than the Cabinet and the Vice President, should perform this function, would the Vice President be required to concur in the recommendation of such other body?

Mr. BAYH. Yes, he would.

Mr. COOPER. Not unless Congress so provided in legislation that it might enact?

Mr. BAYH. The wording of the amendment would permit two separate agencies, either the Vice President and the Executive Cabinet, or the Vice President and the other body.

Mr. COOPER. As I understood the question raised by the Senator from Tennessee and the Senator from Minnesota, it was their fear that both the Cabinet and the Vice President, and another body which Congress might establish, might claim the authority to perform this function. The question of the Senator from Tennessee [Mr. GORE] expressed concern that the words "either" and "or" might give rise to a situation in which the Vice President and a majority of the Cabinet, and a body which Congress might establish, would both claim the authority to exercise the function. Is there any problem about the use of those words that troubles the Senator from Indiana?

Mr. BAYH. That is a good point to clarify for the RECORD. However, in my mind it is perfectly clear that if I said I would go to the office of either the Senator from Kentucky or the Senator from Tennessee, my statement would not reasonably be interpreted to indicate that I would go to both. It would be either one or the other.

Mr. COOPER. Then the intent of the conference committee was that the language meant that unless another body were established by law, the Vice President and the Cabinet would perform the function; but in the event that Congress should establish another body by law, that body alone would have the authority to exercise the function, and in that event, the Vice President and the Cabinet would be without authority to exercise the function.

Mr. BAYH. It would then be exercised by the Vice President and the other body. The Cabinet would be out of the picture at that time.

Mr. COOPER. I raise another question. Would the Vice President have any part to play in the decision in the event that another body were established?

Mr. BAYH. The answer is "Yes." The Vice President must make a separate determination with either the Cabinet or another body.

Mr. COOPER. In either event the Vice President must participate?

Mr. BAYH. I think it is wise to bring out this point. I wish the RECORD to show that we do not desire two bodies to make the decision with the Vice President. If in its wisdom the Congress should decide that another body should make the determination, in the public interest of the country, as the Senator from New York and the Senator from Minnesota feel would be the case, and the Congress should go to the trouble of passing proposed legislation appointing such another body, at that time the newly created body and not the Cabinet would act with the Vice President.

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

Mr. BAYH. I yield.

Mr. GORE. I should like to submit a question to the distinguished senior Senator from Kentucky, who has been a distinguished judge. Suppose in consequence of the amendment, Congress should proceed by law to create such a body as has been referred to. Then suppose at some foreseeable period a Vice President should appear before such a body, or with such a body, and that body should decline to act. Would there be any reason why, under the constitutional amendment, the Vice President and a majority of the principal officers of the executive departments could not then act?

Mr. COOPER. That is one of the questions which the Senator from Tennessee originally posed, and it is a question to which I have directed questions to the Senator from Indiana, [Mr. BAYH]. It is easy for one who was not a member of the conference committee and one who is not on the Subcommittee on Constitutional Amendments and did not participate in its work, and one who has not worked on the question as has the distinguished Senator from Indiana and the distinguished Senator from Nebraska [Mr. HRUSKA], to raise questions. I admit it, but I think it important that questions be asked on such an important matter. It is easy also, with hindsight, to think of better language. But I must say, that I believe the language could be clearer. The answers of the Senator from Indiana have been directed to the intent of the committee respecting the language. The courts pay attention, but not all, to such declarations of intent.

Mr. GORE. If that is what the conferees mean, I suggest that the amendment should so provide. We are not passing on conversations held between the conferees. The Congress is asked to adopt language which provides that—

> Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide.

That is what is before the Senate. Undoubtedly there have been many conferences and colloquies, but the language should be explicit when it becomes a part of the U.S. Constitution.

Mr. COOPER. The reason I directed questions to the Senator from Indiana [Mr. BAYH], was that his answers as the Senator in charge of the bill are important in the interpretation of the amendment.

Mr. BAYH. The language to which the Senator has referred has not been changed one iota from the specific language which was passed by this body. The conference report does not alter that language. Any interpretation of the Constitution, as the Senator knows, includes reference to the record of the debate, the record of the hearings, and specific interpretations placed upon the measure by the Senator in charge of the bill. Those who have been in particular intimate touch with it are those whose statements are considered in an interpretation of the measure. The Senator has made a considerable contribution to the debate by raising that point at the present time.

Mr. COOPER. The statements of the Senator from Indiana are more important than our statements.

Mr. BAYH. I would not go along with the Senator from Kentucky on that.

Mr. COOPER. From a legal standpoint, that is correct, for the Senator from Indiana is the Senator in charge of the bill. The Senator's statements bear upon the intent of the Senate to a greater degree than our statements would.

Mr. BAYH. I have made as crystal clear as I know how that the Vice President must make a determination, and he would make that determination with the Cabinet unless the Congress——

Mr. GORE. But the word "unless" is not in the amendment.

Mr. BAYH. If the Senator from Tennessee would like to listen to my thoughts on the point, I should be glad to state them for the RECORD.

Mr. GORE. But the Senator has used a word that is not in the proposed amendment.

Mr. BAYH. I should be glad to change the word I have used if that would help the Senator. I have not been able to make the interpretation clear by using another word; I thought I would try a little different approach.

Mr. GORE. I can understand the difficulty of making the point clear by using the language of the amendment, because the language of the amendment, in my opinion, does not support the interpretation which the able Senator has given to it. I would be glad, however, to listen to his interpretation.

Mr. BAYH. I really have nothing to offer that I have not already offered—perhaps insufficiently—to the Senator from Tennessee. The Vice President would make the determination with one of two bodies or three bodies. The choice would not necessarily be limited to one other body. The Congress might, in its wisdom 100 years from now, decide to choose the third body. One of those bodies would be the body with which the Vice President would act. Let the RECORD so state. That is what the committee feels. That is what I, as the original sponsor of the measure, feel. That is what the conferees believe. I do not know how we can get into the RECORD a stronger interpretation than that which has been brought out by the penetrating questioning of the Senator from Tennessee.

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

Mr. BAYH. I am happy to yield.

Mr. GORE. If that is the clear intent of the authors of the amendment and the conferees, why cannot the conferees return to their labors and prepare language that is explicit?

Mr. BAYH. The Senator from Tennessee has been in the halls of this great body much longer than has the junior Senator from Indiana. I do not believe that it is necessary for his extremely junior colleague to point out that we have been 178 years getting a measure on this subject even voted upon in either House of Congress. I do not need to point out that it has been 18 months and more the subject of deliberation by both Houses of Congress to get it thus far. It took us almost 2 months in the conference committee alone. I would seriously doubt the wisdom of going back to the conferees to risk undoing everything that has been done—the House already adopted the conference report this afternoon at a quarter after twelve—on the premise that we cannot understand what is in the measure. The Senator from Indiana, with all respect, feels that we have written a very good record as to what that language means, if, indeed, there is any doubt of its proper interpretation. The Senator from Tennessee is a student of law and has expressed doubt. For that reason, we have gone to some length to explain what the interpretation of the language is.

Mr. GORE. If I understand the rule of construction as to legislative intent and the interpretation of that intent is looked to only when there is doubt as to the exact and precise meaning of a statute or constitutional provision.

The able Senator has given us what he regards as the legislative intent. I do not doubt that what he has stated is the legislative intent. But why will the legislative intent be searched out and interpreted to ascertain the meaning of language which states clearly that the Vice President, acting either with a majority of the Cabinet or with a majority of a body created by Congress can certify the disability of the President? Can this mean that Congress could by statute eliminate the function of the Cabinet though it could strip such power from a majority of the Cabinet even though such powers would have been vested by the proposed constitutional amendment?

It seems to me that that is an unreasonable assumption. It is regrettable that for so long a time this constitutional need has not been met. It is to be regretted that 18 months have passed in which this problem has not been dealt with satisfactorily. But I doubt whether that is any excuse to proceed in one afternoon, on the floor of the Senate, to adopt a conference report containing an ambiguous provision, when the author of the amendment himself and the conferees themselves say it does not mean what it says.

Mr. BAYH. The Senator from Indiana does not agree with the Senator from Tennessee that the amendment does not mean what it says. I differ with the interpretation of the Senator from Tennessee. The RECORD will show that the Senate spent almost 7 hours debating the subject earlier in this session, and that

the Senator from Tennessee participated in the debate.

I am not saying that reasonable men cannot disagree, but I am saying that, in my estimation, the interpretation is clear. I am further saying that if I am any judge of what Congress might do when confronted with situations provided for in this measure—and the Senator from Tennessee is probably a better judge than I of what this body might do, because he has served considerably longer and with much greater distinction—I presume that our successors on a later scene in this body, if confronted with a situation that they believed the Cabinet could deal with—it might be tomorrow—would, in the enactment of a law specifying another body, be astute enough to use enough words to satisfy themselves that such a body would in fact replace the Cabinet, pursuant to constitutional authority.

The Senator from Tennessee knows that it is much easier to be specific and to provide much greater detail in a statute than in a constitutional amendment. I believe we would have been in error to have written all this language into the Constitution. I believe we have been specific enough to have covered the intent.

Mr. GORE. Is it the Senator's interpretation that the language should read somewhat as follows:

Whenever the Vice President and a majority of either the principal officers of the executive departments or, in the event Congress creates another body pursuant to law, then the Vice President and a majority of such other body as Congress by law shall create—

Mr. BAYH. I see no objection to that interpretation of what is written in the amendment.

Mr. GORE. If that is what is intended, why could not the conferees write it into the amendment? I do not believe the amendment is subject to that kind of interpretation, though, as the Senator says, that is the legislative intent.

Mr. BAYH. I feel, with all due respect to the Senator from Tennessee, that the interpretation is clear that if Congress specifies another body, it will not do so as a lark; it will do so because it wants another body to replace the Cabinet, which would have the primary responsibility until Congress precribed another body.

The Senator from Tennessee knows that if there were to be a conference for every little misinterpretation that might be involved among 100 Senators, we would never obtain a conference report. The Senator from Tennessee is more aware of this than I, because he was serving on conference committees before I was out of knee pants.

Mr. GORE. I appreciate all the nice compliments, but I doubt if that is a compliment.

Mr. BAYH. The Senator from Indiana intended it to be a compliment, because the Senator from Tennessee knows how much respect the Senator from Indiana has for him.

Mr. GORE. I appreciate the respect; but do not put too much longevity on me.

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

Mr. BAYH. I yield.

Mr. JAVITS. I have joined the distinguished Senator from Indiana for a long time in the endeavor to solve the problem and am a cosponsor of Senate Joint Resolution 1. I should now like to propound a series of questions to him, in an endeavor to pinpoint what he has said in the answers he has given to other Senators.

First, would the Vice President, under section 4, have to act with a majority of the principal officers of the executive departments or of the other body that Congress would provide by law, or would he act in and of himself, sending to Congress whatever notices he wished?

Mr. BAYH. It has to be joint action.

Mr. JAVITS. Both have to act; but it does not have to be joint action in the sense that he is presiding over any body.

Mr. BAYH. No.

Mr. JAVITS. He sends his notice and the executive body sends its notice.

Mr. BAYH. Either way; or they could act together.

Mr. JAVITS. But they could act separately.

Mr. BAYH. Yes.

Mr. JAVITS. If they were hostile, they could act separately.

Mr. BAYH. Yes.

Mr. JAVITS. The action must be taken by a majority vote?

Mr. BAYH. Majority vote.

Mr. JAVITS. Suppose they did not like each other. If they separately notified Congress, would that satisfy the amendment?

Mr. BAYH. I think that would satisfy the qualification.

Mr. JAVITS. Congress may, by law, provide for another body. May it provide that that other body shall be the Cabinet?

Mr. BAYH. Yes.

Mr. JAVITS. It may provide at the same time that it shall be the Cabinet only if it is composed of officers whose nominations have been confirmed by the Senate, not temporary appointees.

Mr. BAYH. The Senator from New York brings out a good point.

Mr. JAVITS. So we could do that ourselves by law?

Mr. BAYH. That is correct.

Mr. JAVITS. We could make them the body.

Mr. BAYH. Yes.

Mr. JAVITS. Could we also, by law, say that when we create the body, we settle the question of "either"; that is, that only one can take action; that whatever body we create, it is exclusive?

Mr. BAYH. That is what I was trying to point out.

Mr. JAVITS. Let us point it out now and nail it down.

Mr. BAYH. Congress in its wisdom could, in the enactment of the law, specify that the body should take the place of the Cabinet, and a new Cabinet could be created.

Mr. JAVITS. The body created by Congress is exclusive?

Mr. BAYH. Yes.

Mr. JAVITS. Whether Congress would or would not specify that the body should take the place of the Cabinet neither the Senator from Indiana nor I know. But the point is that Congress could.

Mr. BAYH. That would depend upon the wisdom of those who follow us.

Mr. JAVITS. Congress could make the body it created exclusive?

Mr. BAYH. Yes.

Mr. JAVITS. Twenty-one days are provided in which the Congress must act on determination of Presidential disability. Congress has provided, implicitly under the 21-day limitation, restrictions on a filibuster, a precedent for which is contained in the Reorganization Act.

Mr. BAYH. At the end of the 21-day period, nothing would prevent Congress from continuing to discuss the situation; but at the end of 21 days, the President would resume his office.

Mr. JAVITS. Nonetheless, Congress could protect itself against filibusters by writing an antifilibuster rule into the statute that would be passed to implement the amendment, could it not?

Mr. BAYH. That is correct.

Mr. JAVITS. Congress has done that under the Reorganization Act. The Senator may take my word for that.

Mr. BAYH. Of course. I was trying to tie it in with this particular issue. There would be nothing to preclude Congress from establishing rules as to how to use the 21 days. Congress could incorporate any rule it desired.

Mr. JAVITS. So inaction would restore the President to office.

Mr. BAYH. Yes. We are trying to place a safeguard around the President.

Mr. JAVITS. Why is there not a generic clause providing that Congress shall have power to pass legislation to implement the amendment, as, for example, was done with respect to section 2 of the 14th amendment? I have tried, by the questions and answers that have been propounded and given, to show that there is ample opportunity and ample authority for Congress to act. Will the Senator now tell us whether there was any reason for not having a boilerplate implementing clause with respect to Congress?

Mr. BAYH. Yes; that is a good point. The Senator may recall that we discussed it at some length. When the distinguished Senator from Illinois and the distinguished Senator from Minnesota attempted to remove most, if not all, of the provisions from the bill, sections 3, 4, 5, and 6, as they were before, were incorporated. They do not constitute merely permissive legislation on the part of Congress.

There is considerable discussion among constitutional scholars, the present Attorney General, Attorney General Brownell, and three or four previous Attorneys General who feel doubt as to whether a statute would be constitutional. They say, "Let us not wait until we are confronted with a crisis concerning the disability of the President to have it tested. Let us put it in the bedrock law of the land and eliminate doubt as to whether it is constitutional."

Second—and I believe it is more significant—is the fact that we have tried to

provide the President of the United States with the kind of safeguards that he needs when he must make unpopular decisions which are necessary for the safety of our country. For that reason, we have required that the approval of two-thirds of the Senate shall be necessary before the President can be removed from office by impeachment. Thus, a hostile Congress cannot remove a President who is unpopular at the time because of decisions which he has made. Once he is elected President, he serves for 4 years.

If we were to take the statutory means, although it would still require two-thirds of the Senate to remove a President from office under impeachment proceedings, a majority of 51 Senators could remove a President for disability and thus get around the two-thirds safety clause contained in our present impeachment statute. Thus we feel that if we were to have a provision placed in the Constitution requiring the approval of two-thirds of both Houses of the Congress, we would have given the President much more safety than a mere act of Congress, which is the original case, providing that two-thirds of the House and Senate would be required to declare a President disabled rather than a simple majority. This could be changed at any time in our history.

I believe that this is important enough so that we should demand that the approval of two-thirds of the Congress be required before a President could be removed from office.

Mr. JAVITS. Mr. President, the Senator, however, affirms to us that Congress has full latitude to pass the necessary enabling legislation under the authority of what is meant by "such other body as Congress may by law provide."

Mr. BAYH. The Senator is correct.

Mr. JAVITS. Congress has the right to provide for the exclusivity of that body in exercising this authority, as well as the way in which the body shall exercise that authority, and other pertinent details necessary to the creation of such a body, its continuance, its way of meeting, the rules of the procedure, and the way in which it shall exercise its power.

Mr. BAYH. The Senator is correct.

Mr. GORE. Mr. President, what was the beginning of that question?

Mr. JAVITS. The Senator in charge of the bill affirms to us that Congress, under this amendment, would have full authority to enact a law, not only creating this body, but also giving it exclusivity in respect of its action under this particular amendment, and determining its procedure, how it shall be formed, and so forth.

Mr. GORE. This would not be by terms of the amendment itself, but would be by way of legislative intent?

Mr. JAVITS. No. I should say that it is by the express terms of the amendment itself, by the following words, "such other body as Congress may by law provide."

I believe that the words "by law provide" is what the Senator in charge of the bill is implementing now in his statement concerning what the law which creates this body can cover.

Mr. GORE. Congress could not enact a law which would be superior to a provision of the Constitution.

Mr. JAVITS. Certainly not.

Mr. GORE. This would then be a provision of the U.S. Constitution, let me remind the Senator, which would provide, in explicit language that "Either a majority of the principal officers of the executive department, or such body as the Congress may by law create."

I doubt that the fact that Congress is authorized to create by law another body could reasonably be interpreted as conveying authority and power to deny to a majority of the Cabinet powers that the Constitution would then by this amendment vest.

Mr. JAVITS. Mr. President, I can only give the Senator my view—and I do this with great humility—and my opinion as a lawyer.

Mr. GORE. I am not as learned as the distinguished Senator, but I believe that my interpretation is reasonable.

Mr. JAVITS. I do not believe so, and I shall explain to the Senator my view. In a situation in which the Congress has conferred, and enacted legislation providing for a new body, and it would be my judgment, if I were a judge sitting on a case involving the constitutionality of that legislation that if that power of Congress were exercised, it was exercised to give exclusivity to the other body. I believe that the court would construe this amendment to most feasibly accomplish the purpose of Congress. As the purpose of Congress is to settle this kind of issue, rather than leave it in a great area of uncertainty and controversy, would it not be completely contrary to the purpose of Congress to create two bodies which could compete with one another?

I believe that the construction which the courts would give to what we are doing is that if the Congress were to exercise the authority that the amendment would give, the courts would hold that that body has exclusivity as to its action.

That is my opinion as a lawyer, and I have submitted my reasons to the Senator.

Mr. GORE. The Senator speaks quite ably, and whether he is a judge, a citizen, a Senator, or a practicing attorney, I respect his opinion.

The points that I raise concern the justification for throwing this ambiguous question into the courts.

The time to be explicit is when we write an amendment into the Constitution. I say quite frankly to the Senator that I am unprepared to see this amendment approved in this uncertain way, with only a few Senators on the floor.

I should like to see the proposal examined further, to my own possible satisfaction, to determine the exclusivity to which the Senator refers. I am not sure that comports with the rules of construction.

Mr. JAVITS. I should welcome the Senator's researching the matter. I have no quarrel whatever with the desire of the Senator to examine into the question carefully.

I am satisfied that this is what the proposal would do. I am speaking only for myself. I have great respect and regard for the Senator. I would stand aside to enable the Senator to satisfy himself by appropriate research to determine whether this is the way in which it should be handled.

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

Mr. JAVITS. I yield.

Mr. COOPER. Mr. President, a few moments ago when I addressed questions to the Senator from Indiana, my purpose was the same as that of the Senator from New York, to ascertain that if the first procedure were followed—which concerns the Cabinet and the Vice President, whether it would possess exclusivity in its authority to act; and to ascertain if Congress were to create another body, such a body would have the exclusivity to which the Senator has referred.

I agree wholeheartedly, with the position of the Senator from New York, and also with his view that the courts would consider the purpose of the proposed amendment and not do an exercise in futility.

I believe that it would be unreasonable to follow any other position.

I ask the Senator if in his good judgment he believes that the language which proposes the alternative procedure is ambiguous of such ambiguity as to create a situation in which it would be unclear as to whether the Vice President and the Cabinet or the Vice President and the body established by the Congress would have authority to act. Such a situation would be the last thing that we would desire.

Mr. JAVITS. I do not believe it is so ambiguous as to make it unclear. It is not the optimum nor the most precise language. Every Senator and lawyer may have his opinion, and my colleague from Kentucky, in my judgment, yields to no other Senator in his distinction as a lawyer but to me it is not so ambiguous as to be unclear. It is not the optimum language that I or the Senator from Tennessee or the Senator from Kentucky or other Senators might have sought, but I feel that I could vote for it in good conscience.

I agree with what the Senator has said. I do not see any earth-shaking necessity for not having a delay of a few days to look it over; but if I had to vote this afternoon, I would feel in good conscience that I could vote "yea."

Mr. GORE. Mr. President, if the Senator will yield, is there any necessity to vote this afternoon?

Mr. JAVITS. That has not been determined. But, as I have said, if I had to, I would vote for it.

Mr. GORE. The Senator from New York has raised a serious question. The Senator from Minnesota has raised a serious question. The Senator from Kentucky and the Senator from Tennessee have expressed doubts. It seems to me we could give this matter a little more consideration than I admit I have given it. Perhaps I have been derelict in my duty in not studying it more before now, but, as I listened to questions

raised by the Senator from New York and the Senator from Minnesota and began to read and study the conference report, I detected language that seemed to me to be uncertain, if not ambiguous.

Mr. BAYH. Of course, the Senate of the United States is the world's greatest deliberative body. If my colleagues feel it should be debated more, I believe we should do so. I have tried, and will continue, to listen to every argument. However, I have studied this measure enough to know—and I say this from the bottom of my heart—that if we ever expect to have a constitutional amendment on this important question, the most complicated and intricate issue that we have ever tried to put into the Constitution, because of all the medical ramifications and power struggles that might exist—if we ever intend to get a measure with respect to which there will not be a scintilla of controversy, with very specific wording, we might as well terminate the debate and throw this year and a half's work in the ashcan, because we are not going to do it.

I have never pretended to the Senate or to my colleagues that this measure is noncontroversial or that it would cover every possible, conceivable contingency that the mind of man could contrive. I have suggested that it is the best thing we have been able to come up with, and it is so much better than anything we have ever had before—namely, nothing—that I dislike to see us, by delay, jeopardize the great protection we would get by this constitutional amendment.

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

Mr. BAYH. I am glad to yield.

Mr. GORE. I would not expect an amendment to be drafted to meet the imagination of all. The point I raise here is that the able Senator brings to us the intent of the amendment which, in my view, is not supported by the language of the amendment.

If this is the intention of the House and Senate and the conferees representing those two bodies, surely the language can be explicit.

I have previously referred to the language as being ambiguous. I may have used the wrong term. It seems to me it is rather plainly stated that either the Cabinet or the body to be created by Congress could perform this official function.

There may be some way that the courts could find that exclusivity ran to the body created by law, but if that is the intent, why leave the decision to a court under some possibly tragic circumstance that might arise? Surely, a few days of delay and a few days of further consideration should not be interpreted as being antagonistic to an amendment. On the contrary, it is suggested as a means of permitting more careful consideration.

Mr. BAYH. I appreciate the Senator's contribution.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, the conference report on presidential succession, be laid aside temporarily, pending conferences, and that the Senate resume the consideration of the Export Control Act.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

The Senate resumed the consideration of the bill H.R. 7105 to provide for continuation of authority for regulation of exports, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 25 minutes on the debate on the pending business, with 15 minutes allowed to the Senator from New York [Mr. JAVITS] and 10 minutes to the Senator from Maine [Mr. MUSKIE] who is in charge of the bill on the Senate floor.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President, before we settle on that question, may we have a quorum call? I should like to have the Senator from New Jersey [Mr. WILLIAMS] present. It may take a few minutes.

Mr. MANSFIELD. Mr. President, will the Senator permit the Chair to announce the agreement at the end of the quorum call?

Mr. JAVITS. Yes. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JAVITS. Mr. President, I ask for order in the Chamber. We are about to discuss something totally different from the presidential succession conference report.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The Senate will be in order.

Is there objection to the unanimous-consent request that there be a time limitation of 25 minutes on the pending bill, that 15 minutes be allotted to the Senator from New York [Mr. JAVITS] and 10 minutes to the Senator from Maine [Mr. MUSKIE]? The Chair hears none, and it is so ordered.

Mr. MUSKIE. Mr. President, I yield myself 1 minute.

Mr. President, the Export Control Act of 1949 will expire at midnight tonight. The Banking and Currency Committee, after two sets of hearings in the general field, has reported the House bill on the subject, H.R. 7105. We urge the Senate to act at once on this bill so that it can be sent to the President for his signature before it expires.

This is essential because the Export Control Act of 1949 is the act under which exports of strategic and critical materials from the United States are kept from going behind the Iron Curtain. In the absence of an extension, American producers and shippers will be free to send commercial and industrial materials and equipment to Communist China, the U.S.S.R., and the rest of the Soviet bloc.

The Banking and Currency Committee has accepted the House bill, without change.

The bill would accomplish three purposes. First, it would extend the Export Control Act for 4 more years—to June 30, 1969. Second, it would authorize the administrative imposition of civil monetary penalties not exceeding $1,000 for violations of the act. Third, it will make a formal declaration that—

it is the policy of the United States (A) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and (B) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action, including the furnishing of information or the signing of agreements which have the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country against another country friendly to the United States.

It will also require the issuance of regulations to implement this policy within 90 days after the enactment of the bill. The bill leaves in the President the necessary discretion as to the type and terms and scope of these regulations. This administrative flexibility is appropriate in view of the President's constitutional role in the field of foreign policy.

The committee's report contains a full description of the Export Control Act and its administration and enforcement. It also contains a full description of the several amendments made by the bill, which need not be repeated here.

The committee in considering the bill devoted considerable time to three proposals.

The first was a proposal by Senator WILLIAMS of New Jersey, to amend the provisions of the bill relating to boycotts, along the lines of the Senator's bill S. 948, on which hearings had been previously held. The committee agreed that the general purpose of S. 948 should be included in the bill. However, a majority of the committee felt that the provisions included in the House bill constituted an appropriate statement of policy and supplied adequate legal basis for enforcement of the policy, while at the same time providing the necessary flexibility to meet the changing needs and circumstances of our foreign policies.

Another amendment, strongly supported by Senator HARTKE, of Indiana, and other Senators, and strongly opposed by others, would have required the impostion of quotas on exports of materials under certain circumstances—when

exports had increased to five times the 1955 volume, and other countries imposed similar restrictions on similar products. This amendment was sponsored with a particular view to exports of black walnut logs.

This matter was discussed by the Secretary of Commerce, who testified that he had received a letter from the Senate Committee on Commerce requesting that he restudy his decision to remove export quotas on black walnut logs. He assured the committee that he would comply with this request.

Senator McGOVERN testified in opposition to the current requirements that 50 percent of wheat sales from the United States be exported in domestic bottoms. The Secretary of Commerce testified that he is making a thorough review of the problems of American shipping, including particularly requirements for shipment in American bottoms. The committee report calls upon the Secretary to consider the problem raised by Senator McGOVERN's amendment from the point of view of its effects on American agriculture and American shipping and from its relation to the policies and objecitves of the Export Control Act.

I should like to urge again that the Senate act promptly on this bill so that it can be sent to the President for his signature before the expiration of the Export Control Act on June 30, 1965.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

On behalf of myself and the Senator from New Jersey [Mr. WILLIAMS], I send to the desk two amendments. After they are stated, I shall ask unanimous consent to have them considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 5, line 6, before the period at the end of the sentence, insert the following: "and shall require that all domestic concerns receiving requests for the furnishing of information or the signing of agreements as specified in section 2(4) must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4)."

On page 4, line 10, after "agreements" insert a comma, and strike out "have" and insert in lieu thereof "has".

Mr. JAVITS. Mr. President——

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

Mr. JAVITS. I yield.

Mr. PASTORE. May my name be added to the amendments as a cosponsor?

Mr. JAVITS. We shall be honored to do so. I ask unanimous consent that the name of the Senator from Rhode Island [Mr. PASTORE] may be added as a cosponsor, and also the name of the Senator from New York [Mr. KENNEDY].

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

Mr. JAVITS. I wish to state also that the only reason why the Senator from New Jersey [Mr. WILLIAMS] is not the principle sponsor of these amendments is that he most graciously asked me to do it. We are equal partners, and I hope that in every respect it will be considered in that way.

Mr. President, I ask unanimous consent that the amendments may be considered en bloc.

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

Mr. JAVITS. Mr. President, we have labored long and hard over a question arising under the Export Control Act. The question is, Shall anything be done in the act to deal with the practices to which U.S. firms and individuals—I emphasize that these practices relate to U.S. firms and individuals—have been subjected in being made party to the Arab boycott? The boycott operates against those who wish to sell in an Arab state any product which originates in Israel or has even a component of that character, against those who happen to be doing any business in Israel, against even those whose concern with Israel is on a rather casual or intermittent basis, and also against firms which may have Jewish persons as officers or directors.

Questions are submitted by the so-called Arab Boycott Office to firms which seek to do business in Arab countries, and various types of certificates are required, many of them of a negative character, applying to goods exported to Arab countries, which would make these firms liable to be subjected to the boycott.

There are quasi-public agencies engaged in this practice from which the Arab boycott office requires certification, either by negative representations or affirmative representations, in order to avoid the placing of certain firms on the boycott list.

Some 164 firms are on the boycott list. This boycott has been a constant bone in the throat of Congress, and on a number of occasions efforts have been made, by policy declarations, by denunciations on the floor, and by stimulating the State Department to put some iron in its back, so that the United States not be made party to the practice of permitting a boycott.

The boycott, of course, is not airtight. Many companies have properly and successfully defied the boycott and have done business in Israel without being put on the boycott list or without having it enforced against them.

There is eloquent correspondence on this subject, as for example, between the Hilton Hotel Corp. and those who threatened it with boycott because the corporation had a hotel in Cairo and was proposing to put up a hotel in Tel Aviv. Mr. Hilton turned down any idea of abandoning his plans to build in Israel, despite the warning that this meant placing the Cairo hotel in jeopardy. Today, Hilton has its hotel in Israel and its hotel in Egypt, no enforcement action having been taken against it.

I ask unanimous consent that an article from a special May 1965 issue of the Near East Report, containing excerpts from this exchange of correspondence, be placed in the RECORD at this point in my remarks.

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

A FIRM PUBLIC STAND

MR. HILTON GETS A LETTER

(NOTE.—Some businessmen have taken firm public stands against the boycott and have left it to the Arabs to justify their own defeat. In this connection, the story of Conrad Hilton and the boycott bears reviewing.)

Hilton Hotels International owns a hotel in Egypt. In 1961, the company contemplated building a hotel in Tel Aviv. Onto the scene came Alfred Lilienthal, Secretary and Counsel of the American-Arab Association for Commerce and Industry in New York.

Just when Hilton was concluding his Tel Aviv venture, Lilienthal happened to be in Cairo and Damascus, where he heard ominous noises from Arab officials regarding Hilton. He says he believed he was doing no more than his duty by the American-Arab Association when he wrote Hilton as follows:

"Perhaps you are not aware of the full details regarding the activities of the Boycott Committee and hence, as a member company of this Association, it is our duty to bring the facts as they were told to me to your attention.

"Should Hilton Hotels persist in going ahead with its contract in Israel, it will mean the loss of your holdings in Cairo and the end of any plans you might have for Tunis, Baghdad, Jerusalem or anywhere else in all Arab countries.

"It is important for me to put you on notice that the Arab visitors, including the Saudi Royal Family, Egyptian businessmen and the general flow of persons from the Arab world that have frequented your major hotels in New York City and elsewhere throughout the country, will unfortunately come to an end. And it may well adversely affect the ability of American companies from continuing to bring important business to your well-known establishments.

"I did what could be done to delay any action that the Boycott Committee will take. They have promised that no action to invoke the boycott will be taken prior to the end of January 1962, and I am writing to Colonel Aidi to remind him of this. This will give you and the members of your board of directors an opportunity to review the decisions which have been made and to redress this serious situation.

"As a friend to the Hilton Hotels and a long time political observer as well as the counsel to this association, I should personally add my own voice by asking you to consider whether your plan to enter into an economic relationship in Israel could possibly be worth the grave loss that you will be committing yourself to throughout the Arab world and in the United States. * * *"

AND WRITES A REPLY

Mr. Hilton's reply speaks eloquently for itself. He did not take offense, as many Americans did, at Lilienthal's letter. But he took offense at the boycott:

"Many thanks for your letter. It is thoughtful of you to have postponed the action of the Boycott Committee relative to Hilton Hotels Corp.

"What that committee proposes is absolutely counter to the principles we live by and which we hold most dear. I speak of the principles of Americanism as set out by our Founding Fathers and of the principles for which America has stood since its founding. I also speak of the principles under which the Hilton Hotels Corp. goes about the world, establishing hotels so that people of all nations can gather in peace. We believe that through world travel we may

be helping in the goal that all Americans seek—world peace.

"As Americans, we consider Arabs and Jews our friends and hope that ultimately we can all live in peace with one another. There was no threat from Israel when we opened our hotel in Cairo. Our corporation finds it shocking that the committee should invoke the threat of boycott condemnation in the case of our contract with the people of Israel. Does the committee also propose to boycott the U.S. Government because it maintains diplomatic relations with Israel?"

The Tel Aviv Hilton is nearing completion—schedule to open in August. The Nile Hilton remained in Mr. Hilton's hands and stayed wide open for business—in fact, the Arabs held a summit meeting there.

How did the Arabs explain this surrender to the American hotelier? Since he had prized his dignity above theirs, since the exchange of letters received wide publicity, there had to be some explanation by the Arabs to themselves justifying capitulation.

The explanation was this: the profits which Hilton is taking out of Israel create a drain on the Israel economy; therefore the Arabs welcome hotel investment in Israel because it depletes Israel's hard currency reserves. (The same explanation applied to the Sheraton Corp. which defied the boycott successfully.)

This fantastic explanation applied to finished consumer goods as well. Thus, they convince themselves that Israel's prosperity, which has encouraged foreign investment, is really a sign of economic disintegration.

FOOTNOTE

The American-Arab Association for Commerce and Industry has about 100 company members, many of whom do business in both Israel and the Arab States. Alfred M. Lilienthal, the association's secretary and counsel, is a lecturer and journalist whose vehemently anti-Israel views are well known.

The association encourages Arab-American business contacts, social and cultural exchange. Mr. Lilienthal maintains that he never imposes his personal views on the association as a whole. "Some members agree with the boycott," he told the Near East Report. "Some do not. To all of them, I say: the boycott is an economic fact of life. You should obey it." Even though Arab boycott threats specifically state that the boycott is part of their war against Israel, Mr. Lilienthal considers that the boycott is economic rather than political activity.

The following article appeared on November 13, 1963, in Al Gomhuria, a Cario daily:

"The ruler of Kuwait asked the American journalist, Alfred Lilienthal, what he thinks is the effect of the Arab boycott against Israel. To this, Lilienthal answered: 'For the boycott to be effective, it must be comprehensive and in effect in every Arab country. But today, parts of Frazier cars are being assembled in Rabat, Morocco. From there they are sold to Sudan and transferred to other countries. While the company is listed in the Arab boycott blacklist for 7 years.'"

It seems rather unfair of Mr. Lilienthal to advise American businessmen that the boycott is too strong to resist on the one hand and recommend to the Arabs that they strengthen it on the other.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 2 additional minutes. This boycott activity has run so against the grain of American business morality that we felt duty-bound to do something about it, especially as the State Department has not found any effective way to resolve the problem.

In an effort to do something about the situation, a bill was introduced by the Senator from New Jersey [Mr. WILLIAMS] and myself, called the Williams-Javits bill, and similar bills were introduced in the other body, which proposed to require that American firms should not in any way aid this boycott by furnishing information or taking other action in compliance with it. The bill which the House sent over to us adopted a statement of principles on the subject, to the effect that the United States would oppose such boycotts and would encourage and request domestic concerns engaged in this export business not to furnish requested information or otherwise become parties to the boycott.

Rules and regulations were required to be issued to implement that statement of policy. The provision for encouraging and requesting noncompliance with the boycott was the product of the work of the other body, particularly Representatives MULTER and HALPERN, of New York.

Representative WIDNALL tried to make the language of the amendment mandatory, rather than hortatory, but failed. We realize the great difficulty of providing an absolute prohibition. Other governments which enforce such prohibitions on their business concerns can do so more easily because their form of government permits them to communicate their views to their businessmen in a fairly informal way. We, on the other hand, because of our governmental practices, would have to incorporate a prohibition in a strict statute. Therefore we have done our utmost, because of the deep and continuing objections of the Departments of State and Commerce, to get something positive done, but without going all the way to a flat prohibition. We think that by these amendments we have arrived at a reasonable solution—a solution which does not do undue violence to the deep-seated feelings of our governmental authorities on this subject, yet which provides us with an effective weapon against the boycott.

What would these amendments do?

First, they would correct a mistake of grammar in the fundamental declaration of policy—the declaration of encouragement and request. More important, they would implement the purpose of the Congress by requiring that domestic concerns report to the Commerce Department situations in which they are called upon to furnish boycott information which the Williams-Javits bill sought to prohibit completely.

We believe this is a proper interim step, at least, which will result in firming up the attack of our authorities upon this very vexatious and commercially immoral policy.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. I hope that the Senator from Maine will give us some of his time if we need it.

The effect of these amendments is supported by a letter which the majority leader has. I would not be so presumptuous as to read it into the RECORD, but the Senator from Maine will do so. The letter indicates that if we do what these amendments provide and what was done in the other body, we shall at long last, after all these years of trying and writing provisions of a precatory character into bills, be making a really determined effort to see that American business is not demeaned in the fashion in which it has been demeaned up to now.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. As a result of our action today, the boycott practices may at long last cease, because American business will not cooperate with them. If the bill becomes law with these amendments, American business will finally be given some protection against the boycott practices to which it has for so long been subjected.

I ask unanimous consent that the names of the Senators from Michigan [Mr. HART and Mr. MCNAMARA] be added as cosponsors of the two amendments.

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

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, the amendment offered by my distinguished colleague is a good one. It will clearly put the administration on notice that the Congress will no longer tolerate the intrusions of the Arab boycott on the normal course of American trade. The Secretary of Commerce will have the authority to establish regulations to give effective aid and protection to American businessmen from Arab harassment—or from harassment by the boycott office of another nation or group of nations. The requirement that businessmen approached for information by the Arab boycott office must report these demands to the Secretary of Commerce will give teeth to these regulations. The Secretary of Commerce will be kept constantly informed of the actions of the boycott in this country and can act accordingly to carry out a program in behalf of American businessmen.

I am particularly heartened by the strong promises made by the Secretary of Commerce and the Secretary of State that they will conscientiously follow the mandate of the Congress, and that they will develop an adequate series of regulations. This pledge marks a significant change of direction from the administration's attitude at the beginning of this session, when we were blandly assured that legislation was not needed and that the Commerce and State Departments were already dealing effectively with the boycott. These claims were

refuted by every witness before the Banking and Currency Committees in the House and the Senate. The arguments of the administration simply did not convince the members of these committees.

Under the provisions of the bill, as it becomes law, the President will still maintain his control over the control of foreign policy. But he will have discretionary power to act against the Arab boycott. I am confident that he will use this discretionary power. I have the greatest respect for John Connor and Dean Rusk; I respect their public pledge that they will develop a good antiboycott program in accordance with the clear mandate of the Congress.

I appreciate the generous comments of my good friend the distinguished Senator from New York. In our joint efforts, we have worked along, and I think the amendments represent proof that the work has been fruitful.

Mr. MUSKIE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mr. MUSKIE. It would be pertinent to quote the following from testimony of Under Secretary Ball in hearings on Senate bill 948, which was introduced by the Senator from New Jersey [Mr. WILLIAMS]. He said:

> I need hardly tell this committee that the administration is opposed to that boycott. We have repeatedly made our position clear to the Arab Government. We shall continue to express our opposition and to assist American firms affected by the boycott.

The question with which we then struggled was to find an effective means of expressing the intent of Congress and also to implement the policy of the U.S. Government as stated by Secretary Ball. The report of the Senate committee contained the following language with reference to the House amendment which is before us on H.R. 7185:

> The new provision requires the President to issue regulations regarding this matter. At the same time it leaves in the President necessary discretion as to the type and terms and scope of these regulations. In view of the President's constitutional role in the field for foreign policy, it is, of course, appropriate to continue in him the administrative flexibility which has marked the Export Control Act of 1949 and its predecessors over the past 25 years.

EXEMPTION FROM DUTY FOR RETURNING RESIDENTS—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, H.R. 8147 relates to the exemption from customs duties for our residents who are returning from foreign travel. It carries out an important part of President Johnson's balance-of-payments program.

It will help reduce the $3.1 billion deficit we suffered last year. It will help narrow the $1.6 billion tourist gap—the amount our tourists spend abroad in excess of what foreign tourists spend here.

Mr. President, there were four Senate amendments to H.R. 8147 which we had to resolve with the House. I am glad to report that we resolved three of them, the most important ones, in favor of the Senate. On only one amendment, one dealing with U.S. possessions, did the House insist on its own version of the bill.

The first amendment dealt with so-called articles to follow. Under present law, which was unchanged by the House bill, a returning tourist could have articles purchased abroad shipped back to his home on a duty-free basis after he returned. Because of the administrative problems this procedure entailed, and because of the considerable abuse it has been subjected to, the Committee on Finance recommended, and the Senate approved, its deletion from the law. The Senate position was retained in the conference with the House.

The next amendment dealt with the quantity of alcoholic beverages which could be imported by a resident returning from the American possessions of American Samoa, Guam, and the Virgin Islands. The House bill generally reduced the 1-gallon provision in present law to 1 quart but retained it at 1 gallon for beverages purchased in the possessions. The House conferees stressed the fact that these islands are American possessions, that there was little balance-of-payments improvement under the Senate amendment, and that we should help the local economy of these islands. For these reasons, and because the House conferees insisted on their own provision, the Senate conferees had to yield on this amendment.

The last two amendments dealt with the effective date of the legislation. The House conferees agreed to accept both of them. Under these amendments, which were offered on the floor yesterday by Senator DIRKSEN, the present law is continued until October 1, 1965, and the new rules and restrictions provided by H.R. 8147 become operative on that date. This should considerably ease the transition to the new restrictions.

Under the bill as it has been agreed to by the conferees, returning residents will be entitled to bring in duty-free articles purchased abroad to the extent they do not exceed $100 in retail value—$200 in retail value if the articles are purchased in American Samoa, Guam, or the Virgin Islands. Included within these dollar limitations, 1 quart of alcoholic beverages may be brought back by returning residents who are age 21 or over. Those who return through or from the Virgin Islands, American Samoa, or Guam may continue to bring back 1 gallon of such beverages. However, under no circumstances, may articles purchased abroad be shipped back and claimed as part of the tourist exemption. This does not mean that they cannot be mailed. It simply means that the resident must pay duty on the articles he chooses to mail back rather than bring with him.

This bill must be approved by the President today. If we delay, the returning tourist exemption goes up to $500 tomorrow and then it will come back down when the President does sign this bill. By speedy action now we can prevent a hiatus from developing at our border ports.

I urge that the conference report, which represents $55 million of balance-of-payments improvements each year, be agreed to and that the bill promptly be referred to the President.

Mr. JAVITS. Mr. President, I believe that what the Senator has stated is a very unwise policy. I understand that it must practically be done, and it will be done right now. I will not stand in the way of the action. But I think it is very unwise to do what we are doing, especially in relation to goods accompanying the returning tourist.

That policy will hurt and prejudice returning servicemen. It will be very uncomfortable and disagreeable to tourists. I predict that Senators and Representatives will hear a great deal about it. We shall make people drag goods back on their persons. We shall limit their choice in a way which is arbitrary and completely unnecessary, and I feel that it is my duty to protest against it.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

The Senate resumed the consideration of the bill H.R. 7105 to provide for continuation of authority for regulation of exports, and for other purposes.

Mr. MUSKIE. With reference to the amendment offered by the distinguished Senator from New York, and the Senator from New Jersey, we have the letter from Secretary of Commerce Connor to the distinguished majority leader, to which the Senator referred. I ask unanimous consent that the letter be printed at this point in the RECORD.

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

> THE SECRETARY OF COMMERCE,
> *Washington, D.C., June 30, 1965.*
>
> Hon. MIKE MANSFIELD,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR SENATOR MANSFIELD: In extending the Export Control Act, the House approved an amendment which provides that it is the policy of the United States to oppose restrictive trade practices or boycotts by foreign countries against countries friendly to the

United States. Further, this amendment declares that it is the policy of the United States to encourage and request domestic concerns to refuse to take any action which has the effect of furthering or supporting such practices or boycotts. To carry out this new policy statement, there is an expressed requirement for the promulgation of rules and regulations.

This proposed amendment to the Export Control Act, contained in H.R. 7105, has been approved by the Senate Committee on Banking and Currency and is now pending before the Senate.

If the Senate approves the bill recommended by the Senate committee, the Department of Commerce will be required to issue rules and regulations within 90 days after the date of enactment.

The Department of Commerce will have the obligation, and will, in fact, request American business firms not to cooperate in restrictive trade practices or boycotts imposed by a foreign country against another foreign country friendly to the United States. I am expressly authorized by the Secretary of State to say that the Department of State would, if H.R. 7105 is enacted into law, take all appropriate steps through diplomatic channels and other means that may be available to the Department in opposing restrictive trade practices or boycotts by foreign countries against a country friendly to the United States.

Further, it is our understanding that an addition that strengthens the bill as passed by the House will be offered on the Senate floor as follows: On page 5, line 6, before the period at the end of the sentence: "and shall require that all domestic concerns receiving requests for the furnishing of such information or the signing of such agreements must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4) hereof."

It is clear that the language of H.R. 7105, with the suggested addition quoted above would require specific action by the executive departments and the executive departments will, of course, follow through on those requirements if this bill is approved by Congress.

Sincerely yours,

JOHN T. CONNOR.

Mr. MUSKIE. Mr. President, I invite the attention of the Senate to the following language in the letter, which I believe is of particular pertinence to the concern of the Senator from New York and the other cosponsors of his amendment:

The Department of Commerce will have the obligation, and will, in fact, request American business firms not to cooperate in restrictive trade practices or boycotts imposed by a foreign country against another foreign country friendly to the United States. I am expressly authorized by the Secretary of State to say that the Department of State would, if H.R. 7105 is enacted into law, take all appropriate steps through diplomatic channels and other means that may be available to the Department in opposing restrictive trade practices or boycotts against a country friendly to the United States.

The letter also expresses approval of the additional language, similar to that offered by the Senator from New York. The differences between the language set forth in the letter and the language of the amendment actually offered by the Senator from New York are technical and do not change the substance of the amendment. So the letter of the Secretary of Commerce can be construed as approving the amendment of the Senator from New York. As the manager of the bill, I am willing to accept that language on behalf of the Senate committee.

Mr. JAVITS. Mr. President, I yield myself an additional minute.

When the Senator amends his remarks, he will say "The Senator from New York and the Senator from New Jersey and the cosponsors."

Senator MUSKIE. I shall indeed be glad to recognize the devoted and effective efforts of the Senator from New Jersey [Mr. WILLIAMS] in support of this amendment.

Mr. JAVITS. I should like to ask the Senator from Maine a question, if I may have his attention, because this is an important point.

I consider this to be a very meaningful plan to be implemented and to have a material effect on stopping the Arab boycott against American firms, because the Secretary of Commerce will be notified by every firm which could be reached by the boycott. That will be required by law. Therefore, the Secretary will be in a position to act.

In view of the fact that this is a really meaningful step forward in trying to end the Arab boycott of American firms, unreasonable and immoral, as I have described it, I ask the Senator from Maine this question:

If the House does not accept the bill—I believe it will, and it certainly should—as we have passed it, and if it becomes necessary to go to conference, will the Senator from Maine assure the Senate that if there is to be any change in any of the amendments or this plan, he will not agree but will bring the bill back to the Senate?

Mr. MUSKIE. If I correctly understand it, the request of the Senator from New York is that the bill as approved by the Senate with the amendment which he has offered should be insisted upon in conference.

Mr. JAVITS. The Senator is exactly correct; and the Senator will bring it back to the Senate if he cannot have the amendment agreed to in conference.

Mr. MUSKIE. I agree to that.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. JAVITS. I yield back the rest of my time.

The PRESIDING OFFICER. Does the Senator from Maine yield back the remainder of this time?

Mr. MUSKIE. I yield back the remainder of his time?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

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 of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MUSKIE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 6675, the so-called medicare bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

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. MANSFIELD. Mr. President, the purpose of having the bill laid before the Senate is to have it as the pending business before the Senate starts the Fourth of July recess tomorrow. No votes will be taken on the bill today or tomorrow, and it is not anticipated that action of any kind will be taken. But beginning with the return of the Senate next Tuesday, the bill will be the pending business and the Senate should be prepared to move with expedition.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES; FOR COMMITTEES TO FILE REPORTS; AND FOR SIGNING OF DULY ENROLLED BILLS AND JOINT RESOLUTIONS DURING THE ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate, following today's session, until July 1, 1965, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives; that committees be authorized to file reports; and that the Vice President, President pro tempore, or Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions.

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

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes it business today, it adjourn until 10 o'clock tomorrow morning.

It is my understanding that at that time the distinguished Senator from Oregon [Mr. MORSE] desires to have the floor, and that he will be followed by the distinguished Senator from Utah [Mr. Moss], with some of the time in between to be used by the distinguished Senator from Ohio [Mr. YOUNG].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

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

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

PRESIDENTIAL INABILITY AND VACANCIES IN THE OFFICE OF THE VICE PRESIDENT—CONFERENCE REPORT

The Senate resumed the consideration of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further action on the pending conference report be postponed until Tuesday next and that at the conclusion of the routine morning business on Tuesday next there be 2 hours of debate on the conference report, the time to be equally divided between the chairman of the subcommittee, the distinguished Senator from Indiana [Mr. BAYH], and the distinguished senior Senator from Tennessee [Mr. GORE].

Mr. GORE. Mr. President, reserving the right to object—and I shall not object—in the event that one-third of the Senate plus one wished to have the proposed constitutional amendment returned to conference, the only way that purpose could be accomplished would be to reject the conference report. That could be accomplished by a nay vote of one-third plus one of Senators voting. The House could then be asked for a further conference.

I do not wish to announce that either I or the senior Senator from Minnesota [Mr. MCCARTHY] or any other Senator will desire so to act. I expect to study the proposed constitutional amendment between now and next Tuesday. It is my hope, as of now, that the amendment will not ultimately be defeated. I would much prefer to see the language explicitly provide what the authors say is intended. But I have entered into this agreement and believe that in the event it is desired to return the amendment to conference, it can be accomplished if two-thirds of the Senate wish to ratify it as it is, regardless of what the minority might wish. That purpose could be accomplished. I shall be amenable to the decision of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I should like to say to the Senator from Tennessee that there will be a yea-and-nay vote.

The unanimous-consent agreement reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Tuesday, July 6, 1965, at the conclusion of the routine morning business, further consideration of the conference report on S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, be limited to 2 hours of debate to be equally divided and controlled by the Senator from Indiana (Mr. BAYH) and the Senator from Tennessee (Mr. GORE).

JUNE 30, 1965.

TWENTIETH ANNIVERSARY OF THE UNITED NATIONS

Mrs. SMITH. Mr. President, this past week marked the 20th anniversary of the United Nations. It was an occasion with mixed feelings and emotions. Even many of its supporters would admit that in recent years the United Nations had fallen far short of the original hopes for it. It had not produced peace in the degree that was optimistically hoped for 20 years ago.

It was floundering on a financial issue in which some key members refused to pay their dues. It had proved so inept and moribund in coping with international aggression that the President of the United States had repeatedly bypassed it in coping with such crises as Vietnam and the Dominican Republic.

On the occasion of its 20th birthday, the United Nations was at its most vulnerable point to the criticism that it was only a debating society. Added to this criticism was the charge that it was growing subservient to young, immature small nations that belligerently demanded and got authority and power far beyond their right and even their ability to carry wisely and well—and yet, without appropriately accompanying responsibility with such authority.

Members were not paying their dues—there was open resentment by the Organization of American States at the attempted intervention of the United Nations in the Dominican controversy—big powers courting small nations were stooping below the dignity of responsible nations and in doing so were inviting contempt from the very small nations they were courting. In short, the tail was wagging the dog—a trembling, shaky dog unsteadied by its tail—the small nations.

But if the United Nations in its 20th year had its grave weaknesses and had disappointingly fallen far short of the original hopes held for it, there were some achievements that the 20 years had produced. For one thing, the United Nations in comparison with the ill-fated League of Nations was a giant in international strength and influence. The mere fact that it had survived was proof enough of this.

True was the charge that it had disappointingly failed to bring peace in the measure it should. But undeniably, it had brought some measure of peace. While an undeclared war was being fought in South Vietnam, while the Russian ravage of Hungary was unchallenged by the United Nations, the United Nations had played a very vital role in resisting the invasion of South Korea and in bringing about a peaceful cease-fighting status there, however unsatisfactory the compromise might have been.

And while it was true to a great degree that the United Nations had been hardly more than a debating society in a wind tunnel of acrimonious oratory and polemics, nevertheless it had achieved a major accomplishment in that very role in that it had kept men talking and debating more often than fighting and shooting. On balance it was a definite plus and certainly not the tragic negative that its enemies claimed.

For without doubt, the United Nations had been a potent factor in the once easing of the cold war and the development of better relations between the United States and Russia—and it had been a factor in preventing general war. And while it was experiencing its most unsteady period in its 20 years of existence, the United Nations was not about to go down for the count as did the League of Nations after 20 years.

United Nations intervention in the Korean conflict was perhaps its greatest achievement. But in all honesty, we must recognize that it was the fortuitous circumstance of a Russian boycott of the U.N. Security Council at the time. Had not Russia so boycotted the Security Council at that time but instead had been present to vote, undoubtedly Russia would have exercised her veto power and thus prevented the United Nations from intervening and going to the defense of South Korea.

It is in this context that critics of U.S. intervention in the Dominican Republic crisis should view President Johnson's circumvention of the United Nations. This has an ironic note for it has been generally acknowledged that Lyndon Johnson has eagerly sought to be a President by consensus and to create the national image of being a consensus President.

Yet, in the international crises of Vietnam and the Dominican Republic, President Johnson has gone in the opposite direction of consensus for he has not sought the consensus of even our friendly allies, much less the slow and cumbersome Organization of American States and the veto-plagued United Nations.

This points up the great difference in the past between the free world and the Communist world. Because the member nations of the free world have acted by consensus reached only after considerable debate and time, the free world has moved so tragically slower than the Communist world in time of crises—and Communist-created crises at that. In

contrast, the Communist world has moved swiftly and precisely because the Kremlin did not bother with a consensus but instead simply issued orders. The end result in the conflict was that we of the free world were always only taking counteraction while the Communist world sustained its advantage of initiative.

With the split between Russia and Red China this Communist advantage is not the power it once was. The question is whether the Vietnam war will end that split.

The difficulty of consensus among the allies of the free world is no better illustrated than in the person of French President Charles de Gaulle. Getting his approval for unified policy and action has been very difficult at best and impossible at worst. Yet, how many of us would do any differently if we were in his shoes? His prime objective is to raise a twice-conquered France again to a first-rate power. And he has had, thus far, considerable success. Would any of us do any less for our own country?

Yet, by the same token, can Lyndon B. Johnson thus be blamed for not practicing internationally the consensus image which he seeks back in his own country? Can we say that he is wrong in bypassing the United Nations—or in not seeking the approval of Charles de Gaulle—on our policy in Vietnam where the French Government itself failed so miserably?

Placed in the background of the Korean war, we see today a much different mental climate and public attitude. Very, very few Americans opposed our defense of South Korea. Ironically enough, there were a rare few national leaders then who condemned our intervention in South Korea but who now defend and support our intervention in Vietnam. Some observe that the seemingly contradictory pattern is because of a political loyalty to President Johnson by these unhappy defenders.

But back in the days of the Korean war, there was practically no call by the academic world that we pull out of Korea and surrender it to the Communist invaders from North Korea and China. Yet, today the depth and breadth of the demand of the professors and students for a pullout from South Vietnam is symbolized by the new technique of "teach-ins."

This is not to say that there was no public opinion in favor of stopping the shooting in the Korean war. To the contrary, there was a strong move on the part of mothers and wives to stop the shooting in Korea and to bring the men back home. In fact, the most dramatic statement made by presidential candidate Eisenhower in the 1952 campaign was his pledge at Detroit that if elected he would go to Korea to try to stop that war.

I cannot help but wonder why this contrast between Korea and Vietnam—why it was the women who led public opinion for ending the Korean war while the move for a pullout in Vietnam comes from the campus rather than from the mothers and housewives in the homes. What were the motivations?

Clearly on Korea it was because the mothers and wives wanted their sons and husbands back home. On Vietnam is it protest and resistance on the part of students who might be drafted into the service and sent to fight in Vietnam?

There are some clearly discernible differences between Korea and Vietnam. In Korea it was the called-up reservists who did most of the fighting and dying. They were suddenly whisked out of their homes and families—many of them for a second time within a decade. The casualties were heavy.

As yet, it is not the reservists who are doing the fighting and dying in Vietnam. As yet, the reservists have not been called up. As yet, the casualty rate has not been high. In substance, as yet, American family life has not been significantly affected by the war in Vietnam. For with the exception of comparatively rarely few tragic family cases, the Vietnam war has not touched American families and instead it has been only something about which they read in their papers or hear on television and radio.

So that it seems to me that until the reservists are called up—until the growing casualty rate affects more and more American families—the demand for a pullout in Vietnam will continue to come from those who fear escalation of the war, those who fear that they will personally be drawn into that war, and those who see the Vietnam war as a greater threat to their individual security and our national security than a Communist takeover of all of Asia.

With the move of Defense Secretary McNamara to virtually abolish and eliminate the Reserve by merging it into the National Guard, it is no wonder that young men on the college and university campuses throughout the Nation recognize that it will be they, rather than the reservists, who will be drafted and called upon to do the fighting and dying in Vietnam—a dramatic reversal from Korea, and even from the Reserve callup in the Berlin crisis and the Cuban crisis.

For with the planned elimination of the Reserve, who else can provide the augmentation of expanded fighting forces than the draftees outside of the National Guard?

As of now, it is clear that the overwhelming majority of Americans support President Johnson's refusal to pull out of South Vietnam. But the crucial question is how much will that majority be lessened if the war is expanded—if the draft calls are greatly increased—if the National Guard, or large segments of it, is federalized and sent to Vietnam—and if the Reserve is called-up and sent to Vietnam before Defense Secretary McNamara merges the Reserve into extinction?

Personally, I would not want to hazard a guess.

HELEN KELLER AND SENATOR LISTER HILL

Mr. RIBICOFF. Mr. President, there recently appeared in the Birmingham News a most perceptive article about two unusual people—Helen Keller of the State of Connecticut and our own distinguished colleague, Senator LISTER HILL, of Alabama. The writer, Ann Cottrell Free, in a most brilliant way, was able to catch the character and the spirit of those two great citizens of ours in our great country. It is my privilege to know personally both Helen Keller and the distinguished senior Senator from Alabama. All of us in the Senate and all of us in this country should be proud of those two outstanding Americans.

Again, I compliment Ann Cottrell Free for making this article available to us. I ask unanimous consent that it be printed in the RECORD.

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

HELEN KELLER, LISTER HILL—SUNLIGHT IN A WORLD OF DARKNESS

(By Ann Cottrell Free)

WASHINGTON.—Helen Keller and LISTER HILL both qualify as "institutions" of State and Nation. So what more is there to say when we seek words to call attention to Senator HILL'S very special tribute to Miss Keller on her 85th birthday, which is today?

The bare facts are these: At Senator HILL'S suggestion the Senate of the United States passed a "happy birthday" resolution to be sent Tuscumbia's Helen Keller at her home in Westport, Conn. It was in braille. It was accompanied by a personal note from Senator HILL, also in braille.

LONELY PLACES

When we search for new thoughts about Miss Keller that have not been expressed before, we find ourselves straying over into the forgotten corridors of the mind. Lonely places, rarely visited.

It is almost as if the world of the blind and deaf existed only in our own peripheral vision and hearing. Only fleetingly does it come into focus from a swimming haziness that is an amalgam of impressions: A brave man and his seeing-eye dog at the busy intersection; the tap, tap, tap of a white cane; the dark windows in the early evening in the home for the blind when lights everywhere else are burning brightly. We see members of the Blind Bowlers League spreading out to their individual destinations, like any other conventioners, after a day of meetings at a midtown hotel.

We remember China—a roomful of blind soldiers sitting lislessly with no future and a past they could never comprehend. The little children in the inland village, lining up for a drop of argyrol in eyes already milky with trachoma. The silver nitrate in the brown liquid, found in the first-aid kit, seemed to work miracles, though not lasting we knew.

Someone tells us about a man, who learned he was going blind. Glaucoma. He travels, travels, travels to see, see, see. We never heard the rest of the story. Did he go to the Grand Canyon, Kashmir—and did he sometimes just lie on his back and look up at leaves and sky?

A writer learns that something he has written is to be put in braille. And all he can wish is that he had taken more time so that the parts about spring would smell like spring. Then he wonders about the deaf when they read. Can they hear the song of the bird when the author makes it sing?

The world of the deaf today seems closer and not quite so terrifying as the world of the blind. More progress seems to have been made. You remember elderly relatives of days gone by and the tremendous curved horns, called trumpets, they held to their ears as they said in their empty voices, "Speak a little louder, please." Now our parents, and others so troubled, wear hearing aids so tiny you scarcely see them. But often

even so, they are still the "left out" and go through agonies of loneliness.

Then you hear of a friend's cousin who has arrived in Washington for the International Olympics for the Deaf. He is a swimmer. He is staying at the world's most silent campus—Gallaudet College. Quartered along with him at this college for the deaf are boys from England, Holland, Africa, Russia. Somehow with their different languages and sign language they make out.

But these are grown boys and adjusted. We remember our friends' small son who could not talk. They took him to doctors everywhere and the answer was always the same. He was totally deaf. His father, then an Army officer, is now a member of the clergy.

BRIEF MEMORIES

The world of the blind and deaf is thus remembered briefly—and then returns to its place in the far corner of the eye and just out of earshot. Our sympathy is great, but it is something we don't like to think about very hard, like substandard nursing homes and the suffering of abused animals.

But Helen Keller and LISTER HILL have thought about the blind and the deaf harder than most—and done something about it.

Recital of accomplishments always make dull reading. We refer you to "Who's Who." But Miss Keller's life can never be dull, for the fire within is an exciting flame. Who can forget the "tiger, tiger, burning bright" that was Helen as a child living in what she called a "No" world?

And the fire within LISTER HILL has burned, too, with a steady, golden flame. Like the lady from Tuscumbia the man from Montgomery has been erecting monuments to human sympathy for years, for he started in Congress at age 27. Was not, in reality, TVA—which he sponsored—such a monument? He has turned more and more to the healing arts of his physician father and led the Federal Government in the fight against disease, including blindness and deafness.

NO NEW THOUGHTS

So you find no new thoughts or words, really, to discuss these two individuals, who share a common birthplace, Alabama. You can only say again: They have tried to bring the silent world of darkness and the world of sunlight and song into one world.

BICENTENNIAL ANNIVERSARY OF SHARON, MASS.

Mr. SALTONSTALL. Mr. President, the town of Sharon, Mass., in Norfolk County, will celebrate the bicentennial anniversary of its founding with appropriate ceremonies on July 2 and July 4. On June 21, 1765, the area now known as Sharon was incorporated as a district from a part of its neighboring area, and was known as Stoughtonham. On August 23, 1775, it was made a town, and on February 23, 1783, its name was changed to Sharon.

I extend my congratulations and best wishes to the citizens of this community. It is fitting that the observance of this important town anniversary has been planned to coincide with the observance of Independence Day, for this is a time for all of us to reflect on the growth and development of our Nation and to be proud of the achievements we have made.

MINIMUM WAGE LEGISLATION FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an excellent editorial, which was published in this morning's Washington Post on the minimum wage bill on which we have finished hearings in my subcommittee of the District of Columbia Committee.

The editorial supports the so-called Morse minimum wage bill. The title of the editorial is "Make It a Reality."

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

MAKE IT A REALITY

The spectacle of a minimum-wage bill for the District of Columbia sailing through the House of Representatives is a novelty that certainly calls for applause. The absence of any dissent is especially noteworthy because of the long resistance to any minimum wage here other than the administrative wage orders for the benefit of women and children. Clearly some change in the climate is discernible, but it is less striking than one might suppose from reading the headlines.

What the House approved was a weak compromise which accepts the principle of minimum wages in the District but cruelly delays its effectiveness and limits its application. One purpose of the bill is to require local industries to match the $1.25-per-hour minimum wage required of employers operating in interstate commerce. But employees now covered by wage-board orders would receive only $1.15 an hour beginning 6 months hence and $1.25 an hour in September of next year. Employees not now covered would begin at $1 and would not reach the $1.25 minimum until September 1967. Hotel and restaurant workers would have their hopes for the $1.25 minimum postponed until August 1968.

This gradual step-up process is designed, of course, to minimize any sudden shock to local industries. No doubt all of the businesses affected, however, will pass their increased costs on to the public in the form of higher prices for services rendered. Such adjustments can be readily made without undue delay.

The House bill is similarly deficient in its coverage. Why should car washers, parking lot attendants, domestic, hospital, and nursing home employees and persons working for nonprofit institutions be denied the protection of the minimum wage? The strongest argument for a minimum wage is that Government should provide an income floor for workers related to the basic costs of living. By its very nature such a protective device should be as general as is feasible.

The brightest aspect of the current picture is the more generous bill awaiting action by Senator MORSE's District Subcommittee. It would convert the $1.25 minimum wage from a hope to a reality within 6 months and bring into the circle of protected workers some 250,000 more than would the House bill. The Senate version is more in line with current realities and with the program of the Johnson administration. It will need every vote that can be recruited so as to put the Senate in a good bargaining position when the very different measures go to conference for reconciliation.

Mr. MORSE. Mr. President, this is a very fair and succinct digest of the bill which is pending before the District of Columbia Committee. I have great hopes that, with such support as this, the bill will be reported from the committee.

I ask unanimous consent that there be printed at this point in the RECORD an article by George Lardner, Jr., published in the Washington Post of this morning, entitled "Potomac Watch—Survival and Minimum Wage."

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

POTOMAC WATCH—SURVIVAL AND MINIMUM WAGE

(By George Lardner, Jr.)

The neighborhood worker in Washington's war on poverty spoke bitterly.

"One of my neighbors has 11 in his family," said Vivian Williams. "He works as a helper on a furniture truck; he makes only $10 a day, no matter how long he's worked. Sometimes he has to make 20 deliveries a day."

Another man she knows works as a dishwasher. He put in an 86-hour week just recently, she told a Senate District Subcommittee headed by Senator WAYNE MORSE, Democrat, of Oregon. His pay: $43.89.

MORSE was conducting hearings on his bill to set the minimum wage in the city at $1.25 an hour and to prescribe time-and-a-half pay for overtime above 40 hours a week. Men would be covered for the first time; there would be practically no exemptions.

The sessions showed clearly that $1.25 isn't enough.

A full 6 years ago, according to the Labor Department, an average family of four would have needed an income of $6,147 a year in Washington for "a modest but adequate living," no frills attached.

By the same yardstick, testified by F. Howard McGuigan of the AFL–CIO, "changes in prices and taxes show that an income of $6,514 a year is necessary * * * for a worker with a wife and two children" now.

Minimum wage laws have yet to recognize that workers might have families to support, or even that they've got any business having families.

But even under guidelines set by a committee of the city's Minimum Wage Board, McGuigan reported, it has been 2 years since the cost of living for a single workingwoman passed the $50-a-week mark that MORSE's bill would provide.

Opponents of the bill didn't show up before Morse's subcommittee. Some simply submitted statements for the record.

Noting their absence, MORSE said he'd heard they "were laboring under the misapprehension that they need not be greatly concerned about action by the Senate this year." But it seems just as likely they didn't want to get backed into a corner by MORSE.

It's hard to imagine the Senator sitting still for the pitch of the Restaurant Association of Metropolitan Washington, for example.

In its statement for the record, John S. Cockrell, the association's executive vice president, said at one point that the men working in restaurants are making more than the minimum wage and all the law would do would be to cause us to do a great deal of paper work. But at another point he lamented that the higher wages the $1.25 minimum would bring would be more than the restaurants could swallow.

Cockrell pictured the restaurants as the grand haven of the great unwashed—the untrained, the transient, people temporarily out of work, school dropouts, individuals looking for part-time or temporary employment, and students.

"If the restaurants can't use these people, who can?" he asked.

The point is that restaurants do use them. As long as they do, they ought to pay them a decent wage.

Under its own minimum wage bill, the House District Committee would give hotels and restaurants 3 more years before they'd have to pay $1.25. Approved by the House this week, the bill has plenty of other ex-

emptions, too. Longtime pal of the parking lot operators, the House District Committee didn't even blush when it said they wouldn't have to pay their attendants time and a half for overtime. Car wash employees are also left out of the overtime requirements.

Morse's bill would include them all. While $1.25 an hour can hardly be called a decent living wage in Washington, it's all the "ifs, ands and buts" that pose the biggest dangers to a genuinely worthwhile bill. Pay raises can be insured by tying the legislation to any new minimum set under the Federal Fair Labor Standards Act, an amendment endorsed by both the Labor Department and the District Commissioners.

Even the conservative Board of Trade has come out in favor of the House bill, which seems to be the second line of defense for longstanding opponents of a new minimum wage law for the city.

It's not the $1.25 that seems to upset them so much any more. It's the thought that everyone might have to pay it.

It's time that they did. The legislation has been sitting on Capitol Hill for 3 years now. The poor-mouthing about it has gone on long enough. It needs some legislative mouthwash, not loopholes.

Mr. MORSE. Mr. President, the article by Mr. Lardner is another excellent analysis of the minimum wage bill which is pending in the District of Columbia Committee.

I commend Mr. Lardner for his fairness in his analysis. I appreciate his support of my bill.

OREGON STATE FAIR CENTENNIAL

Mr. MORSE. Mr. President, the gates of the 100th Oregon State Fair will swing open on August 29, and will remain open until September 6. Scores of grade schoolboys and girls, and even more young men and women of high school age, will be in attendance at this great fair. It is one of the best educational programs held each summer in Oregon. Its youth training program, 4–H Club work, future farmer activities, and the other youth-oriented features of our great State fair are much more of an economic asset and an educational study program than most people realize.

If the agricultural, industrial, recreational, and cultural features of the Oregon State Fair each summer did no more than provide young people with the training and educational opportunities which it offers to them, it would be greatly worthwhile. But, in addition, our Oregon State Fair provides invaluable assets to the business and agricultural communities of our State. I often describe our State fairs and all other State and county fairs, as well as livestock shows, as effective democratizers. They bring people together in a common zest for promoting our common objective, and in making our State of Oregon a little better place in which to live.

Ever since I was a little boy I have received some of my best educational lessons at fairs. I would not wish to miss participating in them any year, subject to my duties in the Senate. Senators may be sure that I shall try to show my Devon cattle again this year at our Oregon State Centennial Fair as well as the Multnomah County Fair at Gresham, the Lane County Fair, the Hermiston Fair, and the Pacific International Livestock Show.

Our Oregon State Fair is recognized as one of the three or four best State fairs in the Nation. If a livestock breeder wins top honors at our Oregon State Fair or at the Pacific International Livestock Show, he is really in the economic purple when it comes to sales. For many years, I was on the board of directors of the Oregon State Fair Horse Show. We made the very wise decision many years ago to combine the horse show with a rodeo, and each year this combined horse show and rodeo performance sets a high standard throughout the West. Whenever I attend meetings of horsemen and cattlemen throughout the country, I almost invariably listen to praises about the Oregon State Fair Horse Show and Rodeo events.

The Oregon State Fair is under the able management of Mr. Howard Maple. He has made a fine record for our State fair, and I am pleased to congratulate him.

Oregon supporters of the Oregon State Fair have sent to me a resolution, to be entered in the CONGRESSIONAL RECORD, calling attention to this year's Oregon Centennial State Fair. It reads as follows:

Let it be known that the year 1965 is the centennial year for the Oregon State Fair, to be celebrated in that State's capital city of Salem.

And since this is the 100th anniversary of one of Oregon's most colorful festivals, let it be known as one of the the greatest State fairs ever to be held in the State's 106-year history.

Since its beginning in 1861, and throughout its long history when the great Lewis and Clark Exposition took its place and the 3 years during World War II when it was discontinued, the Oregon State Fair has been a statewide event.

In this year of 1965, throughout the great State of Oregon, the Oregon State Fair Centennial will be celebrated by the people of Oregon. It will be one of the largest single attractions to be held in the State this year and during its 9-day celebration, it will be first and foremost in the hearts of all Oregonians.

I am pleased to call attention to the coming centennial State fair event in my State, and I am proud to extend, through the pages of the CONGRESSIONAL RECORD, by spreading this resolution in the RECORD, a warm and cordial invitation not only to Members of Congress, but also to lovers of fairs throughout the Nation to visit Oregon this year at the time our centennial State fair is being held.

WHY WE ARE FIGHTING IN VIETNAM

Mr. MURPHY. Mr. President, there is a great deal of discussion about the U.S. effort in Vietnam. Mr. Gary Ledwidge, who is stationed in Vietnam, quotes from an article in the Army Times, since the article may provide a better understanding of why we are really fighting in Vietnam.

I ask unanimous consent that the letter be printed in full in the RECORD.

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

APO, SAN FRANCISCO, CALIF.,
April 24, 1965.

Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MURPHY: There seems to be a great deal of dissension running rampant in Congress these days with regard to our Nation's stand in Vietnam. Although it is natural and certainly in the American tradition for each individual to have his own opinion, I believe there are many who have lost sight of the real obligations we must fulfill. Not those to Vietnam or any other nation, but those to the United States and the American people.

Since I am not an accomplished orator, and often find it extremely difficult to express my thoughts and feelings in either the written or the spoken word, I have taken the liberty to quote an article from an old issue of the Army Times (the author of which is unknown to me), which I believe should give our representatives some idea of the real meaning of our interest in Asia:

"I'm here because the America I represent has taken a stand here. But that isn't all of it; that isn't reason enough.

"Here in South Vietnam there's battle in progress—one more battle in the world's longest war. This war began a long time ago, when Marx and Lenin lost contact with reality. This battle here is the current effort of men who love freedom to put the train of humanity upright on the track again. I love freedom and I'm here to help preserve it. But that's not my only reason.

"My role as an adviser here requires that I interpret the technology of my experience for the understanding of those with whom I work; it asks that I show and tell these people here a portion of what the mind of Western man has conceived for himself, and for all others who may wish to learn. I come here not really knowing these people, but wanting to know them. I have come then as a teacher who wishes to learn. But I have other reasons.

"I think that man will best be able to realize himself, to pursue and gain happiness, in an atmosphere of give and take where how much he gives in effort determines how much he takes in gain. This environment, I believe, is characterized economically by capitalism, and nurtured politically by democracy. I'm here then as a proponent of democratic capitalism.

"I don't have to agree with all her officials to be in agreement with the stand my country has taken here. I don't have to be a member of the Democratic Party to endorse the party of the President and his Cabinet with regard to Vietnam. Nor must I be a Republican to wonder why wheat was sold to Russia. I don't have to dislike a southern filibuster in Congress on civil rights; I don't have to bow low to credos I deeply despise, and I don't have to guard my home at night.

"I don't have to do those things because, by the fortunate accident of birth in time and place, I am an American. For my reasons, I have the choice from the things that America means to me. I can and do exercise that choice, and it is that which I most admire in America that I am here to preserve and protect.

"I am here so that when America wonders why she prevailed, it will be found that I—because I loved her—was a reason. But even these are not all my reasons.

"Because I love, and because I am loved, I know what love is. I can say knowingly that I value the people I love, the things I love, and the ideas I believe in. The value of these things to me is worth whatever price

I pay. The highest price I can pay is that of my life. I have brought that life here—with all its meaning to me as an American and as a man—but I have not come here despairingly; I have not come here to lose my life. To risk it, yes; because the values it has given me are worth that risk.

"So I have come to this battle to save my life. And that is reason enough."

This, I believe, sums up the feelings of a great many members of the Armed Forces, even those of us who are not at this time actively engaged in this battle.

I truly wish that I could have expressed myself in such a manner.

To fight in defense of one's country in time of war must be horrifying; but to fight and suffer and die during a time of "peace"—this is truly a sacrifice.

To those who have fought and died, to those who now carry the burden of this battle, we owe not only our physical and material support, but far more important—we owe them our moral and spiritual support. Were it not for men such as these—men who are willing to pay the highest price for freedom, we, as a nation, as a people, should not prevail.

In the event that this article has not come to the attention of the Members of the Senate, I feel that much could be gained by bringing it before them. I have also asked Representative AL BELL to read or distribute it to the Members of the House.

I sincerely believe that this is a worthwhile subject, and that it will provide a better understanding, for those who need it, of what we are really fighting to protect in Vietnam.

With my warmest personal regards and best wishes for your future success and happiness, I remain,

Very truly yours,

G. M. LEDWIDGE,
Seventh Aviation Battalion.

NEW JERSEY CITIZENS COMMITTEE FOR HIGHER EDUCATION

Mr. WILLIAMS of New Jersey. Mr. President—

When industry is seeking a location, the education environment of the area always looms high as a factor to consider.

That quotation, by Elmer W. Engstrom, president of the Radio Corp. of America, and vice chairman of the newly formed Citizens Committee for Higher Education in New Jersey, aptly states the need for continued diligence on our part to the challenge of educating our young people.

The citizens committee was formed to examine the increasing educational needs of the State of New Jersey. I am sure that the findings of the committee will be of interest to all the Members of this body, because the educational demands of our society are common to each of our 50 States.

The preliminary findings of the committee show that an estimated 48,000 New Jersey high school graduates will be seeking to enter college in 1970. The cost of providing adequate facilities for these students will be $250 million, of which $40.1 million has been produced by a bond issue. These statistics may seem sterile; but we must translate them into their meaning to our own sons and daughters who will be entering college during this period.

Therefore, I ask unanimous consent that an article from the June 17 edition of the Newark Evening News be printed at this point in the RECORD.

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

NEEDS OF COLLEGES SEEN $210 MILLION

(By Robert F. Palmer)

Expansion of New Jersey's public college facilities to meet enrollment increases by 1970 will require a capital investment of $210 million, twice as great as that previously estimated, according to the newly formed Citizens Committee for Higher Education.

The new estimate of construction needs was put forth at a meeting of committee leaders yesterday at the Essex Club to announce formation of the group and to describe its campaign to arouse public support for college expansion.

Henry Chauncey, president of Educational Testing Service, who is serving as secretary of the committee, said that a new study made especially for the committee had produced the $210 million figure. The previous estimate of $95 million in unmet needs had been based on the Strayer report of 1961.

Both Chauncey and Dr. Robert F. Goheen, president of Princeton University and chairman of the committee, declared that the Strayer report was badly out of date.

CALLED FOR $135 MILLION

The Strayer study found that $135 million would be required to expand New Jersey's publicly supported higher education institutions—Rutgers University, the six State colleges and Newark College of Engineering—between 1964 and 1970. Since then, the 1964 college bond issue raised $40.1 million, leaving $95 million to be raised under the Strayer calculations.

Chauncey emphasized that the new estimate of $210 million in capital funds was in addition to the $40.1 million produced by the bond issue. He said that of the $210 million, some $90 million would come from revenue bonds for dining halls and dormitories which would be entirely self-liquidating.

A major reason for the estimate increase, Chauncey said, was a finding that the Strayer Report had underestimated the number of students who would be seeking college admission in 1970. He said the committee study had found there will be approximately 48,000 New Jersey high school graduates wanting to enter college in 1970, compared with the Strayer estimate of 40,000.

COSTS TO SOAR

Chauncey declared that the expansion of facilities as suggested by the study would require a 50 percent increase in operating expenses by 1970.

He declined to elaborate on the study, saying merely that it had been made to give the committee a general idea of the needs. He and Dr. Goheen said the committee plans to initiate a more thorough study, with the cooperation of the State board of education and the State department of education, to determine the precise needs to be met.

The study to be undertaken, Dr. Goheen said, will form the basis for the committee's "case" for expansion of public higher education that will be used "to lift the sights of the public and the legislature to the tremendous magnitude of the problem and the need for action."

Dr. Goheen said the committee, composed of about 75 leaders of industrial, commercial, and educational enterprises, would aim to point up the amount of funds needed an "leave it to the legislature" to determine how to raise it.

He said that the committee—at least as far as the 11 founding members are concerned—would favor enactment of a new broad-base tax, but would refrain from taking any position on a particular type of tax.

"In New Jersey," Dr. Goheen said, "there has been a deep-rooted antagonism of a broad-base tax * * *. Happily, we're now in the position of having two gubernatorial candidates who favor a broad-base tax. So, the situation looks much more promising."

He said he felt confident that as a result of the committee's campaign "the people of New Jersey will see the need and will be willing to put up the money." He said the campaign would be "relatively quiet" until after the November elections.

The vice chairmen of the committee, Elmer W. Engstrom, president of Radio Corp. of America, and James Hayward, president of Atlantic City Electric Co., said that improvement of New Jersey's higher education program was necessary to attract new industry to the State.

"When industry is seeking a location, the education environment of the area always looms high as a factor to consider," Engstrom said.

"A number of industries have rejected New Jersey because of its inadequate educational facilities," Hayward declared.

"VIETNAM DIALOG: MR. BUNDY AND THE PROFESSORS"

Mr. PROXMIRE. Mr. President, on Monday night, June 21, six distinguished and highly qualified American experts debated our Vietnam policy on national television.

Literally millions of Americans watched this debate. It has been widely discussed. It served an immensely enlightening purpose. But unfortunately it suffered the weakness of all television broadcasts—its perishability. There is no publicly available written record.

For this reason, Mr. President, I ask unanimous consent that a transcript of this debate be printed at this point in the RECORD.

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

CBS NEWS SPECIAL REPORT: "VIETNAM DIALOG: MR. BUNDY AND THE PROFESSORS," JUNE 21, 1965

(Participants: McGeorge Bundy; Profs. Hans J. Morgenthau, Zbygniew K. Brzezinski, and Edmund O. Clubb; Dr. Guy J. Pauker; Prof. John D. Donoghue.)

(Moderator, Eric Sevareid; producer, William Small.)

ANNOUNCER. This is the CBS News special report; live, from the Hall of Nations, Georgetown University, Washington, D.C., "Vietnam Dialog: Mr. Bundy and the Professors."

Here to moderate this 1-hour discussion is CBS News national correspondent, Eric Sevareid.

Mr. SEVAREID. Good evening, and welcome to the audience in this hall, and to the audience in their homes. The next hour is an important one, we think, in the history of television, and quite possibly an important one in the current history of this country.

On the other side of the world the United States is at war. However you title or define it, it is war. Vietnam has cost America somewhat around a billion and a half dollars so far, and several hundred lives.

There is every prospect that these harsh statistics will climb as this war wears on.

There is some risk at least of a greater war, possibly involving other powers. But the costs and risks of fighting this war have to be measured against the risks and the costs of not fighting it.

So informed and responsible men have differed. The spirit of the opposition to our course in Vietnam was fashioned in the col-

leges of this country. It took the form of an organization now called the Interuniversity Committee for Debate on Foreign Policy.

Their protest was expressed in a series of teach-ins around the country this spring. These culminated in a big gathering here in Washington on May 15. The Government official who the protesters most wanted to hear and to question was Mr. McGeorge Bundy, Special Assistant to President Johnson for National Security Affairs. Mr. Bundy was then unable to appear. The President had sent him to Santo Domingo. But he is here tonight.

So this hour, then, is a kind of condensed reprise of that teach-in and confrontation.

Mr. Bundy and the two men on his side of this argument tonight are not strangers to the academic world. Nor are the three professors on the other side of the argument strangers to the world of government.

To identify these six men, their faces, their voices, and their points of view, let me introduce them one at a time, and in so doing ask each one to state in just a sentence or two his general position on the Vietnam policy of the American Government.

First, Mr. McGeorge Bundy, former dean of the Harvard faculty of arts and sciences, and Special Assistant to President Kennedy, and now to President Johnson.

Mr. Bundy.

Mr. BUNDY. Well, I am here partly because I failed to keep an earlier engagement, partly because I deeply believe in the process of fair and open discussion. Most of all because I believe with all my heart that the policy which the United States is now following is the best policy in a difficult and dangerous situation and the one which best serves our interests and the interests of the world, the interest of peace.

Mr. SEVAREID. Mr. Edmund O. Clubb, chairman of the Columbia University Seminar on Modern Asia, veteran of a quarter century in the Foreign Service, with many years as a diplomat in Asia.

Mr. Clubb.

Mr. CLUBB. Thank you, Mr. Sevareid.

My position is simple. I hold that, first, the American military intervention in Vietnam is in violation of our legal treaty commitments; second, that we cannot win militarily in Vietnam without virtually annihilating the Vietnamese people, which is no victory; and third and finally, that our present policy and actions are alienating both Asian and other world sympathy from us, and thus seriously weakening our global political position.

Mr. SEVAREID. Mr. Zbygniew K. Brzezinski, professor of government at Columbia, and director of the Research Institute on Communist Affairs.

Mr. Brzezinski.

Mr. BRZEZINSKI. I believe, Mr. Sevareid, that the Vietnamese issue is not just a local issue. It involves, first of all, an effort by China to impose its supremacy in the Asian region, contrary to our interests, and to that of some of China's Asian neighbors, and more importantly involves a global issue; namely, what sort of strategy the international Communist movement would pursue in our age and who will lead it.

Mr. SEVAREID. Hans J. Morgenthau, professor of political science of the University of Chicago and director of the University Center for the Study of American Foreign and Military Policy.

Mr. MORGENTHAU. I am opposed to our present policy in Vietnam on moral, military, political, and general intellectual grounds. I am convinced that this policy cannot achieve the desired results and that quite to the contrary it will create problems much more serious than those which we have faced in the recent past.

Mr. SEVAREID. Mr. Guy J. Pauker, former teacher at Harvard, at MIT, at the University of California, now head of the Asia Section of the Social Science Department of the Rand Corp.

Mr. PAUKER. I am here, Mr. Sevareid, because the discussion of Vietnam has generated so much emotion on the campuses of American universities that the factual base of this discussion is frequently ignored.

I think that one should bring the facts back into the discussion.

Mr. SEVAREID. And finally, to John D. Donoghue, associate professor of anthropology, Michigan State University, former research professor in Japan and adviser on administration in Siagon and I believe in various villages of Vietnam.

Mr. DONOGHUE. Two years experience in Vietnam, much of this time spent in villages, have made one thing clear to me. Those who make American policy do not understand and, therefore, are unable to cope constructively with the human discontent that produces revolutionary movement in developing countries.

We must reaffirm the revolutionary dedication to freedom that gave birth to this Nation.

Mr. SEVAREID. Well, gentlemen, and members of this audience we thought we would try to divide this discussion to follow into four rather large encompassing questions or aspects of the whole Vietnam problem. And the first question is, "Why—what are the legal and moral and political reasons or justifications for the American presence in Vietnam—why are we there?"

Let's begin with Mr. Bundy.

Mr. BUNDY. Well, Mr. Sevareid, I think the best way, the shortest and the most accurate way for me to state the reasons for our presence in Vietnam is to take just a moment to read from the President's speech of April 7, at Johns Hopkins in Baltimore, because there is no more authoritative statement of our position.

"We are there," he said, "because we have a promise to keep. Since 1954 every American President has offered support to the people of South Vietnam. We have helped to build and we have helped to defend. Thus over many years we have made a national pledge to help South Vietnam defend its independence. To dishonor that pledge, to abandon this small and brave nation to its enemy and to the terror that must follow would be an unforgiveable wrong." So the first point is that we have a commitment, matured through time, made for good reasons, and sustained for the same reasons.

We are also there, the President went on, "to strengthen world order. Around the globe, from Berlin to Thailand, are people whose well-being rests in part on the belief they can count on us if they are attacked. To leave Vietnam to its fate would shake the confidence of all these people in the value of American commitment. The result would be increased unrest and instability or even war."

And the President went on to set the stakes in terms of the problem in Asia itself.

"We are also there," he said, "because there are great stakes in the balance. Let no one think that retreat from Vietnam would bring an end to conflict. The battle would be renewed in one country and then another. The central lesson of our time is that the appetite of aggression is never satisfied. To withdraw from one battlefield means only to prepare for the next."

"Our objective," he said—and this is perhaps in the end the defining point immediately of the contest—"our objective is the independence of South Vietnam and its freedom from attack. We want nothing for ourselves—only that the people of South Vietnam be allowed to guide their own country in their own way."

Mr. SEVAREID. I am going to ask the other side now for an opening statement on this part of the question, from Mr. Clubb. And then we will go to, I hope, general discussion of it.

Mr. Clubb.

Mr. CLUBB. Mr. Bundy, of course, presented a principal argument that is offered—namely, that in Vietnam the United States is following a policy laid down in 1954. This by itself is inadequate warrant. Lord Salisbury has said that one of the commonest forms of error in politics is the sticking to the carcass of dead policies. The U.S. Government has not been unguilty of that particular error.

The 1954 Dulles proposals for the containment of Asian communism by massive retaliation and brinkmanship had adverse effects at the time for the global American political position.

The present strategy, be it noted, differs somewhat from the Dulles doctrine. First, the military retaliation at the present time is measured. But there is another divergence. Second, in the 1950's, Gen. Douglas MacArthur and President Eisenhower both warned against our fighting a land war in Asia. But Washington now indicates that it is possibly headed in that direction.

There is a correlary argument that is offered—it is said that we are in South Vietnam in any event in service of solemn treaty engagements. The 1954 SEATO Treaty extended a defensive umbrella over South Vietnam. And it is said the Saigon Government, or perhaps I had better say a Saigon Government, has asked for our help.

A State Department legal adviser said recently that criticism charging that the United States had violated the Organization of American States Charter reflected a fundamentalist point of view with regard to international law.

Well, I am a fundamentalist. I believe that treaties mean what they say. And I believe that treaty signatories are bound by their provisions. And I refer to three treaties in this general connection.

One, the United States helped to create the Kellogg-Briand Pact of 1928, designed to outlaw war forever. And the United States by that treaty renounced war as an instrument of national policy.

Second, the United Nations Charter commits the United States, among other signatories, to settle its international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

Third, the SEATO Treaty itself. The United States bound itself by the treaty provision to consult with its treaty allies regarding an aggressor's armed attack or any situation which might endanger peace of the treaty area in order to agree on the measures to be taken for the common defense.

SEATO decisions authorizing our military actions do not appear on the public record. Without formal authorization of the SEATO organization, we are not entitled to rely on the SEATO Treaty for our legal sanction.

Mr. SEVAREID. Mr. Clubb, if you go much further on this, I think you are going to absorb nearly all the time left for this section of this debate. And I would like, if you will excuse me, to break in at this point and ask if I have a rejoinder over here, as to how and why we got into Vietnam.

Mr. BUNDY. Well, let me say first, going back through Mr. Clubb's argument, that I think there is no legal justification for an assertion that you cannot act to meet commitments under the SEATO Treaty without an authorizing vote. The treaty does not say that. The provisions of the treaty do not require that. And it seems to me quite clear that the United States is acting within the legal and moral commitments of the SEATO Treaty.

Going back further, the United Nations Charter explicitly provides for the right of individual and collective self-defense, and the United States has complied with those

provisions of the charter which require that actions taken under that clause be reported to the United Nations, and it is surely not the fault of the United States that there is adamant opposition on the Communist side to any further engagement of the United Nations in this contest. That may be enough for my share, Mr. Sevareid.

Mr. SEVAREID. I think Dr. Hans Morgenthau was giving me a sign a moment ago.

Mr. MORGENTHAU. Well, I would offer two political arguments against the official position that we are in Vietnam in order to honor a commitment, and that we are there in order to defend the freedom of South Vietnam, that we cannot let South Vietnam down.

First of all, one should not overlook the fact that it was we who installed the first government in Saigon, the Diem government. In other words, the state of South Vietnam is in a sense our own creation—for without our support the regime in Saigon could not have lasted for any length of time.

So when we say we must keep a promise, we have really made a promise to our own agents. In a sense, we have contracted with ourselves, and I do not regard this as a valid foundation for our presence in South Vietnam.

Furthermore, even if it were otherwise, I refer you to the statement which Alexander Hamilton made on the occasion of the neutrality proclamation of Washington in 1793, when the United States had an obvious and undoubted treaty agreement to the effect that it must come to the aid of France if France is engaged in a war in Europe. And Hamilton, in a definitive fashion, laid down the principle that no nation is obligated to endanger its own interests, let alone its own existence, in order to come to the aid of another nation.

Secondly, it is obvious from the facts of the situation—I welcome Mr. Pauker's invocation of the fact—that we are quite unwelcome in South Vietnam. There is an abundance of reports to the effect that what most of the South Vietnamese want is to be left alone, and that they would be delighted to see us depart.

A month ago, for instance, the Vietnamese correspondent of the Economist, a very respectable periodical of Great Britain, reported that the slogan which makes the rounds in Saigon is "Yanks, fight your wars elsewhere."

Mr. SEVAREID. We have about 2 minutes left on this question. Can you usefully make use of it, Mr. Brzezinski?

Mr. BRZEZINSKI. I will try. I would like to make two points: one, that it seems to me one cannot assess the Vietnamese issue purely in the terms of the specifics of the Vietnamese history, Geneva Convention, and so forth.

It seems to me that we are involved here in the very basic process of trying to create international stability, a process which we undertook as we had to in Europe in the late 1940's and the process which I think is now in its beginnings in Asia where conditions are far less stable; our engagements therefore are much more difficult and complicated. Nonetheless, I do not see how the United States could abstain from becoming involved in this process. Otherwise, all of Asia would become rapidly destabilized and there are a great many Asian nations which see a major interest for themselves in America's continued presence in Vietnam as a bulwark.

Secondly, on the specific point whether the Vietnamese want us to get out. Obviously, after 10 years of civil war the paramount desire is for peace. But I do not believe that the paramount desire is for a Communist takeover. Anyone familiar with warfare knows that when an army suffers the kind of casualties the South Vietnamese Army suffered someone is doing some very good fighting. They are not defending, but dying and fighting and this I think is a major indicator of the commitment and of their loyalty.

Mr. SEVAREID. Mr. Brzezinski, I would like to go to the second question that we discussed before, and this is a little more specific.

What is the fundamental nature of this war? Is it aggression from North Vietnam or is it basically a civil war between the peoples of South Vietnam?

Let's start with Dr. Morgenthau.

Dr. MORGENTHAU. I would say, it was also the official position until February of this year that the major problem was a political problem in South Vietnam. And I remember very well at the end of 1955 when I had a long discussion with President Diem that I pointed to the likelihood that his policies would lead to the breakdown of his regime and to a general alienation of the population with the Communists profiting therefrom. So what we had at the beginning, and it is obvious when you look at the development of the civil war in South Vietnam, yet, at the beginning, a revolt, especially of the peasants against the Diem regime and from 1959, 1960 onward, the North Vietnamese Government, to an ever-increasing extent, aided and abetted this revolt. So I find it rather farfetched up to recent months, of course, in recent months since our extension of the war in the North Vietnam situation has changed, but up to February, I find it rather farfetched to speak of aggression for the north. What you had was a revolt in the south aided and abetted from the north.

Mr. SEVAREID. I think Mr. Brzezinski, you wanted to come in there, or was it Dr. Pauker?

Mr. PAUKER. I welcome Professor Morgenthau's acceptance of the factual basis of our discussion. The documents captured from the Vietcong and the statements of Vietcong prisoners, defectors, and civilians who have fled from Vietcong-controlled areas proved to me beyond reasonable doubt that guerrilla warfare operations in South Vietnam had been envisioned by the Communist government of North Vietnam as early as 1954.

Let's recall the facts. At that time after 8 years of war against the French the Vietminh troops were longing to go home to their villages and families in the south. In spite of this some 90,000 Vietminh fighters of South Vietnam were not allowed to return to their homes but were sent to North Vietnam to be used in case the Hanoi Government did not succeed in staging a Communist takeover in the south by peaceful political means under the cover of the Geneva agreements. These men from the south were indoctrinated politically and trained militarily for several years in North Vietnam. From 1960 to date, about a third of this group as well as several thousand men born in the north have infiltrated into South Vietnam mostly through Laos across the so-called Ho Chi-minh trail. Almost half of these men are members of the Vietnamese Communist Party.

They formed a cadre that is the hard core of the dedicated fighters of the revolutionary war against the government in Saigon. They are the ones who are taking advantage of the many problems prevailing in South Vietnam as in any transitional society—recruit, train, indoctrinate and lead in combat a younger generation of South Vietnamese villagers.

Of course, the South Vietnamese villagers who have become the bulk of the Vietcong fighting force are recruited not only by naked coercion, but also by a range of appeals exploiting general and local grievances, but they do not understand that the grand strategy of the Communist leaders in North Vietnam is aimed precisely at aggravating these local grievances and preventing any non-Communist government in South Vietnam from coping with them.

Hanoi's grand strategy has been the following: After 1956 terrorists' assassinations of village officials disrupted the administrative machinery of the South Vietnamese Government, weakened Saigon's control of the countryside and created general uneasiness and fear. Then, beginning in 1959, increasing harassment through attacks on South Vietnamese army posts, and ambushes of small units prevented the Saigon government in many parts of the country from protecting the population against Vietcong coercion. To reestablish the balance, the South Vietnamese Government had to appeal to the United States and other friendly countries for increasing amounts of military assistance.

The presence of foreign military forces can now be exploited by Communist propaganda so as to inflame and capture Vietnamese nationalist sentiment in the villages. The young Vietcong recruits see themselves engaged in what the Communists like to call a war of national liberation, but they do not understand that the national liberation front of South Vietnam itself is only a facade. The ultimate purpose of the Hanoi government is to establish in the South a totalitarian rule of the Vietnamese Communist Party. Therefore, in answer to your question, Mr. Sevareid, the evidence mainly, captured documents of statements of Vietcong prisoners and defectors makes it clear to me that this is indeed aggression from North Vietnam, but carefully staged so as to make Communist revolutionary war appear as a spontaneous grassroots revolt of the people of South Vietnam.

Mr. SEVAREID. Mr. Pauker, thank you. One man who has spent a good deal of time in the countryside of Vietnam is Mr. Donoghue and I would like to hear from him.

Mr. DONOGHUE. I went to Vietnam to help teach and train people in the National Institute of Administration there, how to do research in villages. Therefore, I spent quite a bit of time in both South Vietnam and central Vietnam, so my view of this whole problem is from the village, from the people. And other reports that I have read corroborate my findings.

Generally speaking, the programs that were initiated all during the Diem regime were initiated by Western-educated, elite people in Saigon and then pushed out into the villages. The villagers were village chiefs who were appointed by the Saigon Government, were poorly trained and unable to carry out these programs.

As a result, the village chiefs resorted to terror and coercion in order to get the peasants to work on certain kinds of programs. The members of anti-Government groups counterthreatened these appointed chiefs and as a result the chiefs and people in the villages were caught in the middle between Government coercion on the one hand and coercion of other groups on the other hand.

Vietcong propaganda played into this and the idea of this was that if we get rid of the Americans and if we get rid of the Government that we will ultimately gain freedom. People believed rightly or wrongly that the Vietcong were the protectors against the coercion of a dictatorial Government that was located far, far away in Saigon.

In the research that we did we found no evidence of northern aggression. Undoubtedly, there was moral support from the North and as was pointed out more recently material aid. Nothing, of course, comparable to the American aid.

Our research indicated that the biggest problem in Vietnam was the alienation of the peasants from the Saigon Government. Thus, I view this as a civil war with most peasants against the Government that we support with the help of the north and most recently the whole thing aimed against

foreign interference which they claim stands in the way of national liberation.

The Government in Saigon is not representative of a large majority of peasants who are backing a popular movement for liberation from foreign domination. And by our backing them I feel as though we are violating our legal and moral commitments to the principles of self-determination.

Mr. SEVAREID. We've got about maybe a minute or a minute and a half on this section of the argument and I was about to suggest that Mr. Bundy, you might want to speak to this.

Mr. BUNDY. I would like to make two points on what Professor Morgenthau said.

First, he implied that the U.S. Government has changed its tune on this point within the last few months which is in my judgment simply wrong.

I would like to read just two short quotations as samples. Here is an example from a news conference of Secretary Rusk in November 1961: "The determined and ruthless campaign of propaganda infiltration and subversion by the Communist regime in North Vietnam to destroy the Republic of South Vietnam and subjugate its peoples is a threat to the peace."

There couldn't be a clearer statement of a position which has been repeated a number of times.

I could go right through a whole series of statements which President Johnson and before him, President Kennedy, have made on this. But more compelling evidence in a way is what the Communists themselves say about it.

In 1959 Ho Chi-minh announced in an article in the Belgian Communist organ: "We are building socialism in South Vietnam, but we are building it in only one part of the country while in the other part we still have to direct and bring to a close the middle-class democratic and anti-imperialist revolution," and again in 1963 the North Vietnamese Communist Party organ stated quite simply, "The authorities in South Vietnam," it was speaking of, "are well aware that Vietnam is the firm base for the southern revolution and the point on which it leans and that our party is the steady and experienced vanguard unit of the working class and people and is the brain and factor that decides all victories of the revolution."

We really shouldn't argue about this point because the evidence is overwhelming.

Mr. SEVAREID. Gentlemen, we are about halfway into this discussion and I would like to turn to our third topic or question and this is a large one:

"What are the implications of this Vietnam struggle in terms of the whole rise and future of communism in Asia as a whole, particularly in terms of Communist China's power and aims and future actions?"

Who would like to start on this? Professor Morgenthau?

Dr. MORGENTHAU. It is of course correct to say that one cannot look at the Vietnamese situation in isolation from our overall policy in Asia and in isolation from the overall policy in Asia of our enemies. And here we come back to what we have discussed before. We are really in Vietnam not because we must honor a commitment or because we want to help the people of South Vietnam who rely on us. We are there because we want to contain communism. And I have no quotation to read from, but I have a very good memory. [Laughter.]

I remember well that for instance the Secretary of Defense has said, and I think quite correctly, that we are in South Vietnam in order to stop communism, and if we don't stop it there we will have to stop it elsewhere, and some people have gone so far as to say if we don't fight in Vietnam we have to fight in Hawaii or perhaps in California.

Now, we are really in Vietnam as part—yes—part and parcel of the containment policy, military containment policy which was eminently successful in Europe against the Soviet Union and in my view is bound to fail in Asia against China. For the situation in China—pardon me, the situation in Asia—is fundamentally different from the situation in Europe.

In Europe you could draw a line across a map and tell the Soviet Union, "Until here and not farther." And behind that line on our side you had viable social, political, economic, and military units. Nothing of the kind exists in Asia and secondly and most importantly, the Russian threat was primarily a military threat and against this threat the policy of military containment was indeed adequate and successful.

The threat of China is primarily a political threat and nothing we do in South Vietnam or don't do in South Vietnam is going to make any difference with regard to the potency of such threat in the rest of the world. We may hold South Vietnam. We may win a victory in South Vietnam. This means nothing with regard to whether or not Indonesia will go Communist, or an area in Africa will go Communist, or Colombia will go Communist.

In other words, we have the success of our policy of military containment in Europe that has led us into the fallacy to apply the same instruments to a situation which is entirely different and where such instruments cannot succeed.

Mr. SEVAREID. Mr. Brzezinski?

Mr. BRZEZINSKI. I would like to suggest respectfully that Professor Morgenthau is wrong in his analysis of Asia and of Europe. [Laughter.]

It seems to me that if we go back to the years 1945–48, the problem in Europe was not only a military problem. It was also political and an ideological problem. The Communist guerrillas came within 40 miles of Athens.

Communists, riots, activities in France and Italy were on the verge of success. In both cases the response was not only military but involved the political, social, and economic effort to create stability.

Now, granted the proposition that this undertaking is much more difficult in Asia, but if in Asia it is only political and not a military problem, then why all the fuss about the military response and its alleged danger? It is precisely because it is both a military, a political, and social problem in Asia that the United States has to remain engaged, for there is no other major power in the world which has the resources, the wherewithal to provide both military stability and economic, social, political development.

If the United States becomes disengaged because of a military defeat in southeast Asia, then how can it make its presence felt in a positive sense economically and socially?

I will submit to you that we have some major achievements to our record in Asia already. We have contributed to social stability and political development in Japan, in Taiwan, in Thailand, in India, which wants us to stay in South Vietnam, in Pakistan, and I think this task ought to go on.

Moreover, and I think this is extremely important, it relates to the general condition of the international Communist movement.

We have to continue this undertaking for, if we fail, then in the international Communist movement itself, the Chinese line would have been proven correct; namely, that by fomenting the national liberation struggle, linking it to social unrest and organizing a political movement, you can qualitatively change the course of history.

Peng-chin in his recent speech, which I recommend to you, developed at length——

Mr. MORGENTHAU. Communist propaganda.

Mr. BRZEZINSKI. This is a very major statement developing at length the Chinese conception of the present international scene and it is a complete alternative to the Soviet conception, it rejects a notion that such confrontation can escalate into local and global war. It is based on the premise that the United States has neither capacity nor the will to react effectively and it is an attempt in the course of this undertaking to pressure the Soviets to emulate the Chinese.

I believe that if we now disengage from Asia, which I think—which I take it is the course, the brunt of the remarks of the Chinese will have been proven right and this will be a highly destabilized condition for world peace in general.

Dr. MORGENTHAU. Could we state our own position? We didn't ask Mr. Brzezinski to restate it for us. He certainly has said something which I wouldn't have said, and I never have said. But we come to this a little bit later.

I want to make only one point and that is, that if Mr. Brzezinski's analysis is correct, it is quite astounding that the Chinese are obviously most eager to have us continue the war in South Vietnam. They are the ones which oppose any kind of negotiations which might lead to some kind of settlement, but they seem to be enormously eager to increase our commitment and I must say if I were a Chinese statesman I would be very eager, too, because it is exactly because we are here in a blind alley, it is exactly because—it would be very difficult for us to win a military victory and even if we win it, it means nothing politically. And because the military and political situation is so unfavorable to us, the Chinese are delighted to see us fight in Vietnam.

Mr. SEVAREID. I was turning to Mr. Clubb. I think I have got a minute or two to allow on this side again. Mr. Clubb. Mr. Clubb, would you like to?

Mr. CLUBB. Yes, I should like to make a comment.

I think that the situation in Vietnam is different from the situation in Thailand, India, Japan, or other places. I think that given the fighting there, it is, say, a particular and peculiar situation that we have to attend to only. And the error in our consideration of that is, I believe, the basic assumption that South Vietnamese, Vietcong, are subject to the control of Hanoi, that Hanoi is under the influence of Peiping, and that we should take one side or another in the Peiping-Moscow dispute.

In actuality, it appears to me that the nationalism of the Vietnamese is something which would prove an element of considerable strength against China, ultimately, that we should attend to that and disregard China at this particular moment.

Mr. SEVAREID. Mr. Bundy, would you care to speak to this part?

Mr. BUNDY. I think the point to be made, and it is one which really takes us to the question of what Professor Morgenthau's real position is that, as he states it, no particular point is worth defending. I think also, that he gravely misstates the policy of the United States in Vietnam when he asserts, I think on quite incomplete, and as far as I know, with no citation, that our policy is merely to contain communism everywhere and that we do not have a specific interest, sustained and important in victory in South Vietnam and I can suggest to him the importance I think of this point by remarking simply that it seems as pikestaff to me that if we are successful there the effects will be constructive and helpful all around southeast Asia and on even wider framework.

Mr. SEVAREID. We have a half second.

Mr. Donoghue?

Mr. DONOGHUE. Well, the point is, I do not think we are going to win in South

Vietnam and therefore if what these gentlemen say is true, then I think I am quite frightened.

Mr. BRZEZINSKI. I don't accept Mr. Goldwater's conception that if you cannot win the alternative is total defeat. There is such a thing as a military stalemate out of which arrangements can eventually develop. It seems there is a third way.

Mr. SEVAREID. All right.

Mr. BUNDY. There is also an enormous difference between doing the very best you can within the framework of your legitimate interests and commitments and quitting too soon.

Mr. PAUKER. The one point that hasn't been brought in—revolutionary war is a new political-military technique that uses the tensions that exist in all new countries in Asia and Africa for the advancement of the cause of the group that foments this movement. Without the tensions it couldn't be done, but to say this is purely a nationalist movement doesn't make sense. You talk to the Vietcong and they tell you without the help of the North, the front movement would not be reached—would not have reached its present proportion. I read you from one such statement, the front controls only a small portion of the population. Therefore, the supply given to the fronts by the people is rather inadequate from the point of view of labor, material, and financial resources, the front is weak from the point of view of armament, the front does not have the facilities to produce arms and has to rely on the supplies from the North. It was stated in April by a Vietcong cadre.

Mr. SEVAREID. We have about 30 seconds.

Mr. DONOGHUE. I don't think that you have ever talked to a Vietcong because they are very, very difficult to find them. They are very difficult to find because I looked all over for them.

Mr. PAUKER. You were there in 1960.

Mr. DONOGHUE. 1962.

Mr. PAUKER. I was there every year from 1954 to last November. I talked to many Vietcong.

Mr. DONOGHUE. They are very difficult to find and they are clothed, they are housed, they are fed and they are supplied and they are hidden by the peasants in Vietnam.

Mr. SEVAREID. Gentlemen——

Mr. PAUKER. That is not the debate.

Mr. SEVAREID. I think we might very usefully spend the rest of this hour on the fourth and final question we had on our minds before we began and that is the question of alternatives to our present policy in Vietnam.

What are these alternatives? Let me start with Mr. Bundy.

Mr. BUNDY. Well, there are a number of alternatives.

Let me begin by pointing out that the alternative which is more important than the one presented by these gentlemen in terms of real choices and in terms of levels of support by the United States and in terms of the level of our interest there, and one which has been rejected by the administration is the general and less restrained carrying of the war ever farther northward without regard to cities or population or boundaries or to what country you are choosing to attack or the view that airpower will somehow settle this thing, that there is no issue in South Vietnam. That is not the policy of the administration. That policy was proposed in certain quarters in 1964. It was rejected, it is still rejected. There is a very interesting and important issue in, a more important one in terms of the sentiment of the American people in the general proposal moving toward withdrawal which I take to be, although they were stated for themselves, the position of the gentlemen opposite. Within the framework of the choices available to us, we can move without restraint against those who have engaged in this aggression from the north. We can move toward withdrawal without regard to our obligations to those in South Vietnam or the political consequences in other countries.

We can stay roughly where we are in essentially the passive role or we can carefully and with a choice of specific ways and means move to sustain our part and it can only be our part of a contest which is of great importance to us as it is to the people of Vietnam.

It is not for me, on this occasion, to discuss specifically what steps may come in the future. I think it is fair to say that the position of the administration, and I think the position of a solid and very strong majority of the Congress and of the people, is that we should stay there, that we should do our part, as may become necessary, do only what is necessary, bear in mind that the center of the contest is in South Vietnam though there is more aggression from the north, and seek constantly, as we have for months and months, to find a way to get this dangerous and difficult business to the conference room.

Mr. SEVAREID. Mr. Bundy, has the administration changed its views about negotiating at any level, at any time, with the Vietcong?

Mr. BUNDY. The administration's position is that we will negotiate with governments. Now, there is no barrier to serious negotiations in this question of the Vietcong. The Vietcong have traveled for years on North Vietnamese passports. It is not a difficulty from their point of view if they are ready to seek a negotiation, to pass the signal to friends, supporters, and I say directors and controllers. It is not the question of who sits for the Communists that stands in the way of a conference.

Mr. SEVAREID. I want to get clear that we would negotiate with the Vietcong as long as they are legitimately established——

Mr. BUNDY. That is not a question which stands in the way of a conference. We propose to discuss this matter with governments.

Mr. SEVAREID. Mr. Clubb.

Mr. CLUBB. Yes; I should like to make a point.

The absolute alternatives to war and destruction are, of course, peace and construction, and the administration, I gather, agrees with those aims.

However, the administration has been indicating conditions, if you will, people with whom we will negotiate, or discuss, and people with whom we will not.

The question is how to achieve the peace we all desire. And this brings up another question.

Since South Vietnam is a sovereign country, by the observations of Washington, who lays down the conditions for peace—Washington or Saigon?

That appears to me as an important question. It would suggest that we are on our side of the table moving toward withdrawal.

None of us, I think, propose simple withdrawal without negotiation, anything like that. Moving toward withdrawal—I think the administration would not hold that we plan to remain there forever. In the event that there were a peace agreement, presumably it might make some provision for American withdrawal. In circumstances like that, we might have to face up to the necessity of going.

There was one observation made a long time ago by Horace Walpole, who said that it is easier perhaps to conquer Asia than to know what to do with it. We might apply it to Vietnam.

Mr. SEVAREID. Gentlemen, this is free and open, now.

Mr. PAUKER. I would like to end my previous argument with Mr. Donoghue. One cannot refer to 1960 or 1962 field work in order to know what the situation is today. Nobody denies, Mr. Donoghue, that the Vietcong gets support from the villages. The question is under what conditions and how the atmosphere in the villages itself is changing.

The Vietcong at the time that you were there, were fairly well received in the villages. The Vietcong are increasingly considered a heavy burden by the villages. Their taxation rate is higher than it was around that time, and the villages are beginning to be quite tired with what is going on in the villages.

Now, there is, I think, a difference between an organized and well disciplined elite, and a feeling of the whole population. And I think that none of us with the training we have should speak about "the Vietnamese say." One cannot go to Saigon and talk to the proverbial taxi driver and claim to speak for all groups.

Mr. SEVAREID. Mr. Pauker, I would like to get back to this question of the alternative to our policy. And I think Dr. Morgenthau has something on his mind.

Mr. MORGENTHAU. There are I think theoretically speaking five alternatives which are before us.

We can get out, without further ado.

Second, we can—we don't need to oppose moves which in the past have been made by the Government in Saigon to come to an understanding with the Vietcong which would lead to our departure on their invitation, and the invitation of the Government in Saigon.

Third, we can greatly increase the air attacks going farther and farther north.

Fourth, we can greatly increase our commitment on land by sending a couple of hundred thousand, or as Mr. Hanson Baldwin suggested, a million men to Vietnam. Or we can, as Senator FULBRIGHT recently suggested, try to hold a few strong points on the coast of Vietnam, proving to the Vietcong that they cannot win a military victory, and on that basis try to negotiate with them in the fall.

Now, my personal position, which must come as a surprise to some listeners here, is that Mr. FULBRIGHT's position is by far the most acceptable from my point of view.

I think our aim must be to get out of Vietnam, but to get out of it with honor.

I would indeed—I have indeed always believed that it is impossible for a great power which must take care of its prestige to admit in so many words that its policy has been mistaken during the last 10 years and leave the theater of operation. But there are all kinds of face-saving devices by which a nation or a government which has made a series of mistakes can rectify the situation, and I think President de Gaulle has shown how to go about this with regard to Algeria. And certainly if you look at the prestige of France today, it is certainly higher than it was when France fought in Indochina.

If I may just say one sentence about the previous discussion about the fact. It is, of course, obvious, and it has been obvious to me all along, that the Government lives in a different factual world from the factual world in which its critics live. It is an open question who is psychotic in this respect, who has created a kind of a quasi-world in which he lives.

But I would call the attention to the fact that my view of the facts is certainly supported by all of those observers from neutral or friendly countries who have been in Vietnam, who have lived with the Vietcong. I remind you of the articles in L'Express by Mr. Chauffard, I remind you of the articles in the Figaro by its correspondent. I remind you of the articles in the Economist. They all support my general view of what the factual situation in Vietnam is.

And I should also say that the factual situation, the deterioration of the military situation is infinitely graver than we have

been made to believe on the basis of official and nonofficial reports.

You see, for instance, the desertion rate of the Vietnamese Army in recent months has been enormous. Generally it has been said that the recruits desert at the rate of 30 percent. But around Da Nang, in the war zone, 40 percent of the combatant units have in recent weeks defected.

Mr BUNDY. I simply have to break in, if I may, Mr. Sevareid, and say that I think that Professor Morgenthau was wrong on his facts as to the desertion rates, wrong in his summary of the Chauffard and Express articles, wrong in his view of what the economist says, and I am sorry to say giving vent to his congenital pessimism with respect to these matters. And I want to take a moment to give you direct quotations to show what I mean.

In 1956 Professor Morgenthau wrote of Western Europe: "Communism is far from defeated in Western Europe, and the Marshall plan is partly to blame for that failure. The dangers to the stability and strength of Western Europe which have grown in the past and the defects of that structure have continued to grow, because those defects were not repaired. The Marshall plan almost completely lost sight of those roots of instability and unrest which antedated the emergency and were bound to operate after its was over."

And it is only 9 years later that he tells us that "the Marshall plan was eminently successful in Europe" and that to the west of that boundary there lay an ancient civilization which was but temporarily in disarray and which proved itself capable of containing Communist subversion.

And closer to home, just 4 years ago, Professor Morgenthau wrote about Laos two things which are interesting.

"As these lines are being written, early June, the Communist domination of Laos is virtually a foregone conclusion." And reading the mind of the administration he went on to say, "The administration has reconciled itself to the loss of Laos."

Now, neither of those things is true, neither of them has happened, neither of them corresponds to the reality of the political situation in southeast Asia.

Mr. MORGENTHAU. I may have been dead wrong on Laos, but it doesn't prove that I am dead wrong on Vietnam.

Mr. SEVAREID. Since this has become something of a personal confrontation I think Professor Morgenthau should have a small chance at least to answer Mr. Bundy.

First I would like to hear from Mr. Brzezinski for about 1 minute.

Mr. BRZEZINSKI. All right—I would like to make basically four points, in 1 minute.

It seems to me very important to keep making it very clear we are not trying to overthrow the North Vietnamese Government. In other words, there is no effort here to roll back the Communist world. Because I think this has effects on the Soviet attitude and elsewhere.

Second, we have to make it very clear that we ourselves are not going to be thrown out of South Vietnam, because this eventually can create preconditions for negotiations. And I believe we can do this in spite of the apocalyptic predictions by some people that this will lead to a world war with China or with the Soviet Union or to a homogeneous Communist world.

Third. I think we have to strive in the long run to separate the North Vietnamese interest from the Chinese interest, and that interest can be separated when the North Vietnamese leaders begin to realize that the war in the south does not give them victory but does give them mounting destruction in the north which the Chinese are perfectly willing to afford, because they would like to see this war continue.

And lastly, we ought to try to maintain contact with the more moderate section of the Communist world, stimulate trade with them, greater contacts, so that they themselves will see an interest in stability and will try to use their influence on the more revolutionary wing of the Communist movement, or if not then at least will be compelled to separate themselves from it, indeed as a result of mounting Chinese attacks on them as recent indications point.

Mr. SEVAREID. A long but very fascinating 1 minute, Mr. Brzezinski. Thank you very much.

Now, I do think Professor Morgenthau ought to have a chance to respond to the direct criticism made by Mr. Bundy at this time.

Mr. MORGENTHAU. I admire the efficiency of Mr. Bundy's office——

Mr. BUNDY. I do my own.

Mr. MORGENTHAU. Oh, well, I am honored by the selected quotations from my writings.

As I have said before, nobody—privately has said this—nobody who deals with foreign policy professionally can be always right. Obviously one makes mistakes. And I probably was too pessimistic about Laos. But not terribly more pessimistic than the situation warranted.

I should also say, to quote a great man, that I have not always been wrong. And especially when it comes to Vietnam, Mr. Bundy might have quoted certain things I wrote in 1961 and 1962 or quoted what I wrote at the end of 1955 after my interview with President Diem about what the future of South Vietnam might be.

So I think no useful purpose is served by pointing to one mistake, and I admit freely that I have made mistakes, I have made many more than Mr. Bundy has found—but I have not always been wrong. And in any case it is no argument to say this man has been wrong about Laos, how can he be right on Vietnam.

Mr. BUNDY. Actually what Mr. Morgenthau said about Vietnam in 1956—this is the one I happen to have here—was that a miracle had been wrought under President Diem.

Mr. MORGENTHAU. I stand by that. All right.

Mr. SEVAREID. I don't know whether they are in agreement at this point or not, at least about their disagreement. I think we have got about 2 minutes here.

I thought we would close between Mr. Bundy and Mr. Morgenthau, but we have played a little game of checkers and jumped over that.

I would like to hear from Mr. Clubb, I think, and then from Mr. Pauker.

Mr. CLUBB. I think the record of predictions in Washington is none too good. So perhaps we ought to abandon that particular line of thought.

I should like to get back to the matter of alternatives.

It was suggested that we perhaps should seek face-saving devices. We may just drop the face-saving—although it seems to be important. And here I should say that those three treaties that I remarked are really applicable, and one way that we can get out of the present predicament, if we choose to do so, is to consult with our allies and friends, and if no better other approach offers itself, bring the matter officially before the United Nations to the end that peace might be restored to this unhappy land in Vietnam and the hungry people of that war-torn land be helped to proceed with economic reconstruction and economic progress for enjoyment of the human happiness now denied them.

Mr. SEVAREID. Mr. Pauker, I think we have got about one-half a minute.

Mr. PAUKER. Thank you. I have to speak fast.

If you go to Vietnam now, Mr. Donoghue, and try to speak to one of these hard to find Vietcong, he would tell you what this man said in April to one of my friends. He said, "I came to understand now how the Vietcong transformed the people into machines, devoid of all thought," and that is why he defected. Then he was asked what would the front do. And he said, "The front, after it takes over the Government, will continue to maintain South Vietnam as a neutral country. It was announced that the South belongs to the North or to the Communist bloc. If the front does, the Americans would have an excuse to return to South Vietnam. This is the Vietcong scheme. Later on the Vietcong will gradually transform the south into a Communist state. That is clear."

Mr. SEVAREID. Gentlemen, televison timing is somewhat inexorable. I will have to cut this off. I didn't known we would end up somewhere in a village in South Vietnam, but here we are. The hour is gone.

I want to thank all of these gentlemen very much, and this audience for coming out on this warm night.

This is Eric Sevareid in Washington. Good night.

SERVICEMAN STATES LACK OF GI BILL IS FALSE ECONOMY

Mr. YARBOROUGH. Mr. President, failure of the administration to give its full and active support to the Cold War G.I. education bill is causing an unreasonable delay in the prompt enactment of this necessary legislation.

I ask unanimous consent that there be printed in the RECORD a letter from Lt. Thomas J. Byrnes, A.P.O. New York, N.Y., in support of the G.I. bill. The letter is dated June 3, 1965, and expresses the keen dissatisfaction of many hundreds of thousands of young men and young women in both civilian and military life with the administration's position to date on Senate bill 9, the cold war G.I. education bill.

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

CLASS B AGENT, 45TH FIN. SEC.,
New York, N.Y., June 3, 1965.

The Honorable R. W. YARBOROUGH,
Chairman, Subcommittee on Veterans' Affairs U.S. Senate, Washington, D.C.

DEAR SIR: Thank you for your reply to my letter supporting passage of a GI Bill of Rights. I was pleased to read in the Stars and Stripes that the Senate Labor and Public Welfare Committee has approved this bill and that there are more than 40 cosponsors of this legislation. I was a bit perplexed to read that this legislation is not fully supported by the administration on the basis that it would be too expensive and would serve to discourage reenlistments.

I would like to state that I don't understand how an administration which has declared war on poverty and is in the process of sending bills to Congress which call for the expenditure of millions on the Peace Corps, the Job Corps, education, medicare and foreign aid can say that this bill would be too expensive. When it comes to helping men who have given some of the best years of their life in the service of their country, it becomes a matter of it being too costly. We give funds to students through the National Defense Loans and Grants but we can't afford to give the men who stand day after day on the frontiers of freedom some help when they complete their service because it costs too much. Something is definitely wrong with this standard of values.

In answer to the other voiced objection of the administration to this bill I would like to state that after almost 4 years in the

service, in which time I have discussed reenlistment and extension of service with many of my fellow officers and subordinates I have found that the reasons given for not staying in the Army are seldom related to the money they are paid or the greater opportunities that are available to them as civilians. Most men come into the Army with the intention of rendering the service they feel they are privileged to be able to give in order to keep our country free and strong. Those men have no intention of making it a career and there isn't much chance that anything will change their mind. Those who are undecided or who intend to stay on, leave for many reasons and I will mention a few. Perhaps they are disheartened by the fact that they can't get adequate housing for their family on post for at least a year in most cases; and if they decide to get a home on the economy they have to pay exorbitant rent for furnished apartments because their weight allowance doesn't permit them to bring their own furniture. The weight allowances are limited because Government-furnished housing is supposedly available. Maybe they have had to wait 3 or 4 hours with a sick child before a doctor gets to see them. Maybe they have had to wait 3 or 4 months between appointments for dental care for themselves or their dependents. It's my opinion that if the Army were to use its MOS test system and commanders' rating as a basis for promotions as the Navy does, one of the biggest obstacles to retention would be eliminated.

I hope that you will consider my objections to the reasoning of the administration in this matter and that you will consider them when legislation is presented to Congress for passage.

Sincerely yours,

THOMAS J. BYRNES,
First Lieutenant FC.

THE BALTIC STATES: A TRIBUTE

Mr. WILLIAMS of New Jersey. Mr. President, 25 years ago, Lithuania and her sister Baltic States, Latvia and Estonia, were invaded by Soviet military forces. Within a matter of a few weeks, all three states were incorporated into the U.S.S.R. as constituent republics.

On this occasion, we pay tribute to a gifted and heroic people who in their national life had sought no more than to live in peace and security. During the interwar period, the Lithuanians accomplished a great deal. Their state had every right to continue in freedom and independence.

But, international politics being what they are, small nations are more often than not the pawns of the great powers; and in the case of the Baltic peoples, this generalization is truly applicable. The Baltic States declared their neutrality in the European war that broke out in 1939; but Soviet expansionist interests had to be satisfied—and satisfied they were, at the expense of the Baltic peoples.

We honor the Lithuanian people; and we honor also their Baltic neighbors who share a common fate. Let us all pray that their hopes and expectations for the future will become a reality, and that once again they will enjoy the fruits of liberty.

PROBLEMS OF ALLIANCE OPERATIONS AND THE CRISIS IN NATO

Mr. JACKSON. Mr. President, in its study of the conduct of national security policy, the Subcommittee on National Security and International Operations this week received from Prof. Richard E. Neustadt perceptive testimony on the problems of alliance operations and the crisis in NATO.

An eminent analyst of the Presidency, the author of "Presidential Power"—1960—and a consultant to President Kennedy and to President Johnson, Richard Neustadt is a professor of government at Harvard University and is associate dean of the Harvard Graduate School of Public Administration.

I believe Professor Neustadt's initial statement at our hearing on June 29 will be of special interest to all Senators, and also to other Government officials in Washington and to many private citizens. Therefore, I ask unanimous consent that the statement be printed at this point in the RECORD.

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

STATEMENT BEFORE SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL OPERATIONS

(By Richard E. Neustadt, professor of government at Harvard University, June 29, 1965)

Mr. Chairman, members of the subcommittee, I take your invitation to appear today as a command which I obey with pleasure and appreciation. This is, for me, a rather sentimental occasion, having been associated with your work, from time to time, since the first "Jackson Subcommittee" got its start 6 years ago. Also, this occasion lets me emphasize again the gratitude of those of us who teach in universities for your assistance to our work these past 6 years.

Whether you know it or not—and I expect you do—the academic specialists in policy development lean heavily upon you as a source of reading matter for their students. Your subcommittee documents appear routinely in the reading lists and reference books assigned to college classes across the country. There is no comparable source of information and appraisal on the conduct of our Government in foreign affairs. So, on behalf of all of us who teach, and for our students: Thanks.

You have asked me to consider and to comment on ideas and issues raised in the initial memorandum of April 26, with which you opened this new phase of your continuing inquiry. So far as I am able I am happy to respond, but I am conscious of two limitations as I do so. Let me tell you what these are:

First, the memorandum bristles with questions, many of them basic, penetrating questions—any many of these penetrate beyond my range of observation or analysis. They impress me very much as the right questions to ask. But I do not impress myself at all as the man with the right answers. Indeed, I have no ready answers.

My professional preoccupation, as you know, has been what someone recently called "President watching"— to which, of late I've added as a hobby a bit of intermittent Prime Minister watching. But no one save a President or Premier really can be expert on the conduct of their offices. And not even a President knows half of what goes on beneath him and around him in our governmental world, to say nothing of other governments. As an observer—for the most part an observer from outside—I know a great deal less. So all I have to offer are some personal reflections drawn from limited observation.

Second, I appear here at a moment when our Government is struggling with the very sharp dilemmas of two complicated crisis operations overseas, while academic criticism of them both mounts higher than at any time I can remember since the regime of the late John Foster Dulles. But even though I come here with an academic title, I've no stomach for the role of critic-of-the-moment. Nothing I shall say here passes judgment on our current operations. I have enough experience in Government to know how much I do not know, from the outside, about the issues of Vietnam and the Dominican Republic as these present themselves to our decision-makers. And I have too much sympathy for men who bear the burdens of decision to allow myself the luxury of current criticism without current information.

So much for limitations. Now for your memorandum: I find in it two fresh conceptions which strike me as particularly worth pursuing. The first of these is what you have called operational feasibility. The second relates to alliance operations. Let me deal with each in turn.

OPERATIONAL FEASIBILITY

Your memorandum states:

"Top policy officers tend to pay a great deal of attention to what is called political feasibility. They also need to give a great deal of attention to what we might call operational feasibility. Is the plan of action do-able, in terms of real men * * * given the realistic limitations of knowledge, resources, and organizations with which they must make do?"

The distinction you suggest here is important. Government decisions, action decisions, the decisions which accrete into what we call public policy, always involve weighing the desirable against the feasible. The public officer at every action-level asks himself not only what but also how, considering not only goals but also ways and means, and then he calculates his chances to secure the means. Consciously or not, the man in public office has to make that calculation every time he contemplates an action. (The academic man does not, which frequently accounts for differences between them.)

And it is fair, I think, to say what your statement implies, namely that our public officers have generally inclined to make the calculation without bothering their heads too much about administrative means. Generally speaking, they have tended to assume that if they could secure political assent, they could invent, or improvise, or somehow force the requisite responses from the men who actually would do the work, in Government and out. The great machines of management would surely manage somehow, if the necessary sectors of the public, or the press, or Congress, or the Cabinet, as the case might be, were acquiescent.

That assumption probably has roots deep in our history: Americans have often improvised the means to do what nobody had done before. We invented federalism, won the west, conducted civil war on an unprecedented scale, coped with immigration, mastered mass production, built the Panama Canal.

And since the start of World War II, when we began to fashion our defense and our diplomacy in modern terms, we frequently have followed the assumption in those spheres as well, with consequences which appear to prove it out. Witness Franklin Roosevelt's war-production targets, and lend lease, or Harry Truman's aid to Greece, the Marshall plan, the Berlin airlift, NATO. In instances like these, a calculation of administrative prospects from the standpoint of existing capabilities or past performance would have been depressing, to say the least. Happily, the men who made such calculations at the time—and drew from them the counsel of inaction—were overruled by Presidents with faith that we could improvise.

In these instances, and others of the sort, the faith was justified.

But faith was helped by fortune in these cases. Running through them all were certain favoring conditions. These were instances when we espoused a large objective, simple in conception, easily identified and understood by managers at many levels, bearing some analogy to previous experience, and calling for an effort of great scale, not great precision. These were, moreover, cases where the need was plain enough to spur the effort. An overriding menace to our country was personified in Hitler, then in Stalin. And where we had to work through governments abroad, their operators saw the menace too, and saw it in our terms, or even more so. Also we were favored rather often by good luck: Tito's break with Stalin, for example, cost the Greek guerrillas an important sanctuary.

Such favoring conditions, I suspect, become prerequisites for an effective outcome of decisions which take management on faith. Unfortunately, these conditions are not always present. In their absence, portions of our record since the war wear quite a different look than do the instances just cited. They wear a look of ineffectuality. Here too, the issues of administrative feasibility were not pursued until after decisions had been taken. But here the consequences were unhappy. Faith in our capacity to improvise is justified, it seems, under particular conditions, and not otherwise.

Let me cite a few examples on the unsuccessful side: consider Roosevelt's wartime aim, from 1942, that we should occupy a northern zone in Germany, extending to Berlin. Or take what is supposed to have been his decision that we should not let the French return to Indochina. Or think of Truman trying to conduct a limited war with General MacArthur as his agent. Or look at Eisenhower trying in the last year of his term to move toward a détente with Soviet Russia. Or take Kennedy's endeavor in the first weeks of his term to undermine the government of Cuba.

In all these cases we had qualified objectives, subtle aims based on a line of reasoning and on anticipations which were far from fully understood by operators in our own or other governments, and often were not shared by those who did perceive them. Subtlety was matched by strangeness; we were trying to accomplish unfamiliar things in unaccustomed ways. Effective follow-through would have required great precision in obtaining information and coordinating action on the part of the American bureaucracy. It also would have called for great precision in relating our own actions to the acts of other governments. But large-scale organizations find it hard to be precise. And it is hardest when they tackle novel tasks for obscure reasons.

The Korean war provides perhaps the most dramatic instances where our decision-makers took too much for granted on the side of operational feasibility. In the fall of 1950 there were few things Truman wanted less than a severe and costly clash with the Chinese. But to assure himself that he could minimize the cost would have required him to override the then prevailing military doctrine of autonomy for field commanders—or at the least to appoint a more malleable commander. He also would have had to build a better capability than we possessed for judging what went on inside Peiping. He would have had to use it, too, instead of leaning on the hunches of MacArthur. But none of this was thought through by the President (or his chief advisers) when we chose to support South Korea and then to cross the 38th parallel.

In the spring of 1951 there were few things Truman wanted more than a negotiated settlement with the Chinese. This led him to accept truce talks without a time-limit, and without keeping up our military pressure. That proved to be a formula for stalemate, not settlement. Truman often has been criticized in retrospect for taking off the pressure, halting our advance as talks began and thus reducing the Chinese incentive to conclude them. But our troops, to say nothing of the public or Congress—or our allies—were psychologically unready to press forward, take the casualties involved, for the purely political purpose of exerting influence at a conference table. Save for some commanders in the field, our chief officials, with the President among them, were equally unprepared.

By the time talks began, continued military pressure for this purpose seemed impossible to them on grounds of management as well as politics. Without it a quick settlement proved quite beyond their reach. That might have been foreseen by the decision-makers who had long since settled on negotiation as their means to end the war. Had it been foreseen they might have managed to prepare the ground in popular psychology, and with the troops, and in their own minds. Apparently, they took no steps to do so.

The Korean war, of course, becomes dramatic in proportion to its character as an unprecedented—and entirely unexpected—sequence of events. Truman and his colleagues dealt with what was then uncharted territory, limited war, with nothing in our modern history, military planning or diplomacy to prepare them. The whole affair was a gigantic improvisation undertaken in a context of political adversity as well as unpreparedness. When I hear concern expressed about the standing of a Johnson or a Kennedy in Gallup polls, I am reminded of the popular approval given Truman in the spring of 1951: 24 percent. I find it hard to criticize the Truman administration under those conditions. More recent Presidents have had at least a better base of popular support from which to face unprecedented problems.

Another source of illustrations, less dramatic but more frequently encountered, can be found in foreign aid. The Marshall plan was an immense success precisely because it attempted no more than was operationally feasible: physical reconstruction and modernization of economies in countries which possessed political and bureaucratic resources to make our money and our know-how serve the purpose. It is true that portions of our own bureaucracy and public tried to aim more broadly, at a social reconstruction. But it is also true that the directors of the program kept such aims in check. They fitted ends to means.

The Marshall plan's success was not a precedent, however, for our aid to less-developed countries. Ever since point four in 1949 our programs—and our rhetoric—have suffered very often from a failure to achieve that fit: we often neither trimmed our aims to match the means at hand, nor found new means sufficient to our purpose. Worse still, we often talked and sometimes acted as though we were under no compulsion to do either. Both in economic and in defense support, I gather that the record has been studded with occasions where we worked with little reference, or with none at all, to operational feasibility.

Everyone has his pet peeve with foreign aid. Mine is the tendency, marked until recent years, to treat connections between politics and economics in the third world by analogy with some one aspect of historical experience in this country or Europe. You will recall when technical assistance was the rage, on the analogy of land-grant colleges. Later, in the fifties, we inspired aid missions with zeal for private capital, on the analogy of Europe's contribution to our economic growth during the 19th century. When Kennedy was new in office we became proponents of the takeoff, on analogies from the industrialized nations: once a certain stage was reached, political development and economic growth were bound to become mutually supportive. Maybe so. But this assumption by analogy, like the others, seems to me a positive incitement to aid programers. Given such assumptions, those who proffer aid for less-developed countries may expect too much by way of bureaucratic and political capacity—or they may think too little about practical political effects.

Before the day of David Bell they certainly did both. I take it that they now do rather better.

In my own occasional experience, I vividly recall the report of an expert special panel, several years ago, which assessed the economic prospects of an Asian country. Their report proposed to make much of our future aid conditional on tax reforms; these were demonstrated to be well within the country's economic capability. Not a word was said about its governmental capability. Those measures of reform threatened to disarrange its system for rewarding men in public life. The ruling politicians and the bureaucrats who would have had to put the measures through were very much affected by them, not just personally but in terms of settled custom and procedure. The operational question for our Government is obvious. That panel never asked it.

By definition, foreign aid presents this sort of question. It is at once the hardest sort to answer in advance and the least safe to leave for improvising later. No wonder our aid programers have trouble. For on matters of this sort, a judgment of the feasible in operating terms involves not only our machines of management but also those of other countries, and not alone their governments but oppositions too, overt and otherwise.

Foreign aid, indeed, presents routinely and in lower key the operating problem we apparently confront in our two current crises: how to guide another country without running it, or still more crudely, how to govern through another government. In the heyday of 19th century imperialism this was no trick at all. The device of the "protectorate" was well developed. And in the heyday of the empire of Stalin, party discipline served even better. But we genuinely are not imperialists in either sense. We do not want to be, nor can we be. Devices of both sorts are beyond our reach. In lieu of command we experiment with influence, a chancy substitute.

These comments will suffice, I hope, to emphasize two things: first, that we can ill-afford to take administrative feasibility on faith—except under conditions which are frequently denied us—and second, that in calculating feasibilities we often have to reckon not alone with our own men, but also with the men who do the work of other governments. This puts a premium upon detailed control of who does what to whom, with what, and when inside our Government; control is hard to get and hard to keep, but of the essence. And it suggests an equal premium on detailed information, properly appraised, about the who and whom, et cetera, in other governments (or would-be governments). Nothing could be harder to obtain, especially an adequate appraisal. But difficulty is no warrant for discounting either need.

A careful calculation of operational feasibility, in terms like these, can be rewarding even though we act despite it, as we often must. We need control and information to dispel the risk of action-in-the-dark. The next best thing, however, is awareness of how much we have not got. A grasp of limitations makes for careful footwork. This itself reduces risk and often is the most we can achieve. The alternative is action without careful calculation, hoping we will be sustained by favoring conditions, trusting our capacity to improvise after-the-fact.

This has worked before—sometimes—but I would hate to count on it. This is a way to maximize the risk.

Let me turn now to another aspect of your memorandum.

ALLIANCE POLITICS

Your memorandum states:

"An alliance in operation is a group of governments each made up of men who, by the nature of their work, are bound to view the purposes for which they are allied through the perspective of their own national preoccupations."

This concept of allies as governments, and governments as politicians-on-the-job cuts through our native tendency to talk about alliances in terms of their machinery or governments in terms of single individuals. I see two implications, one of which you indicate:

"When external dangers are immediate and severe, and the situation looks similar from the several national perspectives, then closely alined courses of conduct can be expected. When external dangers are less severe, alliances are bound to be in some disorder. Pulling and hauling is not necessarily a sign of weakness. * * * It serves no useful purpose to complain that national interests diverge. They do."

In short, when several governments are frightened by the same thing at the same time, and perceive it much alike, they tend to act in concert not because of but regardless of alliance ties. Truman used to say sometimes that Stalin was his agent on this Hill in putting through the landmarks of our postwar foreign policy. Anyone who recalls the reaction here to the Czech coup of 1948 will grant his point. And it applies to western European capitals as neatly as to Congress.

A second implication is perhaps less obvious. Because allies are governments, each is a more or less complex arena for internal bargaining among the bureaucratic elements and political personalities who collectively comprise its working apparatus. Its action is the product of their interaction. They bargain not at random but according to the processes, conforming to the perquisites, responsive to the pressures of their own political system. Some men and some machines within the system thus are naturally advantaged over others. With us, Defense and Treasury, for instance, are frequently advantaged over State. In foreign policy the President is usually advantaged over Senators. So it goes. In France, the Elysée is currently advantaged over everybody else, if and when De Gaulle himself is known to take an interest. (The qualification, I suspect, may mean more than we think.)

It follows that relationships between allies are something like relationships between two great American Departments, say Defense and State—except that there is no Supreme Court like the White House to adjudicate their differences or overcome them. These are relationships of vast machines with different histories, routines, preoccupations, prospects. Each machine is worked by men with different personalities, skills, drives, responsibilities. Each set of men, quite naturally, would rather do his work in independence of the other set. They overcome that preference when they find the others useful or essential in their business. The impulse to collaborate is not a law of nature. It emerges from within, arising on the job, expressive of a need for someone else's aid or service.

From this, two more things follow: First, if one government would influence the actions of another, it must find means to convince enough men (and the right men) on the other side that what it wants is what they need for their own purposes, in their own jobs, comporting with their own internally inspired hopes and fears, so that they will pursue it for themselves in their own bargaining arena. This is what we did, with Stalin's help, in Europe nearly 20 years ago. This is what we failed to do, without that help, on EDC 11 years ago.

And second, if one wants to tie the policies of governments together, over time, one seeks joint ventures or concerns which link the daily doing of key men on either side, making them dependent on each other in their work, giving them concrete incentives to collaborate.

Before NATO, the most intimate, sustained peacetime alliance between major powers in the modern world was that of Germany and Austria-Hungary, from 1879 to 1914. Save for some joint meetings between military staffs, this alliance lacked machinery such as we associate with NATO. But what it had instead was great weight in the public politics and also in the bureaucratic politics of both regimes, together with the sanction of a powerful tradition: Except for 13 years after the Austro-Prussian War (and a decade in Napoleon's time), the two countries had always been mixed up with one another. In July 1914, the bureaucratic politicians of Vienna pulled a fast one on their colleagues at Berlin and dragged them into war. In 1917 Berlin got its revenge and made the Austrian Emperor drop his separate peace negotiations. The ease with which each side compelled the other testified to the political imperatives behind their close connection.

Short of the pervasive links in politics which characterized Berlin and Vienna, particular joint ventures often have contributed to binding an alliance. Until the missile age, for instance, while the bomber still gave SAC its strength, the shorter flying time of Britain's bomber command made English capabilities count heavily with us. In the deterrent business we, of course, were senior partner, but the British saved us trouble, also money, and indeed provided something irreplaceable, an "unsinkable carrier." American defense officials, therefore, had to think about the British every time they thought about themselves. That is a very binding tie between two governments.

The common status of the dollar and the pound as reserve currencies for the free world becomes another tie of roughly the same sort, and one which still is very much at work between these governments. As Eisenhower found in 1956 when he decided to change British policy on Suez, there is a lot of leverage in this relationship. But as we have seen recently there also is a lot of common ground because of it.

Ventures or concerns in common of these sorts give men inside each government a handhold on the hopes and fears of men inside the other as they do their work, pursue their needs, in their arena, day by day. For a peacetime alliance, lacking Stalin or his like, few things can help more to keep two governments together.

Our current problems with De Gaulle now seem to stem, at least in part, from the fact or appearance that he has several handholds on men in Bonn, and Bonn, in turn, has many holds on Washington, while we and they alike cannot return the favor. In the current French political and economic context, his "presidentialist" regime seems smooth as glass, impervious to us or to the Germans. He must know that he needs us to deter the Soviets. But this we do on our account, not his, so French security in the strategic sense gives us no hold on him. We seem to have no others, though this may be more appearance than reality. But even the appearance gives him more room for maneuver on his side than we on ours. So at least I gather from the New York Times.

To comment on alliance operations without mentioning machinery is to give our NATO organs, and others of the sort, less than their due. They play a role, undoubtedly. But in the terms of this analysis it is and has to be a derivative role. Alliance institutions, civil and military, are not sovereign states—though SHAPE at one time often played the part and got away with it—but rather they are creatures, or at least creations, of the governments concerned. Thus their importance turns on their symbolic quality, together with their actual capacity (which often is not very great) to influence the work of men inside those governments. For short of open war, it is the government machines, not those of the alliance, which alone possess the capability to act. And short of imminent incursions into NATO countries from the East, the views of SHAPE or North Atlantic Council (NAC) officials matter less in many governments than views of men with power in their own right close to home—or nearer Washington.

If alliance organizations are to make a larger impact, they require greater leverage upon the work and worries of key men in national machines. This is what distinguishes the EEC from NAC. "Eurocrats" can do (or at least start) some things, quite independently, which vitally affect the work of ministers in government. A dozen years ago, the same thing could have been said about SHAPE, in fact if not in form, but less so now than in the days of Eisenhower, who was something of a sovereign power in himself.

However, it does not appear to me self-evident, or even likely, that alliance agencies can have such leverage (or, anyway, can keep it if they get it). I do not see the payoff for the national machines. Confederacies are another matter, but NATO governments make no pretense that their alliance is a nascent state. EEC and NAC are thus in different categories; the one is not a precedent for the other. Nor do I see why we should mourn the passing of our "proconsuls" from SHAPE. At the present stage of our political development, alliances exist to serve their member governments, not vice versa. And governments are served by meaningful relations with each other. These center necessarily upon each other's capitals, upon the great machines and their internal bargaining. Alliance agencies are on the margin.

This does not mean that alliance organizations serve no useful purpose. At the least they serve as symbols and as supplementary switchboards for communication among national machines. Still more, they may provide a quiet corner where key men from different capitals review the bidding on collaborative plans and action. This last, I take it, is a major aim of NAC. If so, then the small subgroup of key ministers, recently suggested by our Secretary of Defense, might be a very useful supplement.

But machinery is the least of my concerns today.

MEN AND MACHINERY

These comments on alliance operations reinforce my comments on operational feasibility. For if peacetime alliances are what I think they are, then our ability to make productive use of them depends, at least in part, upon our comprehension of the who-and-whom, and what, and why, in other governments. It also will depend in part upon the skill with which we translate comprehension into appropriate action, a delicate endeavor calling for control. Put these two parts together, add material resources, and you have a formula for gaining from alliances; leave either out and you do not, unless by luck or with a substitute for Stalin. In working an alliance, as in calculating feasibilities of any other operation overseas, the premiums are on control and information.

I have testified before about control, the need for it and difficulties of it in our government. There is nothing I would add today

except to note that Johnson, quite like Kennedy before him—some say even more so, many say too much—is trying to control details of operation in each crisis situation overseas. Seen from the outside, he seems to act as though he thought his every purpose were at risk in anything subordinates contrived without his knowledge. If this indeed should be his thought, he would not lack for reasons from the record of the Presidency or its outlook since the missile age began. I cannot think him wrong to try. The difficulties, naturally, remain.

Information presents still more difficulties. From what little I have seen of our intelligence and our political reporting I surmise that the chief difficulty is conceptual: apparently we lack a frame of reference in our heads to prompt the questions on which we are often most in need of answers—or to guide appraisal of the answers we can get. This is not a problem inside government alone; far from it. It also is a problem in the scholarly community. Curiously, we are very much aware that our own Government is not a monolith, yet we are prone to treat a foreign government as though it were. We know that our own public officers are bound to think not only about men across the water, but also and intently about colleagues here at home. Yet we often neglect the possibility that foreigners do likewise.

In the sphere of military operations, we have learned with pain and slowly but quite thoroughly, I believe, that ends take means, while means take application to a given case, and application calls for an assessment of the case, before, during, and after. In recent years, particularly, we have made serious efforts to review our aims and to refine our means in light of our experience and prospects, case by case. Not only have we tried to do these things but also we have tried to instill knowledge of the doing, and of how, and why, in the upcoming generation of staff planners and commanders. War colleges, I gather, turn experience into doctrine as fast as they can. They even make a place for planners out of uniform, from State and CIA or even Budget, on the theory that it pays to spread the word.

In the "political" sphere, so called—a term for anything or everything except the actual use of force—what comparable efforts do we make? Virtually none. The intelligence community has little taste for history, or so it seems. At any rate it continually looks forward, rarely back. The Foreign Service, while at home with history or at least anecdote, seems prone to a professional astigmatism which mistakes diplomacy for governance. The Pentagon, although no stranger to political work, is under a constraint not to admit what it is doing, even to itself. Defense officials, in and out of uniform, are likely to display a double standard: hardheaded and informed on feasibilities of force, haphazard or unknowing (or simplistic) about feasibilities of politics. Many of them are experienced in bureaucratic politics at home; some of them have extraordinary experience with governments abroad. But nothing in their training tells them to treat this experience as carefully or as analytically as they would treat combat experience.

I made a bow just now to the war colleges. But it is pertinent to add that they reserve no time for studies of what actually went on inside of governments as one of those machines dealt with another. Nor, naturally, is time devoted to analysis of what to do, if anything, about resultant problems. The colleges are not to blame; they do not have such studies. And with rare, piecemeal exceptions, neither do Defense, nor State, nor CIA, nor AID—I may have missed a hidden treasure somewhere, but I doubt it—to say nothing of our universities, where scholars either pine for lack of access or accept as gospel what they clip out of the New York Times.

Were this the situation on the military side, we would not tolerate it for a moment.

The question becomes, what to do about it? With that question let me bring this statement to a close. The answer, obviously, depends on many people in and out of government. None of us here can speak for all of them and I would not presume to try.

But it is plain, I think, that steps toward an answer will involve at least two sorts of studies. First are studies of method, of our training needs and programs, inservice or out. Congress has been cool to a civilian counterpart for the war colleges. If not that, what? Second are studies of substance, of relevant historical experience in critical encounters between governments looking at what happened inside national machines as well as across national frontiers. Just as we dissect past military actions, so we should examine such administrative confrontations, and for the same reasons: to sharpen our perception of our problems, to enhance our capabilities for training, to improve our question asking, and to give us the beginnings of a frame of reference adequate for future operations.

Studies of the first sort certainly are open to the competent authorities at both ends of the avenue. Studies of the second sort could well be fostered by many institutions both downtown and outside government. Security requirements are such that government support is always indispensable, but private capabilities would also be essential. Cooperation is indicated. Some of us in Cambridge hope we can contribute to this work through our established organizations and also through the institute of politics, honoring President Kennedy, which Harvard is in process of creating. Other research centers elsewhere in the country should chime in, or take a lead. I hope they will. For this job is bigger than all of us. And studies are but steps toward answering the question.

One other thing is plain: this question and its answer are not matters of machinery. To be sure there are some problems here of method and procedure. But the question does not pose issues of government reorganization. The answer does not turn on whether we have more or fewer members of the National Security Council. Machinery is not of the essence here. Men are of the essence: what they carry in their heads, and how they use their minds, and where they look for information.

Yet this seems to me preeminent among the long-term problems in the conduct of our foreign operations.

"MAKING DEMOCRACY WORK"—McGEE SENATE INTERNSHIP CONTEST ESSAYS

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct, for the graduating high school seniors in my State of Wyoming, the McGee Senate Internship Contest, which brings to Washington one boy and one girl, for a week of observation of democracy in action—here in the Senate and elsewhere in Washington, D.C.

As a part of the contest, each student is required to complete an essay on "Making Democracy Work"; and each year I am impressed by the depth of understanding and the dedication to our democratic principles displayed in the essays written by these young people. All show real thought and a thorough knowledge of our system of Government.

Of course, it would be impossible for everyone to read all the essays; but I think some of the most outstanding ones as selected by an impartial panel of three judges, should receive wider circulation. Therefore, I ask unanimous consent that two of the essays—written by Robert J. Reese, of Casper, Wyo.; and Mary Ruth Parsons, of Cheyenne, Wyo.—which received honorable mention in the McGee Senate Internship Contest be printed in the RECORD.

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

MAKING DEMOCRACY WORK BETTER

(By Robert J. Reese, Casper, Wyo.)

In his play, "An Enemy of the People," Henrik Ibsen wrote "The most crying need in the humbler ranks of life is that they should be allowed some part in the direction of public affairs. That is, what will develop their facilities and intelligence and self-respect." Such is the state of mind that creates democracies. A society with this state of mind must meet two qualifications. The first is a desire to develop the "crying need" into a practical ambition. The second is an eagerness to accept the responsibilities involved in self-government. Since democracy depends upon knowledge, the major obligation of an independent people is that of obtaining an extensive education. Learning is important and necessary because the citizens must have the intellectual ability to question their leaders reasonably. A critical society is a free society and an intelligently critical society is a great society. Citizens who are not alert to the actions of their Government may become subjects instead of citizens.

Although men are freest when they are most unconscious of freedom, they are safest when they are most conscious of freedom. Awareness of liberty also brings about awareness of the slavery of others. This awareness makes men chained by their obligations to either free the enslaved or to make certain that they do not suffer the same fate. Perpetual watchfulness is the only safeguard against tyranny; therefore a democracy imposes restrictions on itself by chaining itself to enduring vigilance and the ceaseless pursuit of knowledge. The pump of liberty must be primed by sacrificing a small amount of freedom in order to gain a great amount of it. If these goals are continually carried out, democracy in a country does not have to be part of a mere cycle of governments; it can become immortal.

The representative democracy in the United States has the potential to become immortal because this country is ruled by the Constitution. This situation prevents us from being subject to the weaknesses of men. Rule by law instead of by men has made America the great power it is today. As Aristotle said, "The law is reason unaffected by desire." Since she is great politically and economically, the United States also has an obligation to become superior socially and morally. What answer can we give to students in Africa and Latin America who give in readily to the temptations of communism when we give in readily to the temptations of racism, liquor, sex, lawlessness, or selfishness? We are on a pedestal before the world. Leadership is ours whether we want it or not. We should strive to eliminate America's present images of violence, immorality, bigotry, and dollar worshiping. The United States has never been content with an unfavorable status quo. It is one of the most progressive, and revolutionary nations in history; so why has it taken so long for us to revolutionize our moral and social standards?

One of the most glaring inadequacies in our social standards is the race problem.

There is no reason for denying Negroes the right to vote or the right to use public facilities or the right to a decent education. In the words of the late President Kennedy, "Liberty like charity must begin at home." In addition to being harmful to our social and political structure, segregation is detrimental to our economy. Intelligent, productive Negroes have been placed on welfare lists because they were unable to obtain a suitable job or a satisfactory education. Any racial incident in this country is immediately described as "American oppression" in headlines throughout the world. The white supremicists say we should go slow, yet they ought to realize that liberty delayed is liberty denied. We should, however, exercise restraint in the amount of freedom allowed. Purposeless demonstrating, talk of impeaching Governors, economic isolation against an entire State, and rioting in the name of civil rights do a disservice to the country. Reformers and their opposition are indispensible to society; but only if they know when to stop reforming or resisting. Reformers should work to improve the Nation, not to divide it.

A country of people who would rather destroy each other than the enemy is a country that is heading toward self-annihilation. We should remember that a political opponent is not an enemy, merely a citizen with similar ends and different means. While the two Communist powers divide over the best methods of world conquest, our two great political parties divide over the best methods of world improvement. Besides division, another problem that faces democracy is an excess of freedom. When independence ceases to have its limits, respect for the government is diminished. Anarchy is substituted for liberty, waste for magnificence, and impudence for courage. It is such a desire for an excess of freedom that caused the free speech movement at the University of California. As Plato said, the citizens "chafe impatiently at the least touch of authority * * * they cease to care even for the laws, written or unwritten; they will have no one over them."

Unrestrained liberty produces complacency, ignorance, and indifference to national problems. It is complacency that allows men such as Bobby Baker, Billy Sol Estes, and Jimmy Hoffa to rise to positions of leadership or influence. It is contempt for authority that is producing our increased crime rate, the cheating in our schools, and the widespread deception on income tax forms. It is selfishness that causes workers to strike on our missile bases in utter disregard for the interests of the American people. They know their jobs are vital to our defense and to our space exploration, so they take advantage of the situation by trying to squeeze as much money as they can out of the taxpayers. Let us eliminate these injurious attitudes from our way of life. Will another Mussolini stand over us saying "We have buried the putrid corpse of liberty," or can we meet the challenge of appreciating our freedom and the freedom of others?

In order to make democracy work better, we should place concern for our country and our freedom above everything else. In the words of Somerset Maugham. "If a nation values anything more than freedom, it will lose its freedom and the irony of it is that if it is comfort or money that it values more, it will lose that too." As young Americans we should refuse to be a problem generation. We should try to be men and women great enough in heart, mind, and muscle to match the marvels of our technology. We should try to be remembered as the generation that not only went farther in space, and deeper in the ocean, but also as the generation that abandoned complacency and greed, that preserved freedom, and that spread the idea of democracy throughout the world.

MAKING DEMOCRACY WORK

(By Mary Ruth Parsons, Cheyenne, Wyo.)

Enough has been written defining democracy for even the most ignorant man to understand its basic principles and aspire to them. Where we may fail, is in putting them into practice.

There can be no failure if we actively work for democracy; it has no flaws when men live by it. Only when they think they live by it, but wait for others to create it, does the idea become less than perfect. A living, changing force, democracy works only for those who work for it.

It is a grassroots proposition. Before democracy can work in a nation, it must work in a State; before the State, in a city; and in its purest form, in the individual. Like religion, it becomes manifest only when sincerely within the heart of man. Again like religion, it is not enough that man feels this spirit; he must also take every opportunity to use it.

What, then, is every citizen's role in making democracy work? He needs to devote the least amount of energy to using his vocal cords, scribbling with a pen, pecking on a typewriter. He must voice a few of the ideas he is inclined to keep to himself. Changes don't come if no one knows they are desired.

A letter to his Senator or mayor may seem an awesome step to the average citizen. He feels his opinion carries no weight—his salary is modest, his name is obscure, perhaps not half a dozen people would notice if he dropped dead tomorrow. Not voicing his thoughts because of one or all of these reasons is throwing democracy away.

And he may rest assured that with that Senator or that mayor, his letter will carry a great deal of weight. Anyone taking trouble to ask his Government to work the way he'd like it to probably speaks for many who feel the same, but are waiting for the bird of paradise to fly into their arms instead of getting short of breath putting salt on its tail.

Too often we have decisions influencing the masses when the masses have not influenced the decisions. This fault is the people's. Many are overridden by a few only because these few expressed their opinion while the many did not.

In every legislative election, voting records of the incumbent candidate are dragged into the public spotlight. Indignantly electors point out the number of times he has abstained from voting.

Wait. If the people he was elected to serve give not the slightest indication of favoring or rejecting what they term minor legislation, how can he vote? Unguided by majority opinion, any vote he cast would be simply an act of his own will.

If a man is disinterested in a measure because it does not affect him, let him visit just one meeting of the zoning board, or even the PTA. What they favor is vitally important to them. Nine chances out of ten he'll find it is to him too.

So write letters; telephone; send telegrams. That's what makes democracy work.

Perhaps one generation has failed to make it work as well as it might. They should then be even more determined to help their children work toward it.

One of the greatest shocks a high school student can receive is finding that adults refuse to practice the justice they have idealized since he entered school. There is no reason for this shock. There is no justification.

This is not to advocate laxity of discipline over youth. It is not to set them up as wiser than their elders. Rather, it is to say they should be encouraged to create democracy whenever possible.

Student legislatures possibly increase interest in government. However, more interest is formed by practical assertion of a child's individuality.

If they favor changes, let them learn to draw up petitions, to take their ideas before the student press and public. Even if their efforts fail, they will have learned something. They will have discovered an amazing number of others share their seemingly singular opinions. They can see value in making ideas known.

Adults must encourage young people to express their ideas. If these are stupid, at least praise them for courage to express their thoughts. If ideas must be cast aside for their welfare, let those in authority take time to point out clearly when a decision was made. Wisdom not explained is too often interpreted as supression.

All of us are occasionally guilty of running other things smoothly at the sake of democracy. We prefer having the student who is always able to contribute lead the discussion rather than taking chances on the stuttering shyness of another. We feel safer if we trust the artist who will turn in beautiful sketches than if we risk our publication's beauty to one whose art has never been published.

Here is where democracy must start. The unproven must be given a chance, even at cost to ourselves. In youth man's faith in democracy is formed, or he is embittered against it forever. Only if he believes in it will he work for it; so the years of youth cannot be taken too seriously.

Here is the bare truth: The student much hailed as a leader does not necessarily become a leader. The student whose efforts are turned aside, in time will invariably stop trying.

To make democracy work, we need courage to try it ourselves, giving an unknown the same chance given a three-time winner. We must accept partial responsibility if they fail. Yet we must be valiant enough to encourage them to express their ideas, whether stemming from success or failure.

It is interesting that even American democracy once failed before establishing a government its citizens would accept. Yet democracy did not fail, being an individual thing to a few men, who dared try again despite failure. Now their names are written in the list of the great.

ONE-MILLION-DOLLAR SAVING IN WELFARE COSTS

Mr. WILLIAMS of New Jersey. Mr. President, I call attention to a fine example of the way in which the antipoverty program can operate to aid the individual States, while at the same time attacking poverty at its roots. In my home State of New Jersey, the city of Newark has just been awarded a Federal grant, to take effect on July 1. The end result of this grant will be to remove from the city rolls one-quarter of the adults now receiving welfare, with a resultant saving of over $1 million. This is not merely a transfer of welfare payments from the city and State to the Federal Government; the prospects are for the complete removal of nearly 1,200 adults from the welfare rolls. They will be trained to hold productive jobs. Nearly one-third of these persons are classified as being part of the hard core of the unemployed.

Mr. President, this program gives us a graphic example of how the antipoverty program may be employed to produce practical, as well as humanitarian, results. The removal of these persons from the welfare ranks will undoubtedly re-

sult in increased economic prosperity for them and for their families, as well as the alleviation of a drain on the local welfare budgets. Newark is to be commended for its pioneering role in the effort to make the antipoverty program really work. The application of the antipoverty program in this urban area shows that we need not be content with providing subsidies to areas that find themselves deep in the antipoverty struggle, but that we may seek to provide dignity for those who are touched by this program. I think other areas can learn a valuable lesson from the planning, the courage, and the foresight that Newark has shown in this area.

I was also pleased to receive from Chester J. Tyson, Jr., our able Director of the Farmers Home Administration, of the Department of Agriculture, a letter relating to the successes of the antipoverty program in rural areas. The small farmer, who once was the backbone of our Nation and our economy, now finds himself faced with competition by giant farms. It is fitting that these rural citizens be aided in their efforts to regain their productive capacities.

Therefore, I ask that an article which was published in the Newark News of June 13 and the letter from Chester J. Tyson, Jr., be printed at this point in the RECORD.

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

ONE-MILLION-DOLLAR SAVING IN WELFARE COSTS

(By Douglas Eldridge)

A new Federal training program for relief recipients in Newark is expected to save the city and State more than $1 million in welfare expenditures during the next 12 months.

Under the $3.3 million antipoverty program, announced yesterday and going into effect July 1, the Federal Government will provide full support for about one-fourth of the adults on welfare in Newark while they work and learn in special temporary jobs.

Normally, the costs of these relief cases would be shared about 50–50 by the city and the State. Thus, the program might cut a half-million dollars from city spending on welfare.

This is by far the biggest antipoverty grant approved yet for Newark.

SPECIAL TRAINING

The pioneering program is expected to provide special jobs, training, and education for nearly 1,200 adults from the relief rolls during the course of a year. The maximum number to be accommodated at one time will be 780, or more than one-fourth of Newark's current caseload of 2,900.

According to figures supplied by Mrs. Grace Malone, director of Newark's Division of Welfare, the cases to be covered by the training program would account for about $1,120,000 of the $4,882,350 allocated by city and State for relief in Newark this year. In addition, the city alone is spending $661,190 on welfare administration this year.

Nearly a third of the people to be trained are considered "hard-core" unemployed, with little ability at present to get or hold jobs.

At present, the average monthly payment for a family on relief in Newark is $131.50. Under the work-training program, the average family would receive $302.10. The latter amount is based on county welfare payments—which are higher than the city's—and prevailing wage rates.

U.S. DEPARTMENT OF AGRICULTURE,
220 Post Office Building,
Trenton, N.J., May 26, 1965.

Senator HARRISON WILLIAMS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: In reading the CONGRESSIONAL RECORD for Friday, May 7, I was much interested in your remarks in regard to the economic opportunity program in New Jersey. I was quite interested to note that you made reference to the 40 loans made by the Farmers Home Administration under Title III A of the Economic Opportunity Act. The fantastic response we have had from the low income people in rural areas who are in need of these loans demonstrates the value this section of the Act in the war on poverty.

Though the loans have been available only a few months, we have already received 117 applications from small farmers and other rural residents for a loan to finance a small business or to operate a small farm. These applications have been received in all rural counties of the State, though the greatest activity has been in Atlantic, Cape May, Cumberland, Hunterdon, and Ocean Counties.

We are giving top priority to processing these loans and are glad to report as of this date 74 loans have been closed. The loans have been made for a variety of purposes including such things as: establishment of a rural machine shop, purchase of fishing boats, purchase of house-painting equipment, tools for lawn work, pulpwood cutting and hauling equipment, plus many others. These loans have all been made to people of low income living either in rural areas or small towns. We require that the applicant has experience to carry out the venture to be financed and that we are not financing an activity already fully met in the community.

Approximately one-third of the loans have gone to small farmers and the balance to nonfarm rural residents. In a number of cases, loans have been made to small farmers to assist them in the establishment of a small business venture to supplement their farm income. Even though we have only been making these loans since January, we have already seen evidence that the opportunity afforded through this program will have tremendous impact upon the lives of those involved. One of the most satisfying features of this program is the fact that the borrowers are starting to repay their loans as soon as their income is increased.

Our county supervisors are working very closely with these families. It has been found that in addition to needing credit, these families have many other problems which need attention. Under this program many of the other programs authorized under the Economic Opportunity Act will be used to solve the problems of the borrowers.

Sincerely yours,

CHESTER J. TYSON, Jr.,
State Director.

WHITE HOUSE FELLOWSHIPS

Mr. BARTLETT. Mr. President, on Monday afternoon, at the White House, President Johnson announced the selection of the 15 1965 White House Fellows.

These outstanding young men, selected from over 3,000 applicants, will work in the Government for 1 year. Each Cabinet officer and the Vice President will have a Fellow assigned to his staff, and four Fellows will work in the President's office.

The Fellows will participate in the formulation of administration policy, and will observe at close range how and why and by whom the policy is made. It is hoped that they will return to their chosen professions with a new understanding of the Federal Government and how it solves its problems.

This new and remarkable program is the result of discussions between John W. Gardner, president of the Carnegie Corporation, and the President. The program has the full and complete support of President Johnson, and is made possible through the generosity of the Carnegie Foundation. If the fellowships prove to be as useful and if the experience of the Fellows proves to be as valuable as is now promised, legislation to award the fellowships yearly, on a permanent basis, will be sought.

The extremely high caliber of the Fellows is, in itself, a tribute to the high caliber of the commission which makes the selections. The chairman of the commission was the able David Rockefeller. Both Mr. Rockefeller and his study group worked long and hard in making their choices. In this first year of the program, they were determined to set a precedent for future years. They were determined that the Fellows should be able, intelligent, and representative of a wide spectrum of American life. Their success is apparent in their selections.

Especial thanks, too, should go to the director of the commission, Thomas W. Carr, and to his two assistants, Mrs. Elois Wade and Miss Delores De Felice. Without the hard work and devotion of these persons, the selection process would not have run as smoothly and as efficiently as it did.

I ask unanimous consent that an article listing the Fellows—written by Dorothy McCardle, and published yesterday in the Washington Post—be made a part of the RECORD at this point.

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

FIFTEEN FELLOWS GET TOGETHER AT WHITE HOUSE

(By Dorothy McCardle)

Fifteen brilliant young men with assorted educational and career backgrounds became the first White House fellows yesterday at a ceremony presided over by President Johnson in the East Room.

The winning 15 edged out 2,700 men and 300 women competitors for the newly created fellowships. They will spend the next year in Government as paid internes, learning first hand how their Government works.

One of the fellows is Ronald Barry Lee, of Wheaton, Md., who is based with the U.S. Army material command and formerly served in Vietnam. In 1950, he was the first Negro to go to West Point from New England.

The President expressed the hope that the fellows will take away from their year in Washington "a new and deeper conviction that your land, and its leadership today, have but one purpose.

"That purpose above all else, is to preserve peace with honor, freedom with justice, progress with equal opportunity for all men."

The fellows did not know of their selection until just before they were ushered into the East Room. They were selected from a final panel of 45 who have been undergoing consideration by the Commission on White House Fellows, headed by David Rockefeller. Among the 45 were 3 women.

Fifteen alternates were chosen, too, but their names were not announced. One of the alternates is a woman. She is Elizabeth

T. Fast, mother of four children and a librarian in Groton, Conn. The alternates will only serve in the event a fellow has to leave the program for any reason.

Asked why no women were winners, Rockefeller explained that the 3 women among the 45 finalists were talented, but that the men were better. Out of 3,000 original applicants, 300 were women.

Ten of the fellows will be assigned to the offices of members of the President's Cabinet, one to Vice President HUBERT HUMPHREY, and four to the White House. Their salaries, depending upon their age and experience, will range from $7,500 to $12,000 for the year, plus $1,500 extra, if they are married, and $500 additional for each child in the family.

After the ceremony, there was supper and dancing on the south lawn.

The fellows, whose specific assignments will be announced later, are:

William R. Cotter, 29, an associate attorney, of New York City.

John A. DeLuca, 32, assistant professor at San Francisco State College.

Richard L. deNeufville, 25, National Science Foundation fellow at the Massachusetts Institute of Technology.

Edwin B. Firmage, 29, assistant professor of law at the University of Missouri.

Wyatt T. Johnson, Jr., 23, graduate of Harvard School of Business and newspaper reporter in Macon, Ga. (No relation to President Johnson, he said.)

Robert R. Lee, 33, assistant professor of engineering-economic planning at Stanford University.

Ronald B. Lee, 33, Wheaton, Md., graduate of U.S. Military Academy and third-place winner in the 1963 International Poetry Contest.

Charles M. Maguire, 35, writer and former field office chief of the U.S. escapee program in Nuernberg, Germany.

David C. Mulford, 28, writer and political scientist from Rockford, Ill., who is currently working for his doctorate at Oxford University, England.

Howard N. Nemerovski, 34, an associate attorney from San Francisco.

Robert E. Patricelli, 25, who just graduated from Harvard Law School, was a member of the Harvard Law Review and is Phi Beta Kappa.

Harold A. Richman, 28, Harvard graduate with a Ph. D. in social welfare from the University of Chicago.

Thomas C. Veblen, 35, a University of California graduate, who is now manager of the oil division of Cargill, Inc.

Michael H. Walsh, 23, assistant director of admissions at Stanford University.

Kimon S. Zachos, 34, an attorney from Manchester, N.H.

JUNE 30—FIFTH ANNIVERSARY OF CONGO'S INDEPENDENCE

Mr. YARBOROUGH. Mr. President, today, June 30, the Democratic Republic of the Congo celebrates the fifth anniversary of her independence. As we join the Congo in celebrating this significant milestone in her history, I extend my congratulations to the people of the Congo for their efforts toward an ordered society under their own Government.

Located in the south-central part of the African continent, the Republic of the Congo covers an area of about 904,747 square miles—approximately equal in size to the portion of the United States east of the Mississippi River. This country, which has a population of about 14 million, has the highest wages and the highest literacy rate in tropical Africa. Rich in natural resources, this nation produces a large percentage of the world's copper and most of the world's cobalt and industrial diamonds. Also, Congolese agriculture has been vigorous and relatively efficient in its competition in the world market. Manufacturing is well developed; and, by comparison with those of other African countries, the exports of the Congo are well diversified. The Congo is getting close to the threshold of self-sustaining growth.

After independence, the economic growth rate of the country declined. Now, however, exports and production are increasing again. This growth has been stimulated by the major monetary reform of November 1963, and also by aid from the United States.

United States aid given directly to the Congo or to the United Nations for its technical assistance and peacekeeping activities in the Congo totaled over $400 million through the end of the fiscal year 1964. Through this program, we have shown our interest in helping the Congo maintain her independence and her territorial integrity while she achieves economic stability and an improved administration.

Among the goals which both our Nation and the Congo desire, in Africa and elsewhere, are those of national independence, democratic government, noninterference in the internal affairs of a country, and economic and social development. I am pleased that our two governments are working together toward the achievement of these goals.

I am sure that the Congo has bright prospects of being one of the most prosperous countries in Africa. I am sure that I speak for the Senate when I say that we are proud to join the people of the Republic of the Congo in celebrating their fifth anniversary, and that we look forward to ever-strengthening ties of friendship and cooperation with her.

WHY DISCRIMINATE AGAINST WHEAT, MR. NIXON?

Mr. McGOVERN. Mr. President, the reaction of a Middle Western wheat-farmer to a speech by former Vice President Richard Nixon, in opposing wheat sales to Russia, is contained in a release made by Andrew Brakke, of Presho, S. Dak., the chairman of the board of Great Plains Wheat, Inc.

Mr. Brakke calls the discrimination against wheat, when everything else—from soybeans to chemical plants—is being sold to the Soviets, a "narrow and short-sighted view."

I ask unanimous consent to have printed in the RECORD a release by the South Dakota Wheat Commission on Mr. Brakke's statement.

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

THE WHEAT SCOOP

PRESHO, S. DAK.—A Presho, S. Dak., wheat farmer charged today that wheat is being used as a whipping boy in international politics.

Andrew Brakke, chairman of the board of directors of Great Plains Wheat, Inc., referred to a speech made Friday in Sioux Falls by former Vice President Richard Nixon.

Brakke said a newspaper account of Nixon's address quoted the former U.S. official as saying that this Nation "should stop exporting wheat to the Soviet Union until it stops exporting revolutions around the world."

The wheat producer said, "Mr. Nixon's views on foreign trade are his own and he is certainly entitled to them. However, the question that wheat farmers ask is: why single out wheat to be the whipping boy in international politics?"

"The United States is shipping many products to the Soviet bloc," Brakke said. "These items include everything from soybeans to entire chemical plants. Yet, Mr. Nixon makes no mention of this huge volume of commerce when he talks about cutting off trade with the Soviets. He only says that we should not export wheat to them."

Brakke called Nixon's suggestion "a narrow and short-sighted view as far as our Nation's wheat producers are concerned."

"Wheat growers already face a wide variety of trade barriers that restrict the flow of our product in international markets," he said. "We at least deserve the consideration and understanding of people who occupy positions of importance, such as that enjoyed by Mr. Nixon."

Great Plains Wheat, Inc., is a market promotion organization supported by 300,000 wheat farmers in the States of Colorado, Kansas, Nebraska, North Dakota, and South Dakota.

ADDRESS BY DR. JAMES H. WAKELIN TO THE CONFERENCE ON OCEAN SCIENCE AND ENGINEERING

Mr. PELL. Mr. President, I commend to the attention of Senators an excellent speech made last week by Dr. James H. Wakelin, Jr., president of the Scientific Engineering Institute, to the Ocean Science and Ocean Engineering Conference and Exhibit, here in Washington. Dr. Wakelin was chairman of the conference, and is a former Assistant Secretary of the Navy for Research and Development.

I have been interested for some time in our national oceanographic program, and find myself in accord with the concern and hope expressed by Dr. Wakelin in his remarks, which I feel keynoted the tone of the conference.

I participated in a panel on the Organization of Oceanography and Ocean Engineering in the United States. From this, it was apparent to me that the meeting was the most significant in recent years for oceanography, and that Dr. Wakelin's suggestion for the establishment of a self-liquidating National Advisory Commission on the Ocean, to determine our needs for the next 10 years, deserves our consideration. The Commission would review present Federal and international programs, with an eye to achieving maximum Federal, State, university, and industrial participation in a national program. The need for this is illustrated by the fact that, at present, some 20-odd departments and agencies of Government report to 30 committees of Congress.

Further steps to alleviate the present lag in ocean engineering or in the application of research are of critical importance. Last month, I proposed consideration by Congress of establishment of sea-grant colleges in our maritime States and on the Great Lakes, as one means of

dealing with this problem. I shall continue to pursue this idea.

I ask unanimous consent that Dr. Wakelin's address be printed in the RECORD.

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

A NATIONAL OCEAN PROGRAM

(Keynote address by Dr. James H. Wakelin at the Conference on Ocean Science and Engineering sponsored by the Marine Technology Society and the American Society of Limnology and Oceanography)

This meeting, sponsored by the Marine Technology Society and the American Society of Limnology and Oceanography, will concern itself for the next four days with current programs and problems in ocean science and ocean engineering. Your attendance here is evidence of the tremendous interest in this field which encompasses ocean science, exploration, engineering and exploitation. The technical papers and the panel discussions indeed indicate the broad interest that this country has developed in the ocean environment, particularly in the engineering phases which are now presenting themselves as problems for our solution.

One has only to reflect on the activities of the last six years and the growth of our effort in ocean science to appreciate the magnitude of the technical, organizational and funding problems which we now face entering into a second phase of our country's needs in this area. Nine years ago the National Academy of Sciences was requested to develop a ten-year program outlining what should be done in oceanography under the sponsorship of the Federal Government. The report "Oceanography 1960–70" outlined a program for research, ocean surveys, shore facilities, shipbuilding and education; the report was submitted to the Government in 1959 and the President's science advisor requested the Federal Council on Science and Technology to establish a committee to recommend implementation of the NASCO recommendations. The committee completed its work in late 1959 and early in 1960 recommended to the President a 10-year program for the joint participation of several departments and agencies of the Federal Government. To guide this program the Federal Council established the Interagency Committee on Oceanography (ICO) with the following membership: State, Army (beach erosion board), Navy, Commerce (Coast and Geodetic Survey, the Maritime Administration and the Weather Bureau), Interior (Bureau of Commercial Fisheries, Bureau of Sport Fisheries and Wildlife, Geological Survey, Bureau of Mines), Treasury (Coast Guard), Health, Education, and Welfare, Atomic Energy Commission, National Science Foundation and the Smithsonian Institution. The ICO has prepared programs for the past five years including the work of each of these agencies and departments and is the focal point for program planning, budget formulation and congressional hearings for the Federal oceanographic program. In 1963, after a lengthy period of study, the ICO published a revised ten-year program based on individual requirements and the roles and missions of the ICO member agencies and departments. This program is primarily one in ocean science and is directed toward the acquisition of knowledge about the oceans, their behavior and their contents.

On the international scene, representatives from 27 nations met in Copenhagen during the summer of 1960 to establish an international structure for the coordination of programs in which several or more countries might participate in cooperative expeditions to advance our knowledge of the oceans. The Intergovernmental Oceanographic Conference recommended that there be established under UNESCO an Intergovernmental Oceanographic Commission to provide the centralized coordinating activities for international programs of member nations of UNESCO who were interested in international cooperative expeditions. The first meeting of the Intergovernmental Oceanographic Commission was held in Paris in the fall of 1961 and this and succeeding meetings held annually have provided an excellent forum for the discussion of international programs, their planning and implementation. In parallel with the IOC, the Special Committee on Oceanic Research of the International Council of Scientific Unions has provided valuable assistance in planning and execution of the program of the International Indian Ocean Expedition and in the International Tropical Atlantic Expedition. Both of these expeditions have had active participation by the United States planned through the International Programs Panel of the ICO and of our State Department.

Our own program during the years 1960–63 and the international programs planning through the IOC and SCOR have been concerned primarily with ocean science and the extension of our knowledge about the ocean areas. Little attention up to this time has been given to the many problems in ocean engineering related to instrumentation and the ability of man to live and work in the ocean depths. This was painfully apparent at the time of the *Thresher* tragedy in April of 1963 when our country called upon the oceanographers and research personnel as the only qualified group to assist in the advanced problems of location, instrumentation, and equipment required to find the *Thresher*. Two weeks after the *Thresher* tragedy the Secretary of the Navy established the Deep Submergence Systems Review Group to prepare a survey report and recommend to him an engineering program to extend the Navy's capabilities for location, rescue, and recovery of personnel and objects from the deep ocean areas. Rear Adm. E. C. Stephan, the Oceanographer of the Navy, was placed in charge of this group and convened an outstanding number of oceanographers, engineers, and scientists from industry, the Federal Government, and educational and research institutions. The DSSRG completed its study in early 1964 and submitted its recommendations in final form to the Secretary of the Navy in March of that year. In addition to a detailed outline of the engineering problems for the next 5 years, the group recommended to the Secretary that the deep submergence systems project be assigned to the Special Projects Office of the Navy for implementation and this recommendation was implemented by the Secretary in June of 1964.

In addition to the individual programs of the Interagency Committee on Oceanography and the Deep Submergence Systems Project in the executive branch, the Congress has shown an intense interest in our country's program and the organizational structures to promote our oceanographic work. Since January of this year 14 bills have been introduced in the Congress on oceanographic matters, 2 bills in the Senate and 12 in the House. These bills concern themselves with various organizational structures to further our effort in the oceans: A National Oceanographic Council, a Marine Exploration and Development Commission, a National Oceanographic Agency, a National Science Academy and an Advisory Committee on Oceanography. It is clear from the breadth and scope of these bills that congressional interest is high; hearings on several of the bills have already been held. It is noteworthy that in several of the bills the first responsibility is to create a national ocean program.

The evaluation of our oceanographic efforts indicates the following situation: The program of the National Academy of Sciences in 1959 as implemented by the Interagency Committee on Oceanography concerns itself primarily with ocean science and the advancement of our knowledge about the boundaries, contents and dynamics of the oceans. In essence, the ICO program is a collection of programs for which the ICO acts as a coordinating body for the 20-odd departments and agencies which are involved. At the same time, Congress does not obtain a unified picture of our oceanography effort since the ICO member departments and agencies report to some 30 separate committees in the House and Senate. Furthermore, the work and the programs of industry have not been brought together with the ICO program except as contractors to the several departments and agencies coordinated by the ICO. The increasing interest of State planners and coordinated area groups, including several States, have not been included into a national program. If these different interests can be brought together; that is, Federal, State, industrial and university and institutional interest, we could provide the United States with a truly national ocean program. On the basis of this program we could establish national policy with respect to the ocean and include science exploration, engineering and exploitation of the ocean as component parts of a national effort. We need now to implement the policy expressed by President Johnson in his statement on oceanography to the Congress in transmitting this spring the administration's national oceanographic program for fiscal year 1966.

"We are looking forward to a period where our investment in ocean research may bear fruit in terms of faster and more comfortable transportation, more highly developed exploitation of our marine, mineral, and fisheries resources, increased pollution control, more accurate prediction of storms and tides that endanger life and property, and the strengthening of our national defense."

Until we clarify the role of the Federal Government, including the responsibilities of the executive and legislative branches, together with the industrial, State, and university programs, we will have little basis on which to establish national policy and to look as a country at the ocean as a strategic area for our use.

In order to provide our country with a national ocean program, I suggest that we establish a National Advisory Commission on the Ocean to determine the requirements of our country for the use of the ocean and for ocean science exploration and engineering over the next 10 years. The Commission should be established at the highest levels of government by the President to develop a program which will guide the implementation of his expressed policies. In order that all interests, Federal, State, industrial, and academic can be represented in the planning of such a program—and not as possible participants or contractors to a specified agency of the Government—I recommend that the Commission be self-liquidating upon completion of its work and upon submission to the President of its recommendations for a national ocean program and the organizational structure to implement the program. The Commission would examine the scientific problems that must be solved to allow us to enter into an engineering phase in certain areas. It would examine the ocean resources that could be exploited or explored more economically and effectively and would examine the knowledge we need to be able to operate more effectively in the ocean areas considering both military and civilian requirements. Other requirements that we must determine include knowledge we need to assist in solving problems of air-sea interactions including long-range weather forecasting, improvements of methods to explore the contents of the oceans

and the ocean floor, and the growing problems of ocean pollution near our shores. Additional requirements include those that are necessary to advance our merchant marine and shipping, to increase the use of the ocean for commerce and trade with other countries, to advance our country's economy in oceanic research and development, and to advance our international position through our use and control of the ocean areas.

With these requirements in mind, the Commission should prepare a national program in ocean science exploration, engineering, and exploitation which would include participation of the Federal and State Governments, industry, and academic and educational institutions. In preparing this program the Commission will study, evaluate, report on, and prepare recommendations concerning the following areas:

1. Oceanographic research leading to increased knowledge of the contents, boundaries, and dynamic behavior of the oceans. Such an area would include reevaluation of the ICO and international programs for oceanographic research.

2. Exploration and survey of the oceans including topographic, geologic, geophysical, hydrographic, and biological surveys of the Continental Shelf and slope, and of the deep sea. In our use of these areas for engineering and exploitation purposes a closer coupling must be planned between the scientific programs in exploration and survey and those required for the immediate use by industry, the Federal Government, and the States.

3. Distribution, behavior, physiology, and productivity of marine life. Certainly, in this area we will be concerned more seriously in the future about our ability to increase the use of the food content of the oceans and the exploitation of these food sources.

The food resources join two important and practical problems: Increased yields of fish and other marine life as a source of protein, amino acids, vitamins, fats, and other ingredients important to human health, and the restrictions that must be placed on removing too large a segment of marine life to affect its level for survival. On the first problem it has been estimated that 1.5 billion people are undernourished with respect to protein nutrition and that a third of this number are so seriously undernourished as to be actually sick. While we have our own protein sufficient food sources in the United States, our fishing industry can contribute significantly in the foreign markets to relieve the worldwide shortage of protein to these undernourished people. On the second problem—conservation—there have been many disputes about the proper level of fish to be removed from the high sea areas so as not to damage the continuing supply of a given species. These disputes have at times become so acrimonious as to give rise to conferences sponsored by the United Nations on the Law of the Sea held in Geneva in 1958 and 1960. These disputes will go on until the countries decide that they will follow the precepts agreed upon at the Convention on Fishing and the Conservation of the Living Resources of the High Seas held in 1958.

4. The mineral and other material contents of the oceans with special consideration to the economic factors concerned with their removal from the oceans and their future use by this country. Work is already well underway in the petrochemical fields and extracting certain chemicals from the oceans themselves but a much broader look at the whole material contents of the ocean area must be made to satisfy our future requirements for materials.

5. Ships, vehicles, instruments and shore facilities required to study the oceans and to exploit their contents. Some of this work is already underway in the ICO programs and the DSSP project but we should enhance our programs in this area in order to advance engineering and the exploitation of the oceans.

6. Education and training of scientists and engineers for the national program and methods by which the several States may cooperate with the industrial and Federal programs in this area. Last year at the Buoy Technology Symposium sponsored by the Marine Technology Society, Dr. Spilhaus in his keynote address advanced the concept of the Sea Grant College devoted to aquaculture and oceanographic engineering. This concept has recently evoked interest within the Congress and various associations of universities and institutions are in the process of being formed along the eastern seaboard and in the Gulf States. Further work on a national level should be given to State and area participation in oceanography and ocean engineering to advance the education and training of scientists and engineers along the lines outlined by Dr. Spilhaus.

7. The merchant marine and shipping capabilities in order to increase international trade and commerce. Recently the Secretary of Commerce has reemphasized the dissatisfaction of the Federal Government with the continuing decline of the U.S. merchant marine and has outlined three objectives; namely (1) American ships must carry a greater share of the national export-import trade since they now carry less than 10 percent of that trade; (2) the U.S. merchant marine needs more ships to transport dry and liquid bulk cargoes; (3) the decline of American shipping is "inimical to national interest." In addition the Congress has recently held hearings on the concept of ships of opportunity in which segments of private enterprise and research personnel have been brought together by the Office of Naval Research of the Navy Department to determine whether or not oceanography data could be collected by merchant ships on a not-to-interfere basis with their normal schedules. Preliminary experience indicates a most favorable reaction in the shipping industry and through a number of industrial organizations.

8. The interaction of the atmosphere and the ocean in order to better understand, to predict, and eventually to control the forces that are released. The recent consolidation within the Department of Commerce of the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the National Bureau of Standards which the President has submitted to Congress will consolidate work in this area and will make it easier to see on a national basis the environmental problems which will emerge when the consolidated unit goes into operation.

9. Beach and shallow water processes and coastal engineering. Many millions of dollars annually are lost in the erosion of our shore front by normal processes and by storms. The ability to preserve our working and recreational areas is of transcendent importance to our country and to the welfare of our people. One has only to review the records of the past 10 years to see what great property losses have been suffered by our people through tidal waves, hurricanes, typhoons, and tornadoes which have in some places completely ruined shore front property.

10. The pollution of the ocean areas by waste and other materials introduced into the oceans directly or through rivers, estuaries, and other areas adjacent to the sea.

11. Physiological considerations and human factors which must be studied and understood to permit personnel to operate and work in the oceans. Both private industry and the Navy are currently in this important area and are working cooperatively in the human factors and physiology of this important problem. In this same area, of course, we must look forward to undersea dwellings, laboratories, and military installations to facilitate personnel to work in the oceans for protracted periods of time for the economic good and for the military defense of the United States.

12. The recreational activities provided by shore and ocean areas with particular reference to increased suitability of these areas for recreation. This is indeed a very important problem and will become more so over the next 30 to 50 years with the increasing numbers of people in the United States, increasing fractions of time for recreation and the current inadequacy of recreational facilities in the ocean and shore areas.

In addition, there are a number of organizational and legal aspects of a national ocean program. In particular they include the roles of private industry, universities, nonprofit research institutions, States and the Federal Government. Indeed, we must reexamine the roles of present Federal agencies interested in and having responsibilities for the ocean areas. We should examine the possible needs of a new Federal organization and recommend the structure that will be required to fulfill and implement our program. Serious thought must be given also to the role of the Congress in order that a concerted national program will have a uniform acceptance in hearings, both in the House and in the Senate. Offshore areas should require legal consideration of rights to and ownership of areas to be worked in and the ownership of material removed from the oceans. We will have to reexamine also the organizational structure we need for international cooperation in ocean science, exploration and engineering. Perhaps a modification of our relationship to the Intergovernmental Oceanographic Commission will be required.

Finally, the Commission should recommend to the President legislation that is required to implement the program in order to define the roles and missions of the executive branch agencies where they need definition and to establish a new organizational structure if such is required to insure adequate coordination of plans and programs and to insure continuing congressional interest and adequate liaison between the executive and legislative branches.

We are now at the crossroads. Current structures to conduct oceanographic work and particularly ocean science, exploration and exploitation are not adequate for our national effort and the next step must be a national ocean program with all of the components considered together. I would hope that a program including the Federal, State, university, and industrial efforts can be effectively developed during the next 6 to 12 months. We must have a consolidated national ocean program and the organizational framework to implement such a program. I recommend that we proceed at once to develop a national ocean program and through it to establish the leadership of the United States in ocean science, exploration, and engineering.

LOOKING TOWARD PEACE

Mr. WILLIAMS of New Jersey. Mr. President, if the United States is determined in its desire to take steps which will bring about a more peaceful and secure world, we shall need to reiterate that pledge and to reinforce our initiative, not once, but over and over again.

Not long ago, while speaking in Chicago, President Johnson addressed himself clearly and forcefully to that difficult goal. His message was directed in particular to the people of the Soviet Union and to the rest of the Communist world, but it should have been heard and heeded throughout the entire world.

Now is the hour—

He said—

when the opportunity is open and beckoning for men of all nations to come and to take a walk together toward peace.

A few mornings later, he dramatized that appeal in a commencement speech at the Catholic University of America, in Washington, D.C., when he declared:

I would say to the people—and to the leaders—of the Communist countries, to the Soviet Union, to nations of Eastern Europe, and southeast Asia, we extend to you our invitation, "Come now, let us reason together."

At various graduation exercises throughout the country, the Vice President and other leaders have echoed his words. They have also been given expression in articles published in both the Washington Daily News and the Chicago Sun-Times. In view of the importance of the deep meaning of the President's statements, I ask unanimous consent that these 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.) Daily News, June 7, 1965]

PRESIDENT APPEALS TO COMMUNIST WORLD: "COME, NOW, LET US REASON TOGETHER"

President Johnson is engaged in a personal and very serious campaign to persuade the peoples and leaders of the Communist world to join the United States in "a walk toward peace."

Twice in the past 5 days the Chief Executive has made major speeches centering on the theme that now is the time "when the opportunity is open and beckoning for men of all nations to come and to take a walk together toward peace."

CATHOLIC UNIVERSITY

Mr. Johnson's latest plea came yesterday during a commencement address at the Catholic University of America here. The first appeal was last Thursday night in a speech at a Democratic fundraising dinner in Chicago.

In the Chicago speech, Mr. Johnson appealed over the heads of the Communist leaders to the peoples of the Soviet Union and the satellite nations of Eastern Europe and Asia. In yesterday's speech he included the Red leaders in his plea.

"LET US REASON"

"On this Sunday morning * * * I would say to the people—and to the leaders—of the Communist countries, to the Soviet Union, to nations of Eastern Europe and southeast Asia, we extend to you our invitation: 'Come, now, let us reason together'."

He said that what America has done and is doing around the world "draws from deep and flowing springs of moral duty, and let none underestimate the depth of flow of those wellsprings of American purpose * * *."

Secretary of State Dean Rusk last night claimed that "the majority of nations * * * in one way or another have indicated their support" of U.S. actions in Vietnam.

Addressing the graduating class of George Washington University here, he decried critics "who wring their hands over world opinion."

Mr. Rusk, who was awarded an honorary doctor of laws degree, assured the commencement audience "if you sometimes remain a little bit unclear" on international developments and what should be done about them "you may be in closer touch with reality than those who always see everything in black and white."

BUNDY

Speaking at the University of Notre Dame at South Bend, Ind., Presidential Assistant McGeorge Bundy said the United States was the first example in history "of a society which retains its internal freedom while meeting extraordinary responsibilities of a world power."

Speaking in a light rain at the university's 120th annual commencement, Mr. Bundy told the audience there will always be "showers" in our international relations. He said, however, the United States, like them today, must not seek shelter, but "stay outside."

Mr. Bundy was among nine persons receiving honorary doctorates from the Notre Dame president, the Reverend Theodore Hesburgh.

Vice President HUBERT H. HUMPHREY, receiving an honorary doctor of laws degree at Syracuse (N.Y.) University, paid tribute to the role of the U.S. Congress for its reconciliation of national extremes.

Mr. HUMPHREY also paid tribute to Congress and said, "All too many of our citizens take an indifferent or even a hostile view toward the legislative branch."

[From the Chicago (Ill.) Sun-Times, June 5, 1965]

MR. JOHNSON SPEAKS TO RUSSIANS

President Johnson's speech in Chicago on Thursday evening took an unexpected and dramatic turn. Here to address a Democratic fundraising dinner, the President set partisan politics aside to make a plea for world peace.

In one part of his speech President Johnson called attention to the many interests common to the peoples of Russia and the United States and to the friendship that has existed in the past between the two nations. Then he bypassed the Russian leaders to speak directly to the people of Soviet Russia, saying:

"There is no American interest in conflict with Soviet people anywhere. And no great Soviet interest is served by the support of aggression or subversion anywhere in the world."

The President recalled that the world had not paid heed to the wisdom of President Franklin D. Roosevelt, expressed in Chicago 28 years ago, when Mr. Roosevelt warned that without a declaration of war innocent people and nations were being "cruelly sacrificed to a greed for power and supremacy which is devoid of all sense of justice and human consideration." F.D.R. served notice that the United States would not jeopardize the fate of free men through an indecisive stand.

It could be said that the President did not say anything new in his plea for peace. That is true. Other than the announcement that the United States was removing the Marines from the Dominican Republic much of what the President said in his Chicago speech he has said before.

There was, however, a striking difference in this speech. The President talked directly to the Russian people. He pointed out to them and to the people of eastern Europe that they are wiser and better off materially now than in the past and that they know, better than anyone else, the folly and cost of war.

The determination of the United States to work for peace in the world cannot be overemphasized. The firmness of the stand taken by the United States cannot be repeated too often. President Johnson made these points in his Chicago speech once again, as he will have to continue to make them, until those who would destroy freedom realize that this Nation will not grow tired of the struggle.

EXPORTS: U.S. AGRICULTURE'S OPPORTUNITY

Mr. McGOVERN. Mr. President, Robert C. Leibenow, of the Chicago Board of Trade, recently delivered a splendid address on the agricultural products export situation, at the annual meeting of the Chicago Farmers. He concluded that the export market is the big area of potential expansion for U.S. farm products.

In the course of his remarks, Mr. Leibenow touched on commercial potentialities, on the need of the underdeveloped nations for our products, and on a matter of great concern to me: The 50-percent U.S. shipping requirement in export licenses for commercial wheat transactions with Russia and eastern European nations.

Mr. Leibenow commented:

The actual effect of this requirement now is not to provide additional business for the U.S. merchant marine, but to prevent U.S. longshoremen, U.S. exporters, and U.S. farmers from having employment and earnings that would otherwise accrue.

The adverse effect of this one requirement on our balance of payments might well be in the range of $100 million a year.

Mr. Leibenow is exactly right in these observations.

I commend his whole address to Members of Congress, for consideration in connection with the agricultural export situation; and I ask unanimous consent that the address be printed in the RECORD.

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

EXPORT PROSPECTS OF SOME U.S. FARM PRODUCTS

The Indian leader, Mahatma Ghandi, once said, "To the millions who have to go without two meals a day, the only acceptable form in which God dare appear is food."

Although Ghandi died some years ago, the hunger he wrote about so feelingly is still a grim fact of life—not only in India, but also in many other parts of the world.

By contrast, this land is blessed above all others. The miracle of American agricultural efficiency is something that staggers the imagination. It leaves the imprint of American leadership without question in every area of this globe.

While the quantity and quality of U.S. food consumption have been upgraded, we have also seen a sharp increase in the exports of agricultural food and fiber. We are now exporting food and fiber at the rate of over $6 billion a year—over $4 billion of which is for cash commercial sales, hard currency. One out of every $6 earned by farmers today comes from export markets. One out of every four acres harvested today produces for export markets.

Illinois is a leading exporter of farm products for sales in other countries. Its leading exports are soybeans, soybean products and corn; substantial amounts of wheat, lard and tallow are also included. This State's share of the Nation's agricultural exports is in excess of $500 million. The production of Illinois farm products for export requires the equivalent of around 27,000 full-time farmworkers, or about 1 out of every 9 employed on our State's farms.

Continued expansion of these export markets—continued increases in new consumption by the growing population of the world—offer the brightest hope for expanding American agricultural production and perhaps more important for higher farm income.

The United States is today the leading world exporter of agricultural products, completely dominating trade in temperate zone commodities. It is the principal source of such major commodities as wheat, corn, cotton, tobacco and soybeans.

Our exports of farm products exceed those of Canada, Australia and Argentina combined. In most years, exports of farm products to the food for peace program alone exceed the total agricultural exports of most of the other major exporting countries.

From the beginning of modern trade until about 1940, the regional pattern of world grain trading was rather constant in that Western Europe was the only importing region. All other regions were net exporters. In the late 1930's, North America exported 5 million tons of grain, Latin America 9 million tons, and Eastern Europe (including the Soviet Union) 5 million tons. The other three regions—Asia, Africa and Oceania (this means Australia and New Zealand)—exported smaller quantities. The situation then was this:

One importing region and six exporting regions.

Since World War II, however, the grain trade pattern has changed rather dramatically. The only region maintaining essentially its prewar position is Western Europe. North America and Oceania are the only consistent net exporters. Asia and Africa have joined Western Europe as permanent net importing regions, and Eastern Europe and Latin America appear to be losing their surplus producing capacity.

There has been another distinct and most significant change. The world now very sharply comprises two major economic groupings—the developed and the less developed. Asia, Africa, and Latin America may be considered in the less developed world, while the other four regions—North America, Western Europe, Eastern Europe, and Oceania—comprise the developed world.

Prior to World War II, the less developed world exported to the developed world about 11 million tons of grain each year. After World War II, this flow was reversed. The flow from the developed to the less developed world was 21 million tons in 1961, and according to preliminary estimates 25 million tons in 1964. Thus, there has been a net shift of 36 million tons—approximately the total grain production of Canada and Australia combined.

If we use this as an indicator, the less developed world is losing the capacity to feed itself.

A growing share of each year's population increase is being fed by food shipments from the developed world—primarily food for peace shipments from the United States.

What is it that creates additional demand for food? Two important sources are generally accepted.

One, of course, is the population growth; the other is rising per capita income.

World population, increasing at 2 percent per year, is expanding faster than ever before. Until the outbreak of World War II, population growth had never exceeded 1 percent per year. Even without any further gain in per capita income, this wide demand for food will expand by at least 2 percent per year. Per capita income levels also vary widely between countries such as $60 to $70 per year in India or Bolivia up to $3,000 per year in the more advanced economies of the industrial West.

The combination of high rates of overall economic growth and low rates of population growth in several Western European countries and Japan has resulted in gains in per capita income never before achieved. As incomes go up, consumption patterns follow certain rather almost predictable changes.

One basic difference between the economies of the developed world and the less-developed world is the basic fact that one can afford to convert large quantities of grain into meat, milk and eggs and one requires nearly all available grain for direct human consumption.

A rapidly growing deficit in the less-developed areas is caused by the fact that relatively little new land can readily be brought under cultivation in many densely populated countries. Additional food output must come largely from raising yields per acre—a difficult problem for the undeveloped countries. Therefore, it does not seem likely that we can easily reverse the tendency for food output per person to trend downward in several major less-developed countries. Consider these facts.

The agricultural land resources of the two economic regions, measured in cropland, are approximately the same. The 1960 population of the developed world was less than 1 billion, while that of the less-developed world was more than 2 billion. The projected increase between 1960 and 2000 for the developed world is 0.4 billion and nearly 3 billion for that of the less-developed world. Unfortunately, the vast increases in population are projected for the regions less prepared to feed themselves. It is certain the imbalances between population and food in the less-developed regions will grow.

The trends in Europe are much less clear inasmuch as the big question centers around the agricultural negotiations with the European Economic Community. If the rates of economic growth prevailing in Western Europe in recent years continue, the demand for agricultural products will rise steadily. How much of this additional demand will be translated into import needs will be heavily influenced by the outcome of negotiations now underway.

Japan is today our leading overseas market, taking nearly $750 million worth of farm products in the year just ended. Because of its prominence as a market for U.S. farm products and to help demonstrate a point I have previously made, I feel this country is deserving of some special attention.

Japan's phenomenal economic growth rate of 7 to 8 percent per year has permitted per capita incomes to double within a decade. The Japanese have developed a taste for meat, milk, eggs, and other livestock products. However, with nearly all the cropland devoted to the production of food crops, the Japanese are importing the feed grains needed to produce more livestock. Japan's feed grain imports—averaging 2 to 3 million metric tons per year in recent years—are expected to reach 10 million tons by 1975.

It now appears to be only a matter of time until Japan becomes our first billion dollar market for farm products.

I should mention that one of the major economic and political challenges to the future of our agricultural exports relates to the internal agricultural policies and the external trade policies of the European Economic Community. This area, along with that of the European Free Trade Association and the Latin American Free Trade Association, all increase the possibility for expanding trade. However, it is essential that these groups follow liberal, outward-looking trade policies; otherwise, there is the major threat that trade barriers which have been reduced inside the walls may be raised against outside countries.

Certainly, in terms of economic self-interest, it would appear that continued pressure on food prices and wages in Western Europe should make our farm products even more attractive than they have been. However, too often we have been witness to situations under which nations have not acted in their own long term self-interest.

The basic question then will become whether or not efficient producing countries, such as the United States, will have competitive access to European markets, particularly for grains, oilseeds, and their products. All of us who are close to the problems are concerned that European markets may not be permitted to expand as rapidly nor to the extent that it would appear their own self-interests might dictate.

In any presentation of this type, some consideration must be given to trade with the Soviet Union. There are some products whose export to the Soviet Union we license routinely. There are others, like wheat, which have been licensed under certain restrictions and only after a long public debate.

Trade with the Soviet Union and the countries of Eastern Europe brings about extremely sensitive political questions which must be resolved in connection with our policy toward these countries. As you know, President Johnson said in the state of the Union message that the Government is now exploring ways to increase peaceful trade with these countries, along with the Soviet Union.

In general, the dividing line is if there is a price support program for the commodity, a license is required; otherwise, not. Thus, a license is required for the commodities we most need to export, but not for others. This licensing requirement is a substantial impediment to export sales. If it were removed, we almost certainly would have a prompt and significant increase in agricultural exports.

A related matter is the requirement that when a license is issued for grain exports to the Soviet Union and wheat to the Soviet bloc, a condition is imposed that at least 50 percent be moved in U.S. ships. No similar requirement exists in the case of other commercial sales which—except as to the shipping requirements—would be made on exactly the same terms to other countries.

This requirement was first established when the sale of wheat to Russia was under consideration in 1963. The evidence is rather clear that except for this requirement the sales to Russia in 1963–64 would have been approximately twice as large as they were. This year, Russia again is importing rather substantial quantities of wheat from Canada and Australia—but not from the United States. It is plain that the reason we are not being considered for these purchases is because this U.S. shipping requirement adds substantially to the cost.

Thus, the actual effect of this requirement now is not to provide additional business for the U.S. merchant marine, but to prevent U.S. longshoremen, U.S. exporters, and U.S. farmers from having employment and earnings that would otherwise accrue.

The adverse effect of this one requirement on our balance of payments might well be in the range of $100 million a year.

Another important element in our export potential is the food-for-peace program. This program shares our abundance with friendly peoples in such a way as to supplement effectively expanding world trade in agriculture. Please note the emphasis on the word "supplement." It helps the United States maintain its position as the world's leading exporter of food and fiber.

To appraise what has been done under this program, let us give some consideration to the tremendous quantities of grains and oils which the efficient marketing system of the United States has helped move from the producer to the ultimate consumer under Public Law 480. Since the inception of the food-for-peace program in 1954, it has helped move about 3½ billion bushels of wheat—notice I said billions. In the case of feed grains, it has moved over 1 billion bushels. Because soybean oil moves under this program, one-half billion bushels of soybeans have moved through processing plants.

As we look down the road, it appears that U.S. exports of wheat will probably reflect the growing imbalances between the demand

for food and the supply of food in the less developed regions. This means a continuation of some form of the food-for-peace program into the indefinite future.

Feed grain exports go mostly to Western Europe and Japan, both characterized by rapidly rising per capita incomes and rapid gains in the per capita consumption of livestock products. With little additional land available to support expanding livestock industries, these countries must look to the world market for feed grains.

Exports from Argentina, a longstanding feed grain exporter, have not kept pace with the recent growth in the total world feed grain exports. Newly emerging corn exporters such as Thailand and the Republic of South Africa have picked up much of the slack. The United States supplies one-half of all the corn and four-fifths of the grain sorghums entering the world market.

U.S. feed grain exports have trended steadily upward over the past decade, nearly tripling the levels of the early 1950's. We are an efficient, highly competitive producer of feed grains. Exports during the current marketing year are estimated at 500 million bushels. As long as we keep our prices competitive, we should experience little difficulty in at least maintaining our present share of a steadily growing world market.

U.S. soybeans and soybean oil have proved formidable competition for other oilseeds and vegetable oils in the world market. Soybeans are today the leading oilseed, having eclipsed such traditional oil bearing commodities as peanuts, copra, and palm kernels. Soybean exports are forecast this year at over 205 million bushels. As U.S. soybean exports continue their expected rapid expansion, the U.S. role in the international market for vegetable oils and oilseeds will become more dominant. It should be only a matter of time until exports of soybeans and soybean products reach the billion dollar mark.

During late 1963 and early 1964, prices of meats were high enough in Western Europe to allow relatively large shipments of meat products from the United States. However, in the second half of 1964 beef prices in the United States rose substantially, with the result that commercial shipments were greatly restricted. Beef and veal exports in 1964 totaled about 50 million pounds—up very substantially from a year earlier.

Barring unforseen changes in supply conditions and thus sharply increased prices in competing countries, our best opportunities to market beef abroad are for fed beef. The development of this market in foreign countries, however, requires a change in consumer habits and tastes—a matter of education which will take time to accomplish.

The dynamic forces which have doubled U.S. farm exports over the past decade are still in existence. An even greater impact from these same forces on the level of U.S. farm products exports is expected in the years ahead. The share of our agricultural output moving abroad will very likely continue to climb. The export market is the big area of potential expansion for U.S. agriculture.

Thank you.

FULL RIGHTS FOR THE PRIBILOF ISLANDERS

Mr. BARTLETT. Mr. President, as Senators know, recently I introduced Senate bill 2102, which is designed to give the Secretary of the Interior authority to bring to the citizens of the Pribilof Islands the same rights and responsibilities that are held by all other American citizens. This bill is now under study by the Merchant Marine and Fisheries Subcommittee of the Senate Committee on Commerce.

The citizens of the Pribilof Islands are Aleuts skilled in the harvesting of the Alaska fur seal. Approximately 1½ million of these valuable and beautiful seals make their rookeries on the two islands, St. Paul and St. George. Responsibility for the harvest of the fur seal rests with the Bureau of Commercial Fisheries. Responsibility for the welfare of the 650 citizens of the islands also rests with the Bureau.

The bill which I have introduced provides for placing the Aleuts on the islands on the same basis as that of any other citizen of Alaska with the same rights and benefits.

A commission has been appointed to study the conditions on these two islands. It has just returned from its survey trip, and has yet to make its report. However, Senators will be interested in three newspaper articles, written by Dave Gilbert, and published in the Fairbanks Daily News-Miner. They will be interested, too, in an editorial, from the News-Miner setting forth the difficult problems which face those who are interested in improving the lot of the Pribilovians.

I ask unanimous consent that these three articles and the editorial be made a part of the RECORD at this point.

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

[From the Fairbanks (Alaska) Daily News Miner, June 11, 1965]

PROBE BEGINS ON CONDITIONS IN PRIBILOFS—TEAM AND ADVISERS VISIT ST. GEORGE, ST. PAUL ISLANDS

(By Dave Gilbert)

ST. PAUL, PRIBILOF ISLANDS.—A 5-member Pribilof Islands investigating team, with six advisers, pushed its probe of conditions of these barren Bering Sea islands to neighboring St. George Island today.

Appointed by Gov. William A. Egan to investigate charges residents of the Pribilofs are being mistreated and deprived of their rights, the team, headed by Secretary of State Hugh J. Wade, arrived here late Wednesday.

The Pribilof Islands are managed by the U.S. Bureau of Commercial Fisheries, under provisions of the North Pacific fur seal treaty between the United States, Japan, Canada and the Soviet Union.

On arrival here Wednesday, the commission went immediately into executive session to determine a course of action, conferring with Iliodor Merculief, chairman of the St. Paul Community, and Vice Chairman Terenty Philemonof.

Thursday morning, the commission and its advisers traveled by boat to St. George Island to confer with the community council there and to call a public meeting.

An inspection of living and working conditions on St. George Island was scheduled before the commission returned today to St. Paul, the largest and most populated of the Pribilof group.

Tonight, the commission and its advisers were scheduled to meet with the St. Paul Community Council and Saturday was reserved for individual interviews with members of the St. Paul community.

Wade has scheduled a public meeting here for 2 p.m. Sunday to hear complaints and to answer questions.

On Monday, Wade said, the commission plans to discuss its findings with Bureau of Commercial Fisheries employees stationed in the Pribilofs.

At that time, based on what it has learned, he added, the commission will decide whether to continue the investigation.

"It is entirely possible," the secretary of state said, "that we may find there is no need to continue."

The commission is scheduled to leave the Pribilofs for the return trip to Anchorage either Monday or Wednesday.

The investigation was precipitated by charges in the weekly Tundra Times that Pribilovians "are being prevented from meeting and hearing political candidates, are being arbitrarily moved against their wishes and are being pressed into an economic situation of servitude."

The editor of the Tundra Times, Howard Rock, is one of the five members of the State-sponsored commission, along with Wade.

Other members are Willard Bowman, executive director of the State Commission on Human Rights, Anchorage; Roy Peratrovich, Bureau of Indian Affairs, Juneau; and James C. Rettie, office of the Secretary of the Interior, Washington, D.C.

[From the Fairbanks (Alaska) Daily News-Miner, June 14, 1965]

DENY SERVITUDE IN PRIBILOFS—PRESIDENT OF ST. PAUL'S COUNCIL TELLS COMMISSION "THINGS GOING MUCH BETTER FOR PRIBILOVIANS IN PAST 5 YEARS"

(By Dave Gilbert)

ST. PAUL, PRIBILOF ISLANDS.—The Pribilof Islands investigating team scheduled another public meeting today, after receiving a denial Privilovians are being held in servitude, as charged by the Tundra Times.

A five-member State-sponsored commission headed by Secretary of State Hugh J. Wade listened intently at a public hearing over the weekend as Iliodor Merculief, president of the St. Paul Community Council, said:

"It is true we were in servitude up to the years after the war. It is true there was servitude in days past.

"But, there has been a tremendous change since 1960 when C. Howard Baltzo took over as general manager of the Pribilofs.

"Things have gone for the good and they are still going for the good. There is no servitude on the Pribilof Islands now."

CHARGES MADE

The Tundra Times, a weekly newspaper published at Fairbanks, had charged in a series of articles last year that the Aleuts of the Pribilofs were being mistreated, deprived of their rights, and held in servitude.

Baltzo, as director of resource management programs for the Bureau of Commercial Fisheries, is general manager of the islands and their fur seal resources under a U.S. treaty with Russia, Canada, and Japan.

Wade told Merculief the people of the Pribilofs were being governed under antiquated law, but he said a bill sponsored by Senator E. L. BARTLETT, Democrat of Alaska, would cure most ills.

Merculief did outline some of the things he said the people of the Pribilofs needed to better their living standards.

WAGES TOO LOW

He said the wage scale, while comparable to that at the Kodiak naval base, is too low, because of the short workyear and the remoteness of the islands.

At the present time, the Pribilovians must exist the year around on wages earned during the sealing season, which lasts only about 5 months.

If the Bureau of Commercial Fisheries should ever stop supplying the islands, freight costs could rise and "our present wages simply wouldn't be sufficient," Merculief said.

Merculief also expressed concern returning students would not be able to obtain work before July and might not earn enough money to return to school in the fall.

C. Dyle Innis, director of personnel for the BCF and an adviser to the commission, told the community council the jobs for youth program would allow early hiring of Pribilof youngsters and he said the first would start to work today.

WANT TO BE TRAINED

Merculief, on another point, said residents of the Pribilofs would like to see local people trained for supervisory positions in the seal curing operation, rather than have such people imported.

Baltzo indicated he favored such a program.

The council and the commission also discussed possibilities of expanding the economic base of the islands, to provide more work opportunities.

Considered were tourism and the establishment of a hotel, a banking facility, development of a bottom fishery, and the construction of a cold-storage plant for North Pacific and Bering Sea crab fishermen.

[From the Fairbanks (Alaska) Daily News-Miner, June 16, 1965]

PRIBILOFS SEEK BETTER HOUSING—MORE YEAR-AROUND JOBS ALSO NEEDED, ISLANDERS TELL COMMISSION, BUT THEY ACKNOWLEDGE VAST IMPROVEMENTS

(By Dave Gilbert)

ANCHORAGE.—Almost to a man, the Aleuts of St. George and St. Paul in the Pribilof Islands, admit that vast improvements have been made in their working and living conditions.

Gone are the days when a family was paid in food and clothing, rationed to 5 pounds of sugar, a pound of coffee and a handful of cigars a month. Gone are the days when the people lived on seal meat and salt beef, seeing only $200 or $300 per year in hard cash.

Gone, also, are the days when the Bureau of Commercial Fisheries dictated working and living conditions for the people who live on the islands and harvest the valuable fur seals.

In a week of public meetings and private conferences, Gov. William A. Egan's Pribilof Commission became intimately acquainted with the problems and hopes of the natives.

FIVE GRIEVANCES

Representing diverse backgrounds and spheres of influences, the commission was appointed by Egan to investigate published reports that the Aleuts were living in servitude and being deprived of their human rights by the Bureau of Commercial Fisheries, the agency that manages the fur seal industry.

Although residents testified to great improvement, they registered complaints centered around five topics: housing, employment, moving residents of St. George to St. Paul, education, civil service benefits and other pay problems.

In the village of St. Paul, the largest in the islands, 10 homes have more than one family living in them, according to Iliodor Merculief, president of the community council. He explained that this crowded condition is being heightened by the movement of St. George people to the village.

So far six families from St. George have moved to St. Paul, according to C. Howard Baltzo, director of the sealing operation.

SOME ILL FEELINGS

The introduction of these families into the crowded community has resulted in some ill feelings. Aleuts in St. George were under the impression they are being forced to move.

"We won't force anyone to move anywhere," replied James Rettie, a commission member representing the Secretary of Interior. "That's not American."

Baltzo explained the residents were being offered homes and jobs in St. Paul in a move toward eventual elimination of year-round maintenance of St. George.

On both islands residents told the commission they were well paid and never complained about working conditions. In 1950 the Pribilovians were put on a modified cash wage system. They were paid a small amount of cash as well as some services and goods

In 1960 the wage scale of the Kodiak Navy Base was adopted.

NOT ENOUGH JOBS

The main problem, residents told the commission, was not enough jobs for all the people to be permanently employed.

With the sealing season lasting only 5 months, about half of the men are idle for 6 or 7 months. Some are employed on a part-time basis.

The average income for a temporary employee is about $3,500, and a permanent employee makes about $7,500, according to Howard Euneau, manager of St. Paul Island.

Far from being poor, several residents have cars and many have motorscooters. They are able to furnish their own houses and afford some luxuries.

But ways were explored to expand the economic base of the Pribilofs to provide year-round employment for all the men.

James Rettie encouraged the islanders to press for advantages and gains.

"You are part of the most successful rescue mission of a natural resource in the history of the world," he told Pribilovians. When the BCF took over management of the fur seal herd in 1911 there were scarcely 250,000 animals. Now there are more than 1,500,000 and they annually produce about 95,000 skins.

The Pribilof commission returned to Anchorage Tuesday to begin forming its report which will be released in about 6 weeks.

The commission consists of Secretary of State Hugh J. Wade, Willard Bowman, director of the State Commission on Human Rights, Roy Peratrovich, tribal affairs officer for the Bureau of Indian Affairs, Rettie, and Howard Rock, Eskimo editor of the Tundra Times newspaper.

Serving as advisers were Doyle Innis, Baltzo, Senator Harold Z. Hansen, Democrat, of Cordova, Representative Lucille Pinkerton, chairman of the house health, welfare, and education committee, and James W. Matthews, program leader for the University of Alaska Cooperative Extension Service, and Burke Riley, field coordinator for the Department of Interior in Alaska.

[From the Fairbanks (Alaska) Daily News-Miner, June 22, 1965]

PRIBILOF ISLANDERS SHOULD HAVE TITLE TO THEIR LAND

In the wake of claims that Pribilof Islanders were living in 20th-century servitude, an inquiry commission has just completed a 1-week visit to the two Bering Sea islands.

Commission members found a people enjoying a singularly high standard of living, earning a decent income, with good elementary school education available and possessing all the necessary material benefits of life—something that cannot be said for most other Alaska natives.

The claims of servitude were approximately 15 years late. Before 1950, the Pribilovians were paid in food, clothing and shelter for their fur seal harvesting work. No money changed hands. Residents could not save or invest. No one starved, but there was no escape.

In 1950 a modified wage system went into effect and for the first time Aleut workers could pay for some things they wanted, while still being paid partially in goods. In 1960 the wage scale was modernized and now residents make as much as anyone in far-western Alaska.

Two problems have remained, however. The Pribilovians, numbering some 650, have been unable to acquire title to land. Second, Government retirement benefits do not date back before 1950, although the natives were working for the Government all along.

A bill that was in the making about half a year before the so-called servitude charges were leveled would provide for native land ownership and back benefits. This legislation, introduced by Senator E. L. "BOB" BARTLETT, is now before the U.S. Congress.

The improvement needed is in the law governing the islands and not in the Bureau of Commercial Fisheries which administers the law.

Ownership of land would possibly mean the difference of working 5 months of the year as a sealer, or going into business, promoting tourism and attracting other industry to the Pribilofs through private initiative.

But the Aleuts have no capital, although they are not poor.

The Bartlett bill strikes to the heart of many problems now afflicting the Pribilovians. It would also relieve the burden of human resource management from the shoulders of the Bureau of Commercial Fisheries, a biological research agency.

The BCF has been made the scapegoat for complaints and outlandish charges. But the Bureau's actions have been based on one fact: It is in charge of running the fur seal industry. It has done an excellent job.

In 1911, when the BCF took over, the fur seal was an animal fast becoming extinct. There were fewer than a quarter million.

Now, under scientific management, the fur seals number more than 1,500,000 with an annual production of 95,000 skins. The BCF has transformed a dying resource into a multimillion-dollar industry.

This was their job and they did it. But they are severely hampered because they are burdened with the management of the human resource on the Pribilofs, a matter they are ill prepared to cope with.

With little or no experience in administering people, the biologists of the BCF set out to do their best. They blundered for many years, working more around than with the people.

But since 1950 this neglect has come to a swift end. The people began seeing hard cash for the first time. They were no longer restricted to what was rationed.

By 1960, when C. Howard Baltzo, current Pribilof manager, took over, the people were earning the same as workers in any far western Alaska location.

They rent their homes from the Government at very low rates. They purchase electricity at Anchorage prices. They are furnished with plumbing, sewers, and running water.

And they are not poor. On St. George, one Aleut drives a blue Mustang, another drives a Scout, and there are more motorscooters and motorcycles in the islands per capita than in Fairbanks.

The human resource of the Pribilofs is no longer forgotten. In fact, they are realized to the point of being a liability in the main task: Economic management of the fur seal industry.

The village of St. George is a perfect example of an uneconomic operation. It costs the government about $500,000 per year to maintain, an average of about $10,000 per year per family. Yet St. George produces only one-fifth of the seal production.

The village is severely isolated, which poses expensive and difficult problems.

Construction of a landing strip on that rocky island is so expensive it is out of the question. The village is exposed to the north and there is no possible accommodation for ships. The weather is so consistently bad

that ships would spend much time in layover, reportedly costing $2,500 per day.

An economically sound proposal is to close the village down and operate it only on a seasonal basis, bringing laborers in for the seal harvest and removing them when the job is done.

As a matter of fact, the same would apply to St. Paul, the more populated of the two islands.

But this is impossible for the BCF. It is charged with caring for and maintaining the people of the Pribilofs, and they, understandably, don't want to move.

The only thing left is to free the BCF from the burden of this responsibility and make the people self-governing; themselves bearing the expense of their maintenance.

But this would be inhumane. The people are not capable of bearing such a tremendous cost as $10,000 per family per year.

So the problem is reduced to a paradox with the BCF appearing the goat. It is poorly cast.

Is the Aleut given all the rights and responsibilities of full citizenship and cast adrift to fend for himself in the face of tremendous economic handicap? Or does he remain a ward of the government, his maintenance being financed by all taxpayers?

Of course the solution can be neither. The Aleut must first be given full rights and privileges of citizenship, such as private ownership of land.

Then it must be the State's or the Federal Government's responsibility to educate and guide the Pribilovians until they are able to launch into business, promote capital and set up a self-maintaining society.

ASSATEAGUE ISLAND

Mr. WILLIAMS of New Jersey. Mr. President, I call attention to an article—recently published in the New York Times—concerning the preservation of Assateague Island as a place of unspoiled beauty. I have had the privilege of cosponsoring Senate bill 20, which will accomplish this worthy purpose. The author of the article, William Shannon, ably expresses the need for this legislation when he writes:

Nature affords few remaining opportunities in the continental United States to see the masterworks of its daughter, the sea, undefiled.

It is my firm belief that we must act with determination to preserve the essential elements of our national heritage. We have become a nation that contents itself with memorializing men and events in stone and inscription. I feel that it is time that we turn to more lasting memorials, to the country that has made our people great. It is necessary for us to act now to preserve these unspoiled stretches of natural beauty.

Therefore, I ask unanimous consent that Mr. Shannon's article be printed in the RECORD.

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

[From the New York (N.Y.) Times, June 28, 1965]

THE CHOICE FOR THE NATION'S SEASHORE

(By William V. Shannon)

A broad strip of white sand, the ocean breaking upon the shore in bright, sparkling waves, the whole sweep of sand, sea, and sky just as thousands of years of nature have produced it—a pure and complete masterwork.

Scenes such as this pose a choice to their human visitors and nominal owners. Some men see them as a trust to be preserved now and forever undefiled for future generations to admire. They rejoice that there is no structure here taller than the craggy dune, no residents except the birds, wheeling and soaring, no sound louder than the beating of the waves and the low moan of the lone sea wind.

WHY NOT A HIGHWAY

Other men look upon scenes such as this and see a perfect route for a six-lane highway. They readily calculate how many house lots they can sell once the bulldozers have levelled those useless dunes. In their mind's eye, a luxury motel already stands upon that lonely promontory. A profitable row of hotdog stands, pizza palaces and cozy snack bars, each carefully identified with its own neon sign, already rises behind the highway. Where those gulls now nest, a quite sizable shopping center could be built. In short, there is almost no limit to what could be done with it—or to—these seashores once they are developed.

On every seacoast of the United States, men have been making their fateful choice. There are about 3,700 miles of shoreline, for example, along the Atlantic and gulf coasts from Maine to Texas. As late as 1935—only 30 years ago—the National Park Service surveyed that shoreline and found immense stretches of unspoiled beach. It recommended that 12 major strips, containing 437 miles of beach, be preserved as national seashores. But Congress failed to act. Only 1 of the 12 was saved for the public. Another survey 10 years ago reported: "All the others, save one, have long since gone into private and commercial developments."

Two evils occur when commercial development wins out. First, it is unjust that millions of people be barred from recreation on the beach by "Private Property" and "No Trespassing" signs. Access to the seashore should be guarded as a precious public right. Secondly, private development means unbalanced development. It usually destroys the grass and other vegetation that are nature's way of protecting the beach itself against erosion.

Private cottages line every foot of the shoreline, depriving the visitor of any chance to "get away from it all" or to see the shore in its natural state. Seepage from septic tanks pollutes the water, ruining the feeding grounds of the birds and killing the shellfish. A national seashore, by contrast, can provide a sensible balance of intensive development for recreation and protection of nature.

ROADBUILDERS BEATEN

In the past decade, people have become much more aware of what is involved in the policy choice for the Nation's seashore. The heedless roadbuilders were defeated and a Fire Island National Seashore was created. What could be salvaged on heavily developed Cape Cod was permanently protected by a national seashore there. So was Padre Island off Texas.

But the pressures are intense and the commercial developers often win. Such was the choice made for Marco Island, the largest of the once wild and virtually uninhabited islands off the southwest coast of Florida. Graced with a magnificent crescent beach of hard white sand, winding little creeks, fantastically shaped hills of sand and many snowy egrets and other uncommon birds, Marco Island was once considered by the National Park Service for designation as a national seashore.

It would have been a priceless national asset, but Senator HOLLAND of Florida exercised his considerable influence in behalf of private owners—and so the hard reality of private profit prevailed over the public interest. Now the glossy advertisements beckon buyers to the usual seaside cottages.

A similar choice presently exists for Assateague Island off Maryland. Although the island is a barrier reef, part of which is under water during heavy storms, 3,000 persons bought house lots on the dunes. Over their vehement objections, the Senate Interior Committee has approved a bill to make Assateague a national seashore. Unfortunately, the committee bowed to the insistence of Virginia's Senator ROBERTSON and added a requirement that a through highway be built from the bridge at the Maryland end to the bridge at the Virginia end, thus turning this narrow island into a traffic loop and violating the heart of the Chincoteague National Wildlife Refuge.

The choice to be made on this bill is clear. Indeed, what is also clear is that if Congress and the American people do not make the right choice at Assateague and elsewhere in protecting the Nation's vanishing seashore, there will soon be no choice left to make. Too many men have too often chosen to develop primitive beauty into extinction. Nature affords few remaining opportunities in the continental United States to see the masterworks of its daughter, the sea undefiled.

ROTTEN BOROUGH AMENDMENTS SEEK PROTECTION OF MINORITY INTERESTS THROUGH STALEMATED GOVERNMENT

Mr. DOUGLAS. Mr. President, an excellent statement in opposition to the antireapportionment amendments has been submitted to the House Judiciary Committee by Dean Joseph O'Meara and Prof. Thomas Broden, Jr., of the Notre Dame Law School.

Their statement makes an important contribution to the debate on these amendments, because it points out that the real purpose of the amendments is to protect a minority interest, through stalemated government in the States. This is an accurate and revealing description of the effect of these amendments, should one of them be proposed, ratified, and implemented.

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

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

STATEMENT BY DEAN JOSEPH O'MEARA AND THOMAS BRODEN, JR., OF THE NOTRE DAME LAW SCHOOL, PRESENTED BEFORE THE JUDICIARY COMMITTEE OF THE U.S. HOUSE OF REPRESENTATIVES ON HOUSE JOINT RESOLUTION 2, A PROPOSAL TO OVERRULE THE LATEST SUPREME COURT REAPPORTIONMENT RULINGS

Mr. Chairman and members of the House Judiciary Committee, my name is Thomas Broden, Jr. I am a member of the bar of the State of Indiana and am professor of law in the Notre Dame Law School. This statement represents the views of Dean Joseph O'Meara of the Notre Dame Law School as well as my own views. I appreciate the opportunity you have afforded me to present views on one of the most significant legal and political issues our Nation has faced, legislative reapportionment.

It is paradoxical that those who have most strenuously deplored the plight of State and local government should now be attacking what Roscoe Drummond calls the single most important States-rights measure in the 20th century. The decline and fall of State and local government in this century is a national calamity. As Drummond says, until the Supreme Court of the United States provided a judicial remedy, the situation

seemed hopeless. The Supreme Court decisions, requiring fair legislative apportionment, cut through the Gordian knot, cut through the death grip that a rottenborough system had on effective, responsible action and thus have made possible rejuvenated, revitalized State government.

What caused the decline of State and local government? The needs and desires of a majority of the people have been disregarded by State legislators. This has happened because representation in State legislatures has not reflected the urban and suburban population shift (often in defiance of constitutional reapportionment mandates) thus giving to rural or small-town legislators power to stalemate efforts to respond to the peoples' needs. Stalemate destroyed the effectiveness of many State governments.

Anti-Court proposals to overrule *Reynolds* v. *Sims*, 84 S. Ct. 1362 (1964) requiring both houses of State legislatures to be apportioned on a population basis, would return us to the era of stalemate. Control of one house only is sufficient to block legislative action. The adoption of these proposals would be to condemn State government forever to the grave of inaction. No one interested in good State government can take comfort in these proposals. They will benefit only those who are interested in weak and ineffective government and the consequent aggrandizement of national power. They will benefit only those who are powerful, wealthy, and unconcerned, who did well under and therefore were satisfied with the situation existing before *Reynolds* v. *Sims*.

All kinds of fancy theoretical reasons have been put forward to defend this last-ditch effort to hang onto political domination by a minority. For example, it is suggested that nonpopulation factors must be taken into account in apportioning at least one house of a State legislature so that adequate protection may be given to certain special interests, such as rural interests, or property interests, or interests of persons on one side of the Rocky Mountains, or interests of one group of water users, or conservationists, or industrialists, or fishermen, or citrus growers, or Spanish-speaking persons, and so on. And there is no good reason why these interests should be singled out for protection instead of others such as the interests of religious groups, or racial groups, or ethnic groups, or labor, schools, and so on. But that's the rub. To try to protect all interests is the aim of proportional representation, an approach which sounds fine in theory but is disasterous in practice. What happens practically is stalemate: to protect certain special interests, the interests of all others are sacrificed. The basic assumption of our democratic system is that through equal representation the interests of all will be as fairly protected as is humanly possible. No one has yet been able to demonstrate that it is more important to protect the interests of a minority, by stalemate, than to promote the interests of all or as near thereto as is humanly possible.

The anti-Court forces feel their strongest argument is the Federal analogy. That is, that only one House of the Federal Congress is apportioned on a population basis; and that the precedent of the Senate, based as it is on other factors, justifies the States in so organizing their legislatures. But this is a totally unwarranted distortion of the Federal analogy. The system of representation in the two Houses of the Federal Congress * * * is one conceived out of compromise and concession indispensable to the establishment of our Federal republic. So said the Court in *Reynolds* v. *Sims*, but in saying so the Court merely recognized the significance, not of special interests, but of the States as independent governmental institutions.

So much of the Federal analogy as is valid the Court has clearly accepted for it has said that "as long as the basic standard of equality of population" is maintained, States may give some independent representation to political subdivisions to assure them some voice (84 S.Ct. 1362, 1391).

We agree with the Court in *Reynolds* v. *Sims* that: "Attempted reliance on the Federal analogy appears often to be little more than an after-the-fact rationalization offered in defense of maladjusted State apportionment arrangements. The original constitutions of 36 of our States provided that representation in both houses of the State legislatures would be based completely, or predominantly, on population. And the Founding Fathers clearly had on intention of establishing a pattern or model for the apportionment of seats in State legislatures when the system of representation in the Federal Congress was adopted. Demonstrative of this is the fact that the Northwest Ordinance, adopted in the same year, 1787, as the Federal Constitution, provided for the apportionment of seats in territorial legislatures solely on the basis of population."

Reynolds v. *Sims*, far from being an attack on effective State government, is the key to such effectiveness. Friends of States rights should be defending, not seeking to overrule it.

This is a time for decision for the States rights people. If they are for weak local governments they cannot be against swollen national power, because that goes right along with weakness at the local level. So they could just as well be called big Government people. In short, it is time for these so-called States righters to fish or cut bait.

THE OBJECT IN VIETNAM

Mr. RUSSELL of South Carolina. Mr. President, while brave American patriots struggle in Vietnam, in the cause of freedom, much discussion about our policy there goes on at home. The President, in my opinion, has adopted a courageous course, one worthy of our support.

I ask consent to have printed in the RECORD an editorial which was published recently in a fine newspaper in the capital city of South Carolina, the Columbia State. The editorial states, correctly, that far more than one small, beleaguered country is at stake in our struggle in Vietnam. I commend the editorial to the Members of the Senate.

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

[From the Columbia (S.C.) State, June 11, 1965]

THE OBJECT IN VIETNAM

Misgivings among Americans over the long and extremely difficult siege in Vietnam are understandable but fail to take into account the full meaning of our persistence there.

But for this show of the resolve of the United States to hold back the wave of Communist aggression, other sectors of the world would long since have fallen into the grip of Moscow or Peiping.

As Secretary Rusk reminded this week, these further advances of the Communists would have been achieved by aggression of one form or another. They would not have been initiated by the peoples involved. He mentioned West Berlin and Iran as victims had the example of armed force in Vietnam not been provided.

The action of the United States in southeast Asia is a costly and complex one indeed. The situation defies standard military procedures. It is conceded that military action alone probably won't bring a favorable result. The task is one carrying little encouragment. It is likely to go on and on.

Yet the resistance we offer there to aggression has effect far beyond the frustrating jungles of South Vietnam; it says to the Communists that other such intrusions would find the United States moving against them.

In Vietnam more is at stake than that beleaguered little country.

EFFECT OF CHANGES IN LEAD AND ZINC IMPORT QUOTA SYSTEM

Mr. ANDERSON. Mr. President, on June 23, 1964, the U.S. Tariff Commission convened a public hearing, as part of a study, requested by the President, to determine the probable economic effect on the lead-zinc industry through reduction or termination of the present import quota system, established on October 1, 1958.

At that hearing, I presented a personal statement, based on my experience with this industry in my own State, and also representing literally years of personal effort and the efforts of my colleagues in the Senate to establish a long-range lead-zinc minerals policy. It was my desire to help answer the question asked of the Tariff Commission by the President.

My reaction to his request, particularly considering the history of the lead-zinc industry efforts, was that we should not only look at the current statistics on production and consumption, but also should try to plan for the next decade, based on experience gained during the past 10 to 15 years.

My statement of June 1964 referred to the fact that the economy of the industry had improved with increasing metal consumption; and today I am happy to report that this trend has continued; but at that time I also stated that the entire lead-zinc industry had not been relieved of the injury which was the reason for the imposition of quotas in 1958. During the past year, more mines have reopened; but I must report that there still remains a serious question as to just how long the current prosperous period for our domestic lead-zinc mining industry can continue. As a result, some mining companies are hesitant to commit the large expenditures necessary in order to bring new mines into production—so long as the industry has no assurance of some logical import limitations that will modify the disastrous business cycles which have been characteristic of our natural-resource industries, and which in the case of lead and zinc have been caused by extensive and unnecessary imports during periods of reduced metal consumption.

During the Tariff Commission hearing, we acknowledged that the present quotas have mechanical problems; but we emphasized the fact that the industry itself had proposed and supported a system of flexible lead-zinc quotas which would provide equitable treatment for the producers, the consumers, and the importers. I urged the Tariff Commission to study this plan; and it was, and is, my recommendation that this flexible quota plan be enacted before any change in the present quota system is made.

The Tariff Commission issued its report on this study on June 8, 1965. It is quite a document; and all the discussion, all the statistical information, and their advice to the President, in answer to his question, are summarized in one short, but signficant, sentence:

Termination of quotas would not likely have a detrimental effect on domestic lead and zinc producers unless world demand for these metals should subside substantially in relation to world supplies.

This sounds like a rather simple, straightforward sentence; but I call attention to one extremely important and significant word—"unless." This word summarizes the reasoning of my presentation last year to the Tariff Commission. It combines a basic premise that under present conditions, in the opinion of the Tariff Commission, quotas could be removed without injury to the industry; but the Commission acknowledges that any future imbalance of world metal supply, in relation to consumption, will very likely once again damage our domestic industry; and the closing statement of the report says just this. In other words the Tariff Commission has looked into the future. It has noted the announced expansion of lead and zinc mine and smelter capacity all around the world. It realizes that any drop in world consumption will send the surplus to the United States, unless we have in effect a plan to accommodate the imports needed in order to supplement domestic production.

There are within the executive branch committees, which are studying this report, to advise the President as to whether action regarding the quota system is warranted at the present time. I believe that the opinions of those within the industry itself should be given special consideration, as they are naturally most familiar with the many factors that can affect the economies here and worldwide.

My friends in the industry have advised me that, based on the Tariff Commission findings and on their own intimate knowledge of the lead-zinc industry, it would be highly inadvisable for the executive branch to make a precipitous decision regarding relaxation or removal of the present quota system. There are valid reasons for such a decision. First, Congress this year authorized disposal of both lead and zinc from the national stockpile, to help alleviate a temporary shortage caused by increased requirements for additional metal supplies. Half of the zinc and well over half of the lead have not been released to industry, but will soon be made available, and will affect the supply-demand relationship. Second, for many months the world-market prices for these two metals, as quoted on the London Metal Exchange, have been well above the level of the United States, but in the last few weeks have dropped below our market levels—indicating a return to normal price differentials and a balance of world supply and demand toward the end of 1965. Third, we know that more metal will be available in 1966, as production both here and in the exporting nations is increasing. The action of this combination of factors on our domestic metal markets can well be most detrimental, later this year or early in 1966, if the present quota system is terminated.

All this discussion leads me to close these remarks by stating the same thought expressed 1 year ago at the Tariff Commission hearing: The present quotas should remain until replaced by an appropriate, long-range lead-zinc minerals policy enacted by Congress. This is embodied in Senate bill 564, the lead-zinc flexible quota bill introduced by me in this session of Congress, and cosponsored by 24 of my colleagues, who agree with me that a solution to this perennial problem is long overdue. We of the Congress are joined by practically all members of the lead-zinc mining and smelting industry in agreeing that this is the proper course of action. I commend it to Congress, to the President of the United States, and to the members of his executive departments, for approval and enactment into law.

THE A-TEAM EXPERIMENT INVOLVING WYOMING YOUTHS

Mr. SIMPSON. Mr. President, I wish to call the attention of the Senate to a problem that has arisen on the domestic farm labor scene. It is a problem that deeply concerns me and my State because of its effect upon 41 families of Newcastle, Casper, Upton, and Sundance, Wyo. I will not speak directly today about the bracero program, as I have already made clear my views on that matter before this body. What concerns me particularly today is the so-called A-team experiment and how that experiment has dramatized and characterized the unfortunate tactics and policies of the Department of Labor and its Secretary, W. Willard Wirtz.

Two days ago several Congressmen delivered what appears to me to have been a thinly veiled report from the Secretary of Labor affirming, of course, the Secretary's policies and activities. I consider it my duty to take exception to much of what was said.

On May 7, 1965, the State director of the Wyoming State Employment Service made the following remarks to the Casper Chamber of Commerce:

The American labor market operates on the basis of complete freedom of choice by both employers and workers. A worker is free to accept any job for which he qualifies, and an employer is free to hire or reject workers as he sees fit. Employers and workers use the assistance of employment services, public or private, only on a voluntary basis, and only when it helps to fulfill their needs.

Mr. President, it is my contention that precisely the opposite has been practiced by the Secretary of Labor in the past 2 weeks. It is my contention that the unfortunate A-team experiment is the baldest attempt to date by that Secretary to control and to manipulate our Nation's farm labor force. I contend that the A-team incident signals the beginning of the end of a truly free labor market.

The A-team program stands for "Athletes in Temporary Employment as Agricultural Manpower." It was conceived last month jointly by the Secretaries of Labor and Agriculture and the President's Council on Physical Fitness. The program was ostensibly designed as one means of alleviating the stoop labor shortage in U.S. agriculture which was caused by termination of the bracero law which had permitted the importation of Mexican nationals. The program was given advanced billing under the slogan, "Farmwork Builds Men."

In a press release on May 5, Secretary Wirtz emphasized that "the boys' interests come first" in the A-team program. He said they would be under responsible supervision, would be provided with good housing and food, and would earn $1.15 to $1.40 an hour. But, unfortunately, the program backfired for the team from Newcastle, Wyo.

That 41-member team was one of the first to arrive in Salinas, Calif. Within a week of their arrival, they had decided to leave the strawberry fields and had returned home by bus, convinced that the program was a mixed-up mess.

In a rally and protest meeting recently held in Newcastle, Wyo., it became apparent that many factors contributed to the untimely return of the team. The papers of the State have carried that story fully indicating some of the reasons for the team's return: Poor food—the team was served hot Mexican food three times a day for their first 3 days in the labor camp; poor laundry facilities; undesirable companions—the Wyoming team was put into a camp with another experimental group composed of juvenile delinquents; and inequitable working conditions—some teams were given fields farthest from the loading trucks or fields that had already been picked over by the few braceros that remained at the inception of the program. But what figured most significantly in the decision by the Wyoming team to give up the program was the misunderstanding as to wages. According to Homer Hand, of the Wyoming State Employment Security Commission who went personally to investigate the problems reported by the Wyoming team at the Salinas Strawberry Co., there was a great misunderstanding over the wages to be paid A teams. No written contract between the Wyoming team and their employers had ever been initiated. Of course, such a contract should have been the most important part of the Labor Department's preplanning and should have been agreed to before the team ever left Wyoming. Further, the hiring agent of the Salinas Strawberry Co., Benjamin Lopez, manager of the Growers Farm Labor Association, could not be contacted at the critical time in the wage rate misunderstanding.

This regrettable communication difficulty was accentuated, of course, by the unfamiliarity of the surroundings in which the boys found themselves: miles of fields filled with workers from every source and background; as many as 13 different labor camps spread across the valley; the notable absence of any foremen or supervisors who could be trusted to give authoritative answers to the inquiries of the team; and rumors that the

program had proved such a "bust" that the growers would plow up the strawberry crops rather than suffer further losses due to the chaotic labor situation.

California newspapers have amply documented in the last few weeks the plight of the growers who claim "we just can't afford to go on losing money," and it is not my intention to explore that facet of the problem today. What I do want to make perfectly clear is that the A team from Wyoming experienced difficulties which were very real to them and which in no way justifies the charge made by Representative COHELAN this past Monday on the floor of the House of Representatives in a colloquy in which he engaged with Mr. RONCALIO, of Wyoming. In that colloquy, Mr. COHELAN claimed that our Wyoming team, and I quote, "was apparently formed and included just a lot of what could be fairly described as 'crybabies'." Nothing could have been further from the truth.

Further, I wish to make it clear that the promises of Secretary Wirtz made only last month came notoriously short of being fulfilled. The events of the past few weeks indicate that the A-team project was hastily conceived and poorly executed. It is easy enough for a Secretary to initiate a program and issue headline-getting press releases concerning it, and quite another thing for the program to be successfully carried out. It is easy for a Cabinet member in Washington to state, as did Secretary Wirtz, that "successful implementation of the A-team program will require continuing close cooperation between the Department of Labor staff and your State Employment Security Agency." But, it was Homer Hand, of our Wyoming State agency, who went to California and who made the only significantly constructive efforts to help the chaotic situation there. The Labor Department now admits that the A-team program was only intended to be a one-shot deal. Now it is the officials of the Department of Labor here in Washington who 2 days ago said that the strawberry scandal was, as far as they were concerned, "a closed case."

But, Mr. President, for the boys who went through the disillusioning experience and for their families who had to pay for that experience, the case will never be closed.

One of the high school athletes from the Wyoming team who had participated in the ill-fated experiment summed up the problems that he and his team had experienced in California.

Said Bruce Arfmann, an 18-year-old graduate of Newcastle and former basketball star:

> The problem is that the growers are used to braceros doing the work. The Labor Department threw the program in the growers' faces overnight. They don't like it.

It is clear that the youths of the Wyoming team and their families lost most from the A-team fiasco. It was they who put up the needed $2,000 for return bus fare from California.

But, I ask now, who stood to win from the incident, and I am led to the conclusion that it was the Department of Labor and its Secretary, W. Willard Wirtz.

Through the authority which Secretary Wirtz claims is vested in him by Public Law 414, the Department of Labor holds a heavy club over the heads of so-called criteria employers. These employers, who have in the past used Mexican nationals for the harvesting of fruits, vegetables, and berries across the country, will be forever disqualified from using labor supplied through the Department of Labor if they once refuse to put to work domestic labor made available by that Department. Thus, if Secretary Wirtz can make available to the growers a domestic worker he must be accepted as a replacement for the Mexican national or else the grower loses his status as a qualified employer. Secretary Wirtz has used his A-team experiment to make that worker available. He attempted to move Wyoming youths to California fields and for a short time was able to do so through false promises and misrepresentations.

The Wyoming A-team was in Salinas, Calif., long enough to force the growers there to replace braceros with Americans in accordance with Labor Department regulations. Before the Wyoming team had started home, the braceros had left the fields of the Salinas Strawberry Co. Once that had been accomplished, Secretary Wirtz' prime political policy had been achieved.

Then, when the A-teams proved, for one reason or another, unsatisfactory or insufficient to fill the labor needs of the grower, the grower was faced with the unhappy alternative of plowing up his crops or recruiting his own adult domestic labor.

This is the situation at the present time. California, according to my recent inquiries of the Labor Department, has closed its borders to out-of-State workers. Through their recruiting programs, the growers have sought out their own domestic workers and have no further need for A-teams. This result, representing a full and somewhat ironic swing to the pendulum, is not altogether a bad one.

But the means by which this result was achieved was unqualifiedly bad. Secretary Wirtz got what he wanted, but he got it at the expense of some of the A-teams that he so quickly spawned and now would like to quickly forget. The Wyoming team, unhappily, became nothing more than a pawn in the Secretary's hand as he manipulated the Nation's farm labor force in accordance with his and the administration's scheme.

But I appeal to Members of the Senate to see that such methods are not condoned and not repeated—that such high-handed tactics are stopped. And I demand of the Secretary of Labor that restitution be made to the parents of the ill-starred Wyoming A-team for their expenses incurred in this social experiment. That is the very least that Secretary Wirtz can do for the private citizens he has wronged.

ORDER FOR ADJOURNMENT TO 9 A.M., FRIDAY, JULY 1, AND TUESDAY, JULY 6, AT NOON

Mr. HOLLAND obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield to me without losing the floor?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. I ask unanimous consent that when the Senate completes its business on Thursday, July 1, 1965, it stand in adjournment until 9 o'clock a.m., Friday, July 2, and, immediately upon meeting on July 2, stand in adjournment until 12 o'clock noon Tuesday, July 6, 1965.

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, am I correct in my understanding that the Senate will meet at 10 o'clock tomorrow morning and that the Chair will recognize the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], with the Senator from Ohio [Mr. YOUNG] somewhere between the two, and the Senator from Maryland [Mr. TYDINGS]?

The PRESIDING OFFICER. That is correct.

STUDENTS DESIGN SATELLITE IN 7 WEEKS

Mr. HART. Mr. President, will the Senator from Florida yield to me briefly, without losing the floor?

Mr. HOLLAND. I yield.

Mr. HART. Mr. President, often, with reason, we voice concern and dismay at outrageous conduct by juveniles in this country. Such conduct is the concern of parents and Congress; it is the subject of press, radio, and TV coverage.

Today I learned of something which 22 students at the University of Michigan have been up to for the past 7 weeks. I want the Senate and the country to know of this student effort.

It is in the nature of man that stories of crime and violence and evil get top billing. Here is a front-page story, with top billing, of constructive effort and extraordinary accomplishment which brings great credit to 22 young men, their professor, and university. I ask unanimous consent that the story from the Detroit News of June 28 be made a part of the RECORD.

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

MICHIGAN STUDENTS STUN EXPERTS—DESIGN SATELLITE IN 7 WEEKS

ANN ARBOR, June 28.—Twenty-two students at the University of Michigan have designed a satellite for tracking weather.

They did it in 7 weeks and packaged the entire proposal in a 118-page report. The project is called Possum, for Polar Orbiting Satellite System—University of Michigan.

The time in which the students, 18 seniors and 4 graduate students, designed the satellite surprised industry and Government visitors.

One industry manager said, "I couldn't get this much work out of my entire staff in a year."

The students worked under Prof. Wilbur C. Nelson, chairman of the University of Michigan Aero-Space Engineering Department, who gave them a one-sentence order for their work in a summer half semester. It was "design a poor man's weather satellite."

Possum would be a 234-pound package of TV cameras and a high resolution infrared radiometer that would circle the earth's poles 340 miles high in essentially a circular orbit. It would be boosted by a four-stage rocket from Point Arguello, Calif.

Besides its low cost, its value comes from its capability to provide cloud cover photographs and weather data from the polar regions. Present weather satellites do not reach those regions, and leave holes in satellite data used for forecasting.

Student project manager Donald Dieck, from Fairlawn, N.J., said filling these gaps would substantially improve weather forecasts. He said the data would also be invaluable for long-range meteorological studies.

Another unique feature of Possum's proposed orbit is that it would arrive over a given point on the earth's surface at the same time every 24 hours.

Nelson said detailed information on Possum's potential will be available in August when three students complete an analysis.

Michigan men who took part are: Dennis Adams, Robert Bratkowski, Mehmet Peksenar, all seniors, of Ann Arbor; Don Rothfuss, senior, Brooklyn; Robert Trueman, senior, Camden; Paul Goranson, senior, Crystall Falls; Donald Hemke, senior, Dearborn; Don Chomicz, graduate student, Detroit; Barry Frazier, senior, Durand; James Vietengruber, senior, Grand Rapids; Horst Schagat, senior, Grand Rapids; Stuart Rubens, graduate student, Livonia; Louis Rajcze, senior, Saline, and Charles Prochaska, senior, Southgate.

SUPPLEMENTAL AGRICULTURAL LABOR

Mr. HOLLAND. Mr. President, I continue to see in the press and to hear by radio and television occasional statements by misinformed persons to the effect that the action of Congress in 1963 in refusing to extend the so-called Bracero Act, Public Law 78, beyond December 31, 1964, was in the nature of a Congressional mandate to the Secretary of Labor, the Commissioner of Immigration, and the Attorney General to discontinue the making available of supplemental agricultural labor from foreign sources to help American farmers in the harvesting of their crops, particularly perishable fruits, vegetables, and berries. Of course, there is no truth whatever in the contention that Congress gave such a mandate. There is every showing in the RECORD of congressional hearings and congressional debates and in the text of laws enacted by Congress that the only accurate meaning that can be given to the action of Congress in 1963 in terminating Public Law 78 on December 31, 1964, is that it was merely a termination of the Bracero Act itself. Such action was designed to have no effect whatever upon the provisions of the general immigration law under which supplemental agricultural labor is available and has been made available for years both prior to the enactment of Public Law 78 and continuously since that time.

At the time that the original Bracero Act was proposed, a grandiose recommendation was insisted upon by the Department of Labor to allow it to control the importation of all supplemental agricultural labor from all sources, including not only Mexico, but also the West Indian and Canadian sources, and also to control migratory domestic farmworkers. The proposed modification urged by the Department of Labor would have set up an elaborate and expensive hierarchy, including labor camps or motels, extending pretty well all over our Nation, transportation and medical assistance and an extravagant set-up of personnel to give the Labor Department complete control of not only all foreign supplemental agricultural labor, but also all domestic migrant agricultural workers and their families. Since I attended the hearings on that measure and took part in conforming it to the form represented by Public Law 78, the Bracero Act, and since I know that the Bracero Act was intended in meeting the needs of American farmers to also meet certain requirements of the Mexican Government and other requirements of our own to prevent the exploitation and abuse of imported Mexican agricultural workers, and particularly to eliminate the so-called wetback problem, I think it may be well to collect certain salient parts of the record in one place at this time so that all may see the care which Congress exercised in assuring that Public Law 78 would in no way interfere with the provisions of the general immigration law, Public Law 414, and would in no way extend Federal control over either supplemental agricultural labor from the West Indies or Canada or over migrant American farm labor in general.

I ask, therefore, that certain portions of the RECORD of the hearings before the Senate Committee on Agriculture and Forestry on March 13, 1951 on the original proposal of the Labor Department be included herewith as a part of my remarks.

I read now from page 16 of the hearing:

The CHAIRMAN (Senator ELLENDER). It is my purpose to hurry along with this bill as soon as I can because of its importance. We must provide legislation on the subject before June, and I am going to try to make arrangements, if I can, to hurry this along and have the record printed as soon as possible so that each Senator will have a copy of it before we consider the bills before us.

These documents that I have introduced, Senator HICKENLOOPER, simply provide for amendments. For instance, let's take the American Sugar Cane League letter, which also represents the views of the folks from Florida, I believe. They have a fine relationship now between Florida, let's say, and the islands just off Florida—the Bahama Islands, Jamaica—where they get quite a lot of labor, and they take the position that because of those fine relationships they do not need legislation on the subject. They are suggesting that, with respect to the language in S. 984, it be made to apply to the continent instead and exclude the islands. The way they suggested that this be done is by simple amendment which would make it apply to the mainland of the continent.

All of those suggestions are incorporated in some of these letters that I have introduced and the reports so far received from the various departments, especially the Department of Agriculture, deal with the extent to which our Government should pay for transportation and care of these laborers in transit.

Senator HOLLAND. So far as the agricultural interests of Florida are concerned, they much prefer not to have any subsidy from the Government in this connection, not to have the Department of Labor serve as an official agency for recruiting offshore laborers. They much prefer to continue their present course of dealings, under which they pay the transportation costs themselves, and deposit bonds guaranteeing the return of the laborers who are in for a season and who are then sent back to the Bahamas or to Jamaica, as the case may be. They are quite willing to have continued the present setup which they have found eminently satisfactory. And above all things they do not want any subsidy in connection with this thing.

The CHAIRMAN. I am glad to hear the Senator from Florida so express himself, and that was the line that I pursued in drafting S. 984, which is up for consideration today.

I read now from page 17 of the same hearings:

Senator HICKENLOOPER. Mr. Chairman, I would like to say to Senator HOLLAND, with all due respect, and with no intent to offend, but I wonder if the position is not a little outmoded according to modern philosophy, when you announce they are for a self-help program and wish to depend on themselves. Do you think that is a little outmoded?

Senator HOLLAND. I do not think so. I remind the Senator from Iowa that the same group came up and asked for the potato support program to be knocked out.

Senator HICKENLOOPER. Our potato farmers up in Iowa do not want Government help, and they are forced into this regulation by some kind of a vote, and they are now prosecuting some of these individuals who refused to take Government aid.

Senator HOLLAND. Mr. Chairman, we do not want to interfere with the plans of continental users of labor from Mexico, and perhaps other places, if they prefer some other way to deal with the situation, but we do much prefer to have this legislation not apply to the Bahamas, Jamaica, and the independent countries living offshore but near our State. We will at the proper time ask for an amendment which we hope the introducer of the bill will be agreeable to have written into this bill, making it apply only to continental foreign countries and Hawaii and Puerto Rico, if you wish to have it apply to them.

I read further from the hearings on page 18:

The CHAIRMAN. I was going to say that, and I am sure it will become apparent to the Senators the reason for dealing with, let's say, the Bahamas as Senator HOLLAND suggests, and why we should probably accept a different method when it comes to employing labor from Mexico.

Mexico has a problem on its hands. It is developing right along. It is right on our borders, you know, and the wetback problem there—that is, those who cross the Rio Grande without any authority whatever—has drained quite a bit of Mexican labor that is needed in Mexico at the moment.

All of this, as I have just indicated, will be brought to the surface as we call witnesses to discuss these various bills, particularly the one that I introduced and which in effect deals primarily with the Mexican labor situation.

Senator AIKEN. The reason I was inquisitive was because I was thinking of the Canadian situation, where a large number of

Canadians come over the border for seasonal work. We do not want that complicated by any Federal laws or requirement that the Federal Government recruit them. They are mostly relatives that come over in that part of the country and I suppose they drive their cars over, or walk over, or any way to get over, and we do not want those satisfactory relationships interfered with, either.

The CHAIRMAN. I do not believe it is the intention of the introducers of any of these bills to change that relationship. Speaking for myself, as the introducer of one of the bills, I certainly do not want to change any of the methods now in force that have proven satisfactory. I am satisfied that if anything in my bill, as well as the other bills that have been introduced, will in any manner change the present methods, we can all get together and arrange it so that the present method of recruiting foreign labor shall not be disturbed.

Mr. President, that was at the original meeting of the committee. Everything that happened thereafter was in accord with the expressions from which I have just read.

I continue to read further from page 26 of the hearings when Mr. Creasey, the Assistant Secretary of Labor, appeared as a witness for the Labor Department:

Senator HOLLAND. Excuse me there. Is what you are talking about there a series of transient camps?

Mr. CREASEY. That is right.

Senator HOLLAND. To house transient migratory labor as it is traveling from one part of the United States to another?

Mr. CREASEY. That is correct.

Senator HOLLAND. How many such camps do you have in mind?

Mr. CREASEY. Frankly, we have not gone into it far enough to decide how many there should be. I do not think it would require very many.

Senator HOLLAND. But you are asking for the inclusion of that factor in this legislation?

Mr. CREASEY. That is correct.

I read now from page 27 of the hearings:

Senator HOLLAND. I was anxious to take a practical problem in this field. It is a well-known fact that migratory farm labor that starts out in south Florida in the winter ends up in Connecticut in the tobacco fields in the late summer or early fall. Is it your idea to have a series of tourist camps that would accommodate this migratory labor as it moves from south Florida to Connecticut through the course of the various seasons, extending from winter in Florida to early fall in Connecticut? Is that your idea?

Mr. CREASEY. That is correct.

I read further from the hearings on page 29:

Senator HOLLAND. Mr. Creasey, is this testimony your own personal testimony or is it for the Department of Labor?

Mr. CREASEY. Which do you mean?

Senator HOLLAND. The tourist camps.

Mr. CREASEY. That is from the Department of Labor.

I call attention to the fact that not only did I personally insist that Public Law 414 be left unaffected and that the long arm of Federal regulation be not extended to cover the whole field of migrant agricultural labor, but I was joined in that insistence by the chairman of the Senate Committee on Agriculture, Senator ELLENDER, of Louisiana, and the ranking minority member of the committee, Senator AIKEN, of Vermont, and other Senators, as shown by the RECORD. Those who employed West Indian and Canadian supplemental workers did not want to have expensive Government control and regimentation substituted for their own responsibility in selecting their employees, paying the expenses involved, and assuring the repatriation of the foreign workers.

Pursuant to the insistence of our committee, and after a full hearing on the proposed bill, it was passed in such form as to cover only the so-called bracero problem and only the importation of supplemental Mexican labor for that portion of the country which uses such labor. A section was included in the bill, as a committee amendment, making it completely clear that the general immigration law was affected in no way whatever. I quote that section 508 of Public Law 78 which we insisted upon and which reads as follows:

SEC. 508. Nothing in this Act shall be construed as limiting the authority of the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in section 507, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in such agricultural employment under such conditions and for such time as he, the Attorney General, shall specify.

Mr. President, it could not be made clearer as to the entire exclusion from the terms of the Bracero Act or any effect produced by that act upon the general immigration laws, or the bringing in of supplemental labor from the West Indies and Canada. While Japan and the Philippines were not in the picture at that time, the same logic would apply completely to the labor which has since been brought in from these areas and perhaps other friendly countries in the Pacific with which I am not familiar. The point was clearly made.

The debate on the Senate floor at that time—1951—on the passage of Public Law 78 also made these points quite clear, and I quote a portion of such debate.

Following are the remarks of the Senator from Louisiana [Mr. ELLENDER] to Senator Chavez of New Mexico, appearing in the CONGRESSIONAL RECORD, volume 97, part 4, page 4418:

I may state to my distinguished friend from New Mexico that when the bill was first introduced we attempted to take care of labor recruitment not only in Mexico but also in all other countries in the Western Hemisphere, and Puerto Rico, and Hawaii. Complications arose in that certain exceptions were desired here and there. Finally, inasmuch as the purpose of the entire proposal is to make an agreement with Mexico alone, the committee decided to confine the bill to that country.

Mr. President, these are the remarks of the Senator from Louisiana [Mr. ELLENDER], appearing in the CONGRESSIONAL RECORD, volume 97, part 4, part 4419:

The committee members present were unanimous in their decision to deal with the Mexican problem solely. The reason for that decision is that we are confronted with a special condition with respect to the importation of labor from Mexico. The Government of Mexico has notified our Government that it will terminate the agreement with respect to the importation of Mexican labor into this country, and that it will not agree to a program comparable to the one under which we import workers from the Bahamas and other islands under British control.

Here are the remarks of the Senator from Louisiana [Mr. ELLENDER], appearing in the CONGRESSIONAL RECORD, volume 97, part 4, page 4419:

I know that in the past there have been instances of men looking at a stoop-labor job and saying, "I do not want it." If that kind of man took such employment, it would be only until he could get something more to his liking. The able Senator from New Mexico knows that as well as do the members of the committee.

I digress to read the colloquy between Senator CASE and Senator ELLENDER, appearing in the CONGRESSIONAL RECORD, volume 97, part 4, page 4421:

Mr. ELLENDER. * * * The sole purpose is to deal with the Mexican problem. We have been importing labor from Mexico, as the Senator knows, for many years. Because of the seriousness of the wetback problem, the Mexican Government has decided that in the future, unless legislation of the character we are now proposing is enacted, no more Mexican labor will be contracted for work in this country.

Mr. CASE. What is the reason for the committee amendment in section 508, providing that nothing in this act shall be construed——

Mr. ELLENDER. That is my next point. I shall reach that in a moment.

Mr. CASE. My purpose in raising the question is this: Apparently there is some reason for saying that nothing in this act shall be construed to limit the authority of the Attorney General under the general immigration laws. I was wondering whether the same logic would also suggest that we should say that it is not intended to interfere with the operation of the Displaced Persons Act, or to limit the authority of the Displaced Persons Commission to bring displaced persons here for agricultural employment.

Mr. ELLENDER. Personally I do not believe that such language is necessary, but it does no harm. There were some who thought that unless we put language of that character in the bill it might suggest to the Attorney General or to some other department of Government that it was not intended to continue the method now in vogue for recruiting labor on a temporary basis from Canada, from the Bahamas, and from other offshore islands under the British flag.

I read the colloquy between Senator ELLENDER and Senator Watkins and Senator HICKENLOOPER, appearing in the CONGRESSIONAL RECORD, volume 97, part 4, page 4425:

Mr. ELLENDER. Today employers who need workers in Florida, in New Jersey, or, in fact, in any of the Atlantic States, deal directly with workers from the Bahamas, Jamaica, and Puerto Rico. At present they pay for part of the cost of recruitment and the expense of transportation and the worker pays the remaining part.

Mr. WATKINS. Is that for seasonal work, such as farm operation?

Mr. ELLENDER. Yes. What the employers do in States such as Florida or any other of the Atlantic Coast States is to go to the U.S. Employment Service and obtain a certificate showing that labor is not available to carry on the necessary farm work. With that certification they go to foreign governments and a contract is entered into between the employers in this country and workers in the

Bahamas or in Jamaica, for illustration. Bonds are posted by the employer, and the worker then comes to this country for seasonal employment.

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

Mr. ELLENDER. I yield.

Mr. HICKENLOOPER. I think the RECORD should show that farmers on the eastern seaboard who have been accustomed to using labor from the islands offshore do not ask to be included in this bill. They are perfectly satisfied with the arrangement which they have, and they do not want any Government supervision. They make their own arrangements and are happy with them. They said they were not concerned about being included in the proposed legislation.

Here is a colloquy between Senator Wherry and Senator ELLENDER, appearing in the CONGRESSIONAL RECORD, volume 97, part 4, page 4480.

Mr. WHERRY. I understand the position taken by the distinguished Senator from New Mexico relative to the sufficiency of American labor. I have been reading the reports of the hearings of the committee. We have contracts with other countries. We get labor from the Bahamas and from other countries without such legislation; do we not?

Mr. ELLENDER. That labor is obtained in accordance with present law, and that could be done in the case of Mexico if the Mexican Government would agree to continue the agreements which were entered into in 1948 and extended in 1949. However, the Mexican Government refuses to do so unless certain guarantees are made. Such guarantees are incorporated in the bill now being considered.

Mr. WHERRY. Prior to this time the Government had not come into the picture at all, so far as making any guarantees was concerned.

Mr. ELLENDER. That is correct.

Mr. WHERRY. Why is it necessary at this time? We do not do it with respect to other countries.

Mr. ELLENDER. Because the Mexican Government insists upon it.

Mr. WHERRY. What do they insist upon that has not been given them in prior contracts?

Mr. ELLENDER. What they insist on, first, is a guarantee by some agency of our Government that there will be full compliance with the contract between the employer and the worker, for example, in guaranteeing wages, guaranteeing transportation, subsistence, and so forth.

Mr. WHERRY. Have we ever experienced any trouble with such importations of labor from other countries?

Mr. ELLENDER. No; we have not.

Mr. WHERRY. For the life of me I cannot see why it is necessary to bring the Government into the picture.

Mr. ELLENDER. The main reason is the need to control the so-called wetback problem, with which I am sure the Senator is conversant. To my way of thinking, the proposed legislation would go a long way in solving the wetback problem.

There are other excerpts from the debate at that time which support my present statement and there is nothing in the debate which leaves any question whatever as to the intent of Congress which was to keep Public Law 414 completely intact and functioning and to make it clear that Public Law 78 should have no effect whatever upon the continued use of supplemental agricultural labor from the British West Indies and from Canada.

It is equally clear that in the 1963 Senate hearings and debate on the extension of Public Law 78, which was extended only to December 31, 1964, the point was made over and over again that Public Law 414 was to continue in effect and was in no way affected by the action of the Congress in limiting the extension of Public Law 78 to 1964 only. Under Secretary of Labor Henning made the point in the hearings before the Senate Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare on July 30, 1963, page 105 that Public Law 414 was to continue in effect and that supplemental agricultural labor under Public Law 414 was to remain available, and in the Senate debate I quoted Under Secretary Henning in his reference to Public Law 414, as follows:

Mr. HENNING. This is another system of importation of foreign workers lacking, in general, the safeguards that are in Public Law 78, although there is a test feature involved here under which domestic labor is supposed to be unavailable before West Indians or Canadians or other foreigners can enter.

I made the point in that debate that Mexican labor had been brought in legally by the thousands under Public Law 414 before the enactment of Public Law 78 and continuously thereafter and that even in 1962, the year immediately prior to the Senate debate, some Mexican labor had been brought in under Public Law 414. This continued to be the case, incidentally, through 1963 and 1964 and still continues to be the case as this debate is underway. It is completely clear that Public Law 414 remains available as a source of needed supplemental agricultural labor from Mexico at this very time and indeed some Mexican laborers have already been admitted and are now working in California under Public Law 414. During the 1963 debate I made the following remarks which appear in the CONGRESSIONAL RECORD, volume 109, part 11, page 15184:

The method by which Mexican workers might be brought into the United States legally under sections 214 and 101 (a)(15)(H) of the Immigration and Nationality Act in the absence of Public Law 78 is explained at page 49 of the House hearings. I emphasize that point because so many people mistakenly think that the only way Mexican laborers can get into this country to till farms is under this act Public Law 78, whereas, quite to the contrary, other less desirable acts are available under which Mexican laborers can come into this country and under which they would have nothing like the protection that they, the country, or the producers who use them have under Public Law 78.

During the 1963 debate various Senators expressed concern on this question and I quote from the CONGRESSIONAL RECORD, volume 109, part 11, page 15187, a colloquy between Senator ALLOTT, of Colorado, and myself on this subject:

Mr. ALLOTT. If Public Law 78 should not be extended, there would be nothing to prevent employers in the western part of the country from using Public Law 414 for the importation of labor. Is that correct?

Mr. HOLLAND. Nothing at all, until such time as the abuses might again become so evident that perhaps the Mexican Government would take the same position it did prior to the enactment of Public Law 78.

Some do come in every year under Public Law 414, even from Mexico. That is another thing that our friends in opposition do not seem to understand. Thousands can come into this country under that law.

I also quote from the RECORD a colloquy between myself and two of the ardent advocates of the repeal of Public Law 78—Senator MCCARTHY, of Minnesota, and Senator PROXMIRE, of Wisconsin, which immediately followed my colloquy with Senator ALLOTT, as follows:

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

Mr. HOLLAND. I yield.

Mr. MCCARTHY. Will the Senator explain who in the opposition does not understand about Public Law 414?

Mr. HOLLAND. Does the Senator from Minnesota mean that he understands that thousands come in every year from Mexico?

That meant under Public Law 414.

Mr. MCCARTHY. I certainly do.

Mr. HOLLAND. I withdraw my statement as to the Senator from Minnesota. I do not withdraw it as to some other Senators.

Mr. PROXMIRE. Mr. President, I hope the Senator will withdraw it so far as the Senator from Wisconsin is concerned. I am thoroughly aware of the situation and have been for some time. I also know that the Labor Department has cracked down on the program very stringently. The Labor Department is now following a policy far different from the past policy. The expectation is that the number of Mexicans who will come into the country in the future under Public Law 414 will not reflect any diminution in the number that would come in under Public Law 78.

Mr. HOLLAND. I wonder if the Senator agrees with the statement of Mr. Henning, Under Secretary of Labor, when he said that Public Law 78 is a better law than Public Law 414.

Mr. PROXMIRE. I agree that Mr. Henning made that statement.

Mr. HOLLAND. Does the Senator agree with the conclusion?

Mr. PROXMIRE. In answer to the statement of the Senator from Florida, in the first place, I would like to eliminate Public Law 78. Then it would be possible, under present policies which have been followed by the Department of Labor since June of this year, to limit the number coming in under Public Law 414, to provide for the legitimate need for additional Mexican workers.

No one could have stated more clearly than did Senators MCCARTHY and PROXMIRE that they understood perfectly well that Public Law 414 was available at that time for the importation of Mexican supplemental farmworkers and would remain available after the termination of Public Law 78. I quote again the closing sentence of Senator PROXMIRE's statement, which reads as follows:

Then it would be possible, under present policies which have been followed by the Department of Labor since June of this year, to limit the number coming in under Public Law 414, to provide for the legitimate need for additional Mexican workers.

So spoke the Senator from Wisconsin [Mr. PROXMIRE] when he ardently advocated the repeal of Public Law 78.

Mr. President, it appears so clearly that there can be no doubt whatever about it that the termination of Public Law 78 effected no change whatever in Public Law 414 or in the availability of supplemental agricultural labor under

the provisions of Public Law 414. Although not admitted by the Secretary of Labor and his Department in the beginning, they have now conceded this clear fact by allowing the importation of some 2,800 Mexican laborers to California and by allowing the retention in Florida of some 6,500 supplemental workers from the West Indies during the calendar year 1965, and they have also permitted the retention of the use of a certain number of forest workers from Canada in New York and New England during this year 1965. In each instance, of course, the unavailability of domestic workers, after great effort, had been established.

So I hope that we will have an end to the continued repetition by some of the ultraliberal labor, church, social, and Government personnel of the completely false claim that Congress has given a mandate for the termination of the importation of needed supplemental agricultural workers from adjoining foreign sources from which such workers are not only available, but where their employment is a boon to friendly countries adjoining us and a badly needed help to their economy. The fact is that Congress has continued the mandate given by the general immigration law, Public Law 414, under which the producers of agricultural crops in this Nation—particularly perishable crops at peak seasons of their need—have a right to expect the administrative Federal officials to aid such agricultural producers not only in securing these needed supplemental workers, but in having such assurance ahead of time that such needed workers will be available at the time of need so that there will be no reduction in plantings of the crops required to feed the 194 million consumers in this Nation who will continue to look to our producers to supply the wholesome food products which are supplied by the growers of fruits, vegetables, berries, and other crops for which the domestic workers have not shown in sufficient numbers either the willingness or the ability to supply the necessary work.

Mr. President, on June 10 I stated that I would place in the RECORD the compilation of the losses experienced by Florida celery growers. I now have this compilation, showing total losses in the Everglades celery growing area due solely to lack of labor of 239.6 acres, representing a loss of $156,000 in production costs alone. This total excludes acreage lost due to weather or conditions other than lack of a sufficient number of celery cutters to harvest the crop in marketable condition.

This report compiled by the Florida Celery Advisory Committee has been transmitted to me in a letter from Mr. W. H. Anderson, Jr., assistant general manager of the Florida Fruit and Vegetable Association, as follows:

FLORIDA FRUIT & VEGETABLE ASSOCIATION,
June 25, 1965.

HON. SPESSARD L. HOLLAND,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLAND: On June 8 you asked for a final report on the experience of celery growers in the Lake Okeechobee area at the end of the season with respect to losses incurred due solely to the lack of labor.

The Florida Celery Advisory Committee informs me that all celery harvest operations are now completed in the Lake Okeechobee area and that losses incurred due solely to the lack of labor for the entire season are as follows:

Week ending:	*Acreage lost due to lack of labor*
Jan. 10	59.0
Jan. 17	26.5
Feb. 14	3.1
Total mid-winter losses	88.6
May 2	12.0
May 9	19.0
May 23	20.7
May 30	58.7
June 13	28.0
June 20	12.6
Total early spring losses	151.0
Grand total	239.6

The Lake Okeechobee celery growers were limited to 500 celery cutters during the past season whereas 600 were requested and 550 had been authorized in 1963–64. This reduction in the foreign labor force was responsible, I am told, for the loss of 88.6 acres of celery during the midwinter season which reflects a loss in production costs alone of approximately $58,000.

When authorization to employ foreign workers was withdrawn, effective at close of business, April 30, losses escalated rapidly in spite of the fact that legal action taken by the affected celery growers enabled them to utilize supplemental foreign workers during part of the month of May and in spite of the fact that an extension of stay of foreign celery cutters was ultimately authorized by the U.S. Attorney General. The acreage lost during the month of May totaled 109.4 acres, at which point the foreign celery cutters were repatriated. A total of 40.6 acres during the early part of June were lost due to the lack of labor and additional acreage was lost due to the deterioration of quality which resulted when domestic workers had to be diverted from insect control and cultivation work during the month of May to aid in celery-cutting activities. The 151 acres lost during May and June reflects a production cost of approximately $98,000. When added to the midwinter losses, this reflects a loss of $156,000 in production costs alone which was suffered by the 10 affected celery growers.

Needless to say, the restraining order issued by Federal Judge George Young and the subsequent action of the Attorney General in allowing foreign workers to remain throughout the month of May (with a loss of 9 workdays) averted further losses that would have been of catastrophic proportions. The market value of crops actually lost due to the lack of labor during May and June is estimated at about $350,000 whereas losses threatened before intervention by Judge Young and the Attorney General would have amounted to about $2 million.

Best regards.

Sincerely,

W. H. ANDERSON, JR.,
Assistant General Manager.

Mr. President, this letter is from a conservative source, a fine gentleman who even the Secretary of Labor told me was one man in Florida that he liked to deal with because he thought he was telling the truth. He was telling the truth in the letter which I have read into the RECORD.

The reference in Mr. Anderson's final paragraph is to the temporary order issued by Judge George C. Young restraining the repatriation of British West Indian workers, pending the hearing of the suit brought by Florida celery growers which I discussed in my remarks in the Senate on May 12, and to the extension of time granted on May 22, by Attorney General Katzenbach, which made the services of 500 British West Indian celery cutters available during several days of the peak of the celery harvest. Incidentally, we are very grateful to Attorney General Katzenbach for his generosity.

Immediately prior to the stay of execution provided by the Attorney General, the situation in the celery fields was demonstrated in the report furnished me on May 20 from eight of the major growers of celery in the Lake Okeechobee area, as follows:

FLORIDA CELERY HARVESTING REPORT—EVERGLADES AREA

1. Vandegrift Williams Farms: One machine operating, limping along, using 11 cutters, where normally 25 would be necessary. Would run two machines if labor available.

2. Rogers Farms: One machine operating. Started with 26 cutters. Immediately lost three. Normally require 52 cutters and normally would operate 3 machines. Fifty percent harvest predicted.

3. Thomas Farms: 39 cutters, where normally 50 required. Stopped all harvesting of sweet corn to get the available workers in celery. Normally expected harvest approximately 65 percent.

4. Chamblee Farms: One machine operating, utilizing 26 domestic workers, where 16 offshore workers did job. These workers came from corn harvest unable to continue corn harvest. Sixty-five percent normal harvest expected.

5. Wedgworth Farms: 37 domestic cutters from Miami cutting. Started work after 8 a.m. One machine operating—normally two required.

6. A. Duda & Sons: Unable to start any harvesting machines. No cutting crews available. Domestic crew which harvested last week did not return. Also shortage of labor in corn harvest. Unable to start two corn machines. Normally would harvest with three machines in celery.

7. Chase & Co.: Two machines operating. Thirty cutters available. Normally require 48. Forty packers available. Normally require 64. All domestics operating were drawn from other farm operations, such as tractor drivers, truckdrivers, etc. Fifteen workers drawn from cane cultivating. Nine refused; six said that they would not return tomorrow. Stopped all farming operations.

8. Senter Farms: One machine operating out of two. Have 48 domestic workers cutting which normally only required 24 offshore workers to perform. Closed down all corn harvesting operations.

On May 25 another grower, Mr. Sam Senter, sent the following telegram to the Attorney General describing his plight:

BELLE GLADE, FLA.

Attorney General NICHOLAS KATZENBACH,
Department of Justice,
Washington, D.C.

DEAR SIR: I farm 5,200 acres of land in Belle Glade. My crop consists of 1,100 acres of celery, 2,100 acres of sugarcane and 2,000 acres of 20 different varieties of vegetables. From these 2,000 acres we grow 3 crops in a 9-month period which makes a total of 6,000 acres. This actually means a total of 8,000 acres.

Our harvest season for most vegetables begins in the middle of October and celery

harvest begins the first week of November. We harvest until June 15, and celery, our hardiest crop, is the last one we harvest.

I invest much time, pains, labor, and money into the raising of these crops. My farm investment is close to $3 million.

During harvest season 450 to 550 people are employed for farm and packinghouse work. Most of these folks are colored men and women; 150 of these are year-round employees.

The bulk of employees start in November. When I am in full gear for 8 months the payroll runs close to $35,000 a week.

Dear sir, my loans from the banks are close to $750,000 just for the season and sometimes when the accounts receivable are high and coming in slow I have to borrow another $250,000. My banks notified me only last week that if I do not get any offshore labor for the celery my loans will be cut down 70 percent.

Tell me sir, how can I farm in a condition like this?

For your information I only employ 44 off-shore laborers just for cutting celery, if I knew where and how to get American labor, as an American citizen, I would be happy to use them.

I would like to enlighten you, sir, about what goes on in the Glades area. We're called the end of the road—meaning—this is the winter vegetable capital of the world. We just have so much labor here.

You are an understanding man so let me explain some things: When the end of April comes the colored people leave here in bus loads by the thousands. Why do they leave here? They go to South Carolina, Georgia, and North Carolina for the spring crops even though they make more money here. This has happened every year for the 25 years I've been here. They only make $5 to $6 a day up there and as much as $10 to $15 here but the migrants want to go home. They want to leave the muck and heat and all the insects.

Dear sir, if the banks cut down my loans and I don't have any labor, I'd just as well quit farming and go into the cattle business where I only have to have 1 or 2 men to run the whole show.

I thank you for your patience with this telegram. I thank you again for helping us with your ruling of May 22. I want to say that all the celery growers would really be helped if you extended this to June 15.

I have one more thing to say, sir. My BWI employees did not know of the decision as of Friday, May 21. They were all packed and ready to leave. They had burned all their working clothes and had to buy new clothes to wear to the fields. They do not know it yet but I am going to refund the money to them because they were very understanding and agreeable to help me.

SAM SENTER,
President, Senter Farms Inc.

Mr. President, that is a self-made man who is speaking from his heart in this wire.

From these reports it should be clear why I described the action of the Attorney General which resulted in holding down anticipated losses for the 2-month peak period of some $2 million to a mere $350,000 as a stay of execution for Florida's celery producers, their packinghouse employees, and their creditors.

On previous occasions I have discussed the losses experienced by the citrus industry in Florida. Due to the concessions made by the Secretary of Labor which made it possible to retain 3,500 British West Indies citrus pickers to complete the Valencia harvest, the majority of the losses occurred in December, January, and February, when the lack of labor to pick the early and midseason fruit as it matured resulted in the abandonment of tangerine crops, loss of oranges which fell from the trees, and deterioration in the quality of fruit for processing. The estimates of the Florida Citrus Mutual issued earlier this year that between $4 and $6 million worth of citrus was lost as the direct result of lack of sufficient experienced labor have been reaffirmed by both Florida Citrus Mutual and the Florida Fruit & Vegetable Association.

Next let us move to the strawberry growers, whose losses resulting from insufficient and inefficient workers have been staggering and have bankrupted one long-established grower.

First, I call attention to two articles which appeared in the Miami Herald, of Friday, June 25, one presenting the official view and the other the actual cases, which I shall read in that order.

MOTHER NATURE REAL VILLAIN, SAY OFFICIALS

(By Jon Margolis)

DELRAY BEACH.—The claim by south-county strawberry growers that an inadequate labor supply caused profit losses, and business failure in their industry was disputed this week by both local and national offiials in labor and agriculture.

Furthermore, some local growers say that the one farming outfit which has gone out of business—Rutledge Farm Industries—was "mismanaged."

Disagreement with charges that labor was the main cause of the strawberry failure came not only from the Department of Labor, which has been feuding with Florida growers for months over the offshore worker question, but from local agriculture officials who usually support the growers on labor matters.

County Agriculture Agent Robert Pryor said there were "a million and one reasons for the strawberry failure—mostly weather."

"Production was low," Pryor said. "We had a long period of drought and heavy rains came at the wrong time."

Robert Goodwin, national head of the Employment Security Division in Washington, said the growers "can't make a case" for their claim that a shortage of workers caused their problems.

To back up his argument, Goodwin cited the following statistics:

More strawberries were picked in Florida this year than last; 24,480,000 pounds against 20,790,000.

Labor was more plentiful this year in Florida's strawberry fields as 4,000 men picked berries, 600 more than last year.

According to Joseph Cerniglia, president of American Foods, the labor problem was not lack of workers so much as the requirement to pay the workers $1.15 an hour.

"As soon as they found out they had a guaranteed hourly wage instead of piecework," said Cerniglia, referring to domestic workers, "they went to sleep out there."

He said Americans were not as productive as foreigners and were more trouble.

"Americans are less docile, that's true," Goodwin said. "They have to be treated well."

The Labor Department and Florida's farmers have been battling over the issue of offshore labor. Labor Secretary Willard Wirtz, in an effort to find jobs for more Americans, has been cutting down on the number of foreign laborers who can enter the country.

The growers claim Americans will not do the "stoop" labor involved in some harvest work.

Wirtz contends Americans will do any work if they are well treated and justly compensated.

As an example, an official Labor Department spokesman said that Dixon Farms, which claims to have lost $1 million this year, follows outmoded labor practices. This, the official said, is why they had a hard time getting workers.

Pryor was one of several officials who doubted any farms were really going out of business.

"In September they may be right back in there," he said.

But a Federal agriculture official, offering another possible reason for the strawberry failure, said the crop may be on its way out as far as Palm Beach County is concerned.

"It's possible," he said, "that the strawberry business never had much potential in this area."

It should not be necessary to point out to Senators that Mother Nature has not suddenly chosen this crop year to make things rough for farmers. Growers of perishable crops know that year after year the vagaries of the weather present a hazard to their operations. When a freeze or a flood or similar act of God wipes out a crop, then indeed Mother Nature is responsible. But the growers who have been in the business for years have learned that their operations must take into account warm spells and cool spells, rain and drought, as the normal course of events, and have stayed in business through their ability to harvest the products of their plantings when Mother Nature brings them to maturity, and before her next whim destroys them. It is hardly fair to blame the weather for ripening the berries at a time when the growers did not have the workers to pick them, or for destroying them when they had to remain in the fields unpicked.

Now for the case histories as reported in the second article:

[From the Miami (Fla.) Herald]

BLAME LABOR CRACKDOWN: BERRY GROWERS QUITTING COUNTY

(By Ford Burkhart)

DELRAY BEACH.—Two major strawberry growers in Palm Beach County have shut down operations, and others are considering sharp cutbacks next season. They put the blame on Federal labor policies which have taken away their offshore workers.

Palm Beach County berry men aren't the only growers moaning about splitting domestic labor headaches.

An official of the Florida Fruit & Vegetable Association (FFVA) said Thursday total losses would far exceed $8 million. Losses to county strawberry farms may exceed $2 million, he said.

Farmers say the crop losses occurred in three ways:

Ripe, red berries spoiled under the April sun for lack of enough pickers.

Other berries were picked late, too ripe to bring top market prices—and often sold at a dollar or more per flat below the going rate.

Still other berries were misgraded by new workers who didn't know the business, resulting in less-than-top sale prices.

County growers reporting labor crises include Archie Rutledge, Dixon Berry Farms, American Foods Farms, and Pakco Plantations.

RUTLEDGE

One of the largest growers—Rutledge Farm Industries—was reported to be bankrupt by a bank official who held chattel mortgages on his farm equipment.

Rutledge had grown strawberries on 600 acres of the Flying Cow Ranch near Royal Palm Beach for 6 years, and had just built a new precooling and packing plant at his farm last season.

His equipment was auctioned off Wednesday to pay creditors.

"Rutledge told me he thought he could have made it—without his labor troubles," said Stan Burlingame, loan officer at a local bank. "I believe he might have been right."

Burlingame said he understood the firm showed assets of roughly $600,000 less than liabilities when bankruptcy proceedings were filed in Federal court.

In April, Rutledge wrote to the FFVA that his losses directly due to labor trouble were already $480,000—and would be more than that if adequate labor didn't arrive. Foreign labor never came.

His problem was repeated by others.

PAKCO

Like Rutledge the Pakco Plantation west of Boynton Beach put up a new plant for the 1964–65 season. Pakco's building and equipment cost more than a quarter of a million dollars.

Now they are considering abandoning it.

Fred Wagner, assistant to the president of Pakco, said Thursday a decision will be reached "by mid-next week."

He said Pakco experienced a "real critical period" when berries became overripe on the bush. Wagner said "foreign labor would have helped. We could have used some."

They got none.

Pakco's loss statement has not been filed with the FFVA.

Pakco used all domestic pickers in day haul crews.

The company cancelled their 10-year lease of 500 acres near the new plant, tore down a wooden bridge they built over a canal to the berry fields, and advised their landlord that "they were through in Florida."

The landlord—J. Allison Banks—said he understood labor was the key problem.

DIXON

A third berry farm reported crop losses of "more than a million dollars" last season due to labor difficulties.

Tom Coxe, foreman at Dixon Berry Farms, said his firm was forced to sell up to 150,000 flats of over-ripe and misgraded berries at below-market prices due to the crews' inefficiency.

Coxe said day haul crews showed up with daily changes in quantity and a "very high rate of turnover."

He called Labor Secretary Willard Wirtz' last-minute approval of foreign labor "too little—too late."

"At no time from the day we started planting through the last day of the harvest did Dixon Berry Farms have a sufficient number of trained workers to achieve efficient production standards with satisfactory quality control," Coxe wrote.

In a midseason telegram of protest to Florida's U.S. Senators Coxe wrote:

"Foreign labor is presently achieving more than three times the daily production of the highest day haul domestic crew in our strawberry operation."

He charged that the Labor Department's "unreasonable and arbitrary" policies would up prices one-third, force farms to reduce acreage next season and might force some growers to get out of the business. That was in January.

The message turned out to be prophetic—in the case of Rutledge and other growers.

AMERICAN FOODS

In their crop loss report, American Foods said an "inadequate labor supply" cost them between $150,000 and $200,000.

"And the type of labor we were forced to employ did much toward costing us our reputation as a quality shipper," their report said.

William Anderson, assistant general manager of the association, said American Foods "don't know what to do" about labor. He said they were considering "going overseas."

However, Joseph Cerniglia, company president, said Thursday his firm had not suffered a net dollar loss last season.

Anderson said weather was one factor—but not the cause—in the strawberry crisis.

"Sure the weather caused a lot of berries to ripen fast," Anderson said. "But those red berries ought to signal somebody to bring in more labor. They (the Labor Department) didn't do that."

Anderson said the critical months were March and April.

I now read from a report submitted by Dixon Farms to the Florida Fruit & Vegetable Association on June 17:

In answer to your letter of June 14, please be advised that the following estimates of losses incurred by our company in our strawberry operation were recently compiled and supplied to Mr. Wallace Jacobs, a representative of the U.S. Department of Agriculture.

These estimates are considered very conservative and our actual losses may far exceed those indicated below.

Two hundred thousand to 225,000 flats of strawberries were lost, by our company alone, at a market value of $3.50 to $4 per flat, as a direct result of the severe labor shortages which we experienced from the time of planting through the completion of our harvest during the disastrous 1964–65 season.

Further, we were forced to sell 100,000 to 150,000 flats of berries at substandard prices because of overripe berries and poorly graded field packages.

Simple arithmetic shows that the market value of the lost strawberries which were never picked ranged between $700,000 and $900,000. On inquiry as to the dollar loss on the overripe and poorly graded berries, Dixon Farms advised that it averaged $1.50 per flat, or an additional loss of $150,000 to $225,000 bringing the total for this farm to something like $1 million or more.

I continue:

The latter situation was created by the necessity of employing a substantial number of day-haul crews, each day, who were reporting to our fields in constantly fluctuating numbers with a very high rate of daily turnover in personnel.

Although we increased our supervisory personnel substantially it was not possible to provide adequate training to all new employees each morning to prevent this situation from developing and still reach a satisfactory production level.

Our social security records indicate over 4,000 persons employed in a 30-day period in order to maintain a daily work force of from 200 to 300 persons exclusive of our resident domestic and foreign workers.

Here is the explanation for Mr. Robert Goodwin's statistics, quoted in the previous article, that "labor was more plentiful this year in Florida's strawberry fields as 4,000 men picked berries, 600 more than last year," if one firm had to employ 4,000 persons in order to keep 200 to 300 on the job each day for a month's time.

I shall quote only a part of the remainder of this comprehensive report, although I shall ask that it be printed in the RECORD in its entirety:

As you know, we were forced to abandon portions of our fields several times during the harvest period and during the final peak period of production over one-third of our producing acreage had been completely abandoned in order that we could harvest the balance of the crop.

Dixon Farms management was assured an adequate labor supply at a meeting held in our office during the summer of 1964 and it was only after receiving this assurance that the production of strawberries was added to our farming program for the 1964–65 season.

Had we not received this assurance we would not have included this product in our farming program in Florida last season.

It appears very unlikely that Dixon Farms, Inc., will undertake the production of strawberries in Florida next season and the loss of this very substantial payroll will be most certainly felt in this area.

I ask unanimous consent that the entire letter be printed in the RECORD.

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

DIXON FARMS, INC.,
Boynton Beach, Fla., June 17, 1965.

Mr. W. H. ANDERSON, Jr.,
Assistant General Manager, Florida Fruit & Vegetable Association, Orlando, Fla.

DEAR BILL: In answer to your letter of June 14, please be advised that the following estimates of losses incurred by our company in our strawberry operation were recently compiled and supplied to Mr. Wallace Jacobs, a representative of the U.S. Department of Agriculture.

These estimates are considered very conservative and our actual losses may far exceed those indicated below.

Two hundred thousand to 225,000 flats of strawberries were lost, by our company alone, at a market value of $3.50 to $4 per flat, as a direct result of the severe labor shortages which we experienced from the time of planting through the completion of our harvest during the disastrous 1964–65 season.

Further, we were forced to sell 100,000 to 150,000 flats of berries at substandard prices because of overripe berries and poorly graded field packages.

The latter situation was created by the necessity of employing a substantial number of day-haul crews, each day, who were reporting to our fields in constantly fluctuating numbers with a very high rate of daily turnover in personnel.

Although we increased our supervisory personnel substantially it was not possible to provide adequate training to all new employees each morning to prevent this situation from developing and still reach a satisfactory production level.

Our social security records indicate over 4,000 persons employed in a 30-day period in order to maintain a daily work force of from 200 to 300 persons exclusive of our resident domestic and foreign workers.

Strawberries, a highly perishable field graded product requires a very large labor force, as you know.

Our strawberry operation averaged, exclusive of supervisory and management personnel, approximately 10,000 man-hours per week in October; 25,000 man-hours per week in November; 30,000 man-hours per week in December and January; and 40,000 man-hours per week in February, March, and April.

As you know, we were forced to abandon portions of our fields several times during the harvest period and during the final peak period of production over one third of our producing acreage had been completely abandoned in order that we could harvest the balance of the crop.

Dixon Farms management was assured an adequate labor supply at meeting held in our office during the summer of 1964, and it was only after receiving this assurance that the production of strawberries was added to our farming program for the 1964–65 season.

Had we not received this assurance we would not have included this product in our farming program in Florida last season.

It appears very unlikely that Dixon Farms, Inc., will undertake the production of strawberries in Florida next season and the loss of

this very substantial payroll will be most certainly felt in this area.

Although Secretary Wirtz did finally permit a limited amount of foreign workers to assist in the harvest of strawberries each time it was a graphic example of "too little—too late."

We were surprised to note the statements of Senator HARRISON WILLIAMS in the CONGRESSIONAL RECORD of June 9 as it was the impression of both Mr. Smith and myself that he indicated an understanding of our labor problems when he visited our fields with your field representative, Mr. Lawson, and that he so expressed himself.

Finally, please be advised that at no time from planting time through the harvest did we have a sufficient number of trained workers to permit us to achieve efficient production standards.

With best personal regards.

Very truly yours,

DIXON FARMS, INC.
TOM COXE.

Mr. HOLLAND. I have also received a letter from Mr. Joseph M. Cerniglia, president of American Foods, Inc., which I will not read, but call particular attention to the first two paragraphs.

I ask unanimous consent that the letter be printed in full in the RECORD.

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

AMERICAN FOODS, INC.,
Lake Worth, Fla., June 21, 1965.

Senator SPESSARD HOLLAND,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLAND: After receiving a copy of the CONGRESSIONAL RECORD, Senate No. 12605, dated June 9, 1965, I felt that it would be in the best interest of agriculture to comment on this issue. Our firm probably represents more independent strawberry and blueberry growers than any other in the United States. Our operations are in south Florida, Louisiana, North Carolina, and New Jersey. I had an occasion to have dinner one evening with Senator WILLIAMS of New Jersey, and the following morning he visited my labor camp and then came to see our farming operation. I personally took time to show him the difference in the finished product of a box of strawberries picked and packed by a good competent worker, as well as one picked by a poor, incompetent one. There was no doubt that he was well aware of the difference and seemed sympathetic to our situation. After reading his statement as to how thoughtful Secretary Wirtz has been to we growers, I thought you may be interested in the real facts.

Crop losses in south Florida are so staggering that it would be impossible to try and ascertain just how much they really are. I can say this for sure, that crop production in every area that we operate in is certainly going to be curtailed because of the impossible labor situation that prevails. Practically all of our growers are planting in fear of what impositions they may expect in the coming years. I, as well as many others, are exploring the possibilities of relocating a percentage of our acreage in foreign countries to prevent the harassment that we have been forced to live with this year. We, in agriculture, are beginning to feel that this is more of a Police State than the great America opened to free enterprise which we have enjoyed in the past. A continuation of the existing policies now in effect will undoubtedly lead to inflation of our fresh fruit and vegetable prices, as well as make farming very unattractive to the prudent investor. How does any one or any group obtain enough power in this country to deal the life or death blow to the wealthiest agricultural country in the world? I feel that some strong measures are certainly in order to remove such dictatorial power from any one or any group.

I have strong confidence that in an exerted effort on the part of our Senators and Congressmen that we will be able to eventually eliminate the stigma that is now being placed on the breadbasket of America. My company can farm in the Bahama Islands or Mexico or any of the Latin American countries and expect a fair return on our investment. Under the present circumstances, I cannot farm in the United States and ever expect any return on my investment. I am sure that this is just as alarming to you as it is to me. Whenever an American is deprived of the right to earn his livelihood in his own country, it is time that every America should start getting concerned.

May I thank you for your kind assistance and energetic efforts toward helping us solve this massive problem. I hope that you will continue to fight such tyranny wherever it exists, and if we may assist you in your endeavors, please do not hesitate to call on us.

With warmest regards, I am,

Sincerely,

JOSEPH M. CERNIGLIA,
President.

Mr. HOLLAND. Although I shall not read it, I ask that a letter directed to Secretary Wirtz on April 16, 1965, by Rutledge Farm Industries, Inc., be printed in the RECORD so that Senators may see how this firm was forced into bankruptcy.

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

RUTLEDGE FARM INDUSTRIES, INC.,
Lake Worth, Fla., April 16, 1965.

Hon. WILLARD W. WIRTZ,
Secretary of Labor
Washington, D. C.

DEAR MR. SECRETARY: Due to the heavy losses our company has sustained this season because of the labor situation, we feel that you might be interested in having the following facts and figures. At the present time, we do not know what the exact overall loss will be. However, we are quite confident that if we have sufficient labor to complete harvesting our crop, our loss will be approximately $480,000. If we are not able to complete the harvest of this crop, our loss will be considerably greater.

Our per flat picking cost for the 1963 season averaged 73 cents; for the 1964 season, 85 cents; and our picking costs for the 1965 season to date has averaged $1.95 per flat.

This makes our labor cost $1.22 per flat over our 1963 average, while the market value of the product was about the same, and $1.10 per flat over the 1964 cost, with approximately the same market value on the product. Our harvest labor, as previously stated, averaged $1.10 per flat for the 1964 season, or an additional cost of $227,757.20. This was a complete loss which we were unable to recover since the market value of the product for the 1965 season was practically the same as the 1964 season.

As a matter of further information, we were unable to secure sufficient labor to plant our crop on time last fall. We should have had our crop completely planted by October 30; however, it was not completely planted until late December. This late planting cost us a yield reduction of 69,996 flats of strawberries, or an additional loss, after deducting the excessive picking costs of $1.10 per flat which we would have had to pay, in the sum of $142,131.46. It also cost us an additional $64,070.50 for weeding the fields prior to applying the polyethelene due to our inability to secure sufficient labor to complete the polyethelene application before the weeds got out of control.

In addition, all of our pre-harvest labor cost for the 1965 season was approximately 35 percent over the 1964 season as a result of the increase in the minimum wage per hour guarantee from 70 cents to 95 cents. As a direct result of these additional labor costs, this company became insolvent and it became necessary for us to go under chapter 11 of the Bankruptcy Act in order to enable us to continue our harvest through the season.

We are hoping to be able to pull this company through as a result of the chapter 11 proceedings; however, at this time, this appears very doubtful.

The reason for the increased harvest cost is that the greater percentage of domestic laborers is definitely not interested in strawberry harvest since it is very hard stoop labor and as a result we get only the type labor that is either physically or productively handicapped and interested only in making the minimum wage guarantee, rather than trying to make additional money on a piece rate basis.

For your information, our picking cost ranged as high as $4.50 per flat at the time our production was high, while other domestic workers were picking for as low as 85 cents per flat and earning well in excess of the minimum wage guarantee. At this time our market value on the product was around $2.50 to $2.75 per flat f.o.b. The day haul labor which we have had to utilize was inexperienced, and due to the fact that they will only pick strawberries when other work is not available, the only resemblance in the day haul crews from day to day is the same bus and the same busdriver.

It takes at least 3 days to train a berry-picker, and these day haul crews never get trained, thus causing the exorbitant labor cost, and coupled with the fact that the fruit is improperly picked, causing serious bruising, results in a very low market value. Another real problem, which costs a great deal of money to the farmer, is the transportation paid for interstate workers who never report for work or leave the employer a day or two after arrival without making reimbursement for their transportation. A good example of this is that around March 1 of this year, Florida Fruit & Vegetable Association sent a representative to Alabama to interview a crew of 30 workers selected by the Employment Service for our company, and after the workers assured him they wanted to report for work, FFVA paid their regular busfare and meals. However, the workers never reported to us, resulting in a loss of approximately $500.

Recommendations for future relief:

1. We feel that since it takes a minimum of 3 days to train these domestic workers to properly harvest strawberries, we should have a minimum of 3 days for training with no guarantee before putting the minimum guarantee into effect, and if the worker is either physically, mentally, or productively handicapped, we could offer to retain the worker provided he would sign a waiver of the minimum wage guarantee; otherwise, we should be permitted to discharge the worker. This would allow us to sell the berries these workers picked at a reasonable profit, rather than a loss.

2. A weekly pay schedule of all day haul workers, rather than a daily pay schedule. We would get the same workers back each day, and as a result a training program could be effected which would permit us to harvest a salable product and would in effect give the worker a chance to see what he could really earn. We also believe this would result in a better retention of workers.

3. The workers in interstate recruitment should be in some way required to remain with the employer at least long enough to pay their transportation and this in effect

would give the worker a chance to see what he could really earn and should also result in the retention of more workers.

Being ever mindful of our duty to employ every available domestic worker prior to the utilization of offshore workers, we feel we should be protected to a point where we can get an honest day's work from all workers and the harvest of a salable product. Otherwise, the agricultural industry is in real trouble.

Yours very truly,

ARCHIE J. RUTLEDGE,
President.

Mr. HOLLAND. Finally, may I submit for the RECORD a memorandum documenting loss of $463,510 by the Sugar Cane Growers Cooperative of Florida, due to lack of sufficient labor to keep the mills running at capacity, to loss of sugar due to deterioration of the cane forced to remain uncut too long after being damaged by a freeze in January, and to the total loss of 5,000 tons of cane which had to be abandoned because there were no cutters to harvest it while it was still salvageable. I ask that this detailed memorandum dated April 16, 1965, be printed in the RECORD.

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

MEMORANDUM FROM W. J. MILLER, JR.

To George H. Wedgworth.

Re Losses due to lack of BWI labor.

Attached is memo from Mr. Webre showing a loss of 1,470 tons sugar and an increase of 16 crop days, due to deterioration of cane caused by our inability to supply cane to the mill because of insufficient BWI labor.

Dollar value of the losses shown by Mr. Webre:

1,470 tons sugar at $133 ton	$195,510
16 days additional payroll	75,000

In addition to the above losses we have conservatively estimated the following:

	Tons
Total cane ground	1,234,000
Ground through January 18 (freeze)	570,000
Ground after January 18	664,000

We "topped" at an estimated 2 percent of 664,000 or a loss of 13,300 tons cane.

13,300 tons cane at 8 percent yield	
1,064 tons sugar at $133 ton	$140,000

We had to leave standing in the field 5,000 tons cane due to its complete deterioration.

5,000 TC at 8 percent yield	
400 tons sugar at $133	$53,000
Total loss	463,510

There are also the following losses or additional costs which would require a more thorough analysis in order to accurately estimate value:

1. Cost to carry the BWI's an additional 16 days of crop.

2. Cost of additional maintenance of equipment—longer usage but same tonnage.

3. Cost per ton increase due to being geared-up to over 9,000 ton rate per day and only being able to average 7,600 due to lack of cane cutting labor.

4. Additional cost of lubricants, chemicals and fuel oil due to added length of crop.

The figures above were all based on 8 percent sugar yield for estimating purposes. Our actual yield is approximately 8.12 percent.

We did not include the value of molasses in above figures.

Mr. HOLLAND. I wish the RECORD to show also that this is one of several cooperatives consisting of a sizable number of growers. This cooperative has some 65 independent private sugarcane growers as its members.

Mr. President, how long can the Secretary of Labor persist in his insistence that agriculture alone must assume the responsibility and the expense for all of the unemployed in this land, ignoring all practical considerations and the consequences to the homemaker, the taxpayers, and the jobs of the thousands upon thousands of workers in industries serving agriculture?

An article which appeared in day before yesterday's Tampa Tribune shows that others are thinking of these considerations, if the Secretary is not. I quote this article, which is headed, "End Eyed to Labor Department's Foreign Farmhand Control":

END EYED TO LABOR DEPARTMENT'S FOREIGN FARMHAND CONTROL

MIAMI BEACH.—Southern State agriculture commissioners asked President Johnson yesterday to lift the Labor Department's jurisdiction over foreign farm labor and vest it in the Department of Agriculture.

The Southern Association of State Departments of Agriculture said "the 1964–65 harvest of the Nation's food crops has been seriously hampered" by the Labor Department's restriction on foreign labor imports.

In a resolution, the association said the U.S. Secretary of Labor "has imposed stringent regulations restricting the use of foreign harvesting labor under his interpretation of the termination of Public Law 78 by the Congress."

W. Willard Wirtz, it said, "publicly assured agricultural producers that an adequate subply of domestic workers would be provided to harvest food crops in lieu of foreign workers, and that no crops would go unharvested due to insufficient labor."

However, the Southern agriculture commissioners said, "the quantity and quality of domestic labor recruited has been deficient, since few unemployed U.S. citizens are willing and able to perform strenous agricultural labor tasks.

"Extensive damage has resulted to many crops as a result of inexperienced and unqualified labor," the statement said.

"Numerous growers have experienced devastating losses, and food prices in the Nation's marketplaces are reflecting shortages of supplies and high production costs due to insufficient and incompetent labor."

The group said it was in favor of using "all available, willing and capable domestic workers in agricultural work before foreign workers are used, provided the Nation's food supply is not adversely affected.

"Capital investment in agricultural enterprises will soon migrate to areas possessing an adequate supply of competent labor if the problem is not soon solved in this Nation," the group said.

Louisiana Commissioner Dave Pearce was elected president of the Southern Association for the next year, Virginia Commissioner Richard D. Chumney vice president, and William L. Harrelson of South Carolina secretary-treasurer. Florida Commissioner Doyle Conner was outgoing president.

I quote this to show that, unlike Washington officials, these officers serving agriculture, who are nearer to this situation insofar as losses already incurred in Florida are concerned, and losses which will soon be incurred by other growers in the Carolinas, the Delmarva Peninsula, West Virginia, and on up the east coast and into Ohio, know what they are talking about.

In my State, the agriculture commissioner is elected statewide, just as the Governor is. He may succeed himself. Generally, we elect a good man and keep him there for the rest of his life. That is what is going to happen to the present commissioner. He is a fine man, and was at one time the head of the Future Farmers of America.

They are not going to put themselves on resolutions of this kind unless they know the resolutions speak the truth, because, as responsible government officials, they know the aches and pains under which we labor and under which the executives of the Labor Department also labor, and they are not going to bring false charges. Here they have pleaded that jurisdiction over supplemental labor be assigned to the Agriculture Department, which, we would hope, would be more sympathetic and understanding of agricultural producers than has been shown up to now by the well intentioned but completely misunderstanding Secretary of Labor.

Mr. President, I do not know what to say further except that in Florida we have concluded our operations for this season. What I have put in the RECORD reflects the losses. It does not reflect the losses of labor, because people who could have harvested the crops could have been employed. It reflects the losses of growers. It does not reflect the losses of the transportation interests or, for example, the creditors of the bankrupt concern which was producing several hundred acres of strawberries and went bankrupt.

These facts show a policy that was not well thought out and which has not been applied reasonably to the good people who have to fight natural pests, diseases, catastrophies, and competition, and who, after having put their all into production for the market, have been unable to harvest the crop they produced.

I hope the executive branch of the Government in Washington, including the President, the Secretary of Labor, the Secretary of Agriculture, and, of course, all offices which have anything to do with the question on the executive level, realize what a harmful thing they have done and are doing, and realize that if they terminate the harmful thing now, at least the loss, for the time being, will be absorbed by the people of Florida and the people of the southern part of California and the southern part of Arizona. But if this policy is allowed to continue, the loss will become much greater in dollar value, and much more harmful from the standpoint of leaving people unemployed, much more harmful from the standpoint of having people carry their producing and processing out of the country to places where they can produce with a supply of abundant labor and ship back the processed articles with the very minor restrictions which are imposed on them.

I hope, somehow, somebody in Washington at the executive level will wake up and listen to the aroused, indignant citizenry in the producing areas, who have been damaged so much in the handling of the extremely complicated process of agricultural production.

Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, this is a subject to which many of us have given a great amount of attention for many years. I believe that this year the distinguished senior Senator from Florida [Mr. HOLLAND] and the distinguished junior Senator from California [Mr. MURPHY] are to be recognized, commended, and thanked for the attention they have devoted to the migratory labor and transported labor problem, by bringing it constantly to the attention of the Congress. Some peculiar things have happened in the past 2 years.

As a result of the expiration of the Bracero Act, there has been a shortage of labor in many States in the West. This has particularly affected the great State of California. With respect to another angle of the same problem, the importation of workers, it has affected the State of Florida.

Earlier in the year, when it was thought that the State of Colorado would be affected, I discussed the subject with the Secretary of Labor, and found to my surprise that to him laborers were statistics. In other words, if there were a certain number of unemployed in the country, and people were needed to work in the beet or vegetable fields, those unemployed people could do the work.

Of course, the distinguished Senator from Florida has shown over and over again how silly and absurd that argument is.

There are some areas in the vegetable producing area which cannot be handled by machines. There is no way to do that work except by hard labor in the fields. Men who have spent their lives at a desk or have never engaged in any real, hard physical exercise, cannot do the work.

This is something that the Department of Labor does not comprehend.

I find myself in an unusual position today. I thought that as of this moment I would find myself in exactly the same position in which both the Senator from California and the Senator from Florida find themselves.

Instead, I find that in Colorado we would be able to get laborers to handle our beet problem for the immediate future. The same is true, to some extent, although not entirely, in our vegetable areas, although I am constantly receiving letters from farmers asking why they cannot get labor in their vegetable fields.

Obviously, if there is a crop of tomatoes or a crop of cucumbers, sometimes it will be possible to get the labor when the crops must be harvested. However, a delay of 2 days, or 3 days, or a week will not answer the problem. There is a peculiar reason why we have been able to handle the problem in Colorado. The shortage of labor has caused a considerable cutback in the sugarbeet crop.

This has also caused a great cutback in the acreage in connection with vegetables in our State.

While I cannot stand on the floor and plead today that we need laborers in a specific area, the fact is that the program and the policies of the Department of Agriculture have caused our people to cut back so far that we do not need the number of laborers that we needed before.

I am sorry to say that I believe the people of the United States will pay through the nose for this shortsighted policy. They will pay much higher prices for lettuce—if they can get good lettuce. They will pay much higher prices for tomatoes—if they can get tomatoes. They will pay much higher prices for pickles—if they can get pickles. They will pay much higher prices for spinach—if they can get spinach. And so on down the road for almost every vegetable commodity that can be imagined.

We are in a peculiar position. We have managed to round up enough people to harvest a diminished beet crop in Colorado, where the farmers have reduced the allotment. Generally speaking, we still need additional help to harvest vegetables. Of course, a great part of the help will not be needed until a little later in the summer. I know what will happen then. I shall find myself in exactly the position that the distinguished Senator from California has been in for the past 2 or 3 months and the position that the distinguished Senator from Florida has been in for the past 2 or 3 months.

I shall again go to the Department of Labor and again receive a statistician's answer—which is no answer at all. But we must do something to alleviate this condition.

I conclude by commending the two Senators who have carried on the fight so well on behalf of those of us who are seeking to obtain agricultural laborers to harvest the farm products of our States. We deeply appreciate the help they have provided.

Mr. HOLLAND. I thank the Senator for his kind remarks.

Mr. MURPHY. Mr. President, I thank my colleague the Senator from Florida [Mr. HOLLAND] for his leadership in the efforts to bring the light of reason to bear on our farm labor crisis. The people of California, I can assure the Senator, are grateful for his actions. I certainly agree with my distinguished colleague from Florida that Congress, in letting Public Law 78 lapse, could never have intended to foreclose the use of foreign labor in the United States and thereby to impose on my State and many others the disaster which agriculture has suffered this year.

I am glad I had the opportunity to be present today to hear such a complete explanation, so that it may be used to answer that argument whenever I hear it made and I have heard it on many occasions.

Back in January at the opening of this session of Congress, I joined with my distinguished colleague, Senator HOLLAND, and many other Senators in an effort to warn the Secretary of Labor and the administration of the disastrous results which unquestionably would follow his unfortunate policies.

Mr. President, we are now 6 months into Secretary of Labor Wirtz' sociological experiment. At the outset, he announced his noble—and I agree it was noble—idealistic theory of replacing the supplemental workers from abroad with our urban domestic unemployed—an excellent idea but one which completely ignored the facts. Our farmers have always hired domestic workers for these jobs whenever they were available. There was no intention not to hire domestic workers. Since the beginning, the Secretary has retreated from and altered his position and established something of a record as a broken field runner in an effort to avoid admitting that he was wrong. His theory simply was impractical. His performance, I regret to say, has been very costly to the farmers of Florida and California, and is now becoming very costly to our housewives across the country.

Let us look at the record. Originally, Secretary Wirtz maintained that increased farm wages would bring a flood of domestic urban unemployed onto the farms. And so, he imposed a minimum wage of $1.40 an hour which must be met if they hoped to be eligible for foreign workers when needed.

He arbitrarily set the minimum wage at $1.15 per hour in other States, which caused many to wonder why Mr. Wirtz had singled out my State for special treatment in this matter. He overlooked the fact California was already paying an average of $1.34 per hour to its farmworkers, the highest average in the Nation, with one exception.

It was soon obvious that the Secretary was wrong, because first of all, the urban domestics did not appear in droves and, more important, the few workers who did show up, as has been expressed in the Chamber today and as the RECORD shows clearly, did not stay on the job. They merely looked it over and either did not wish to do the work, could not do it, or found it unsuitable, so they left.

What the Secretary failed to understand was this: Domestics who did this sort of work preferred to work on piece rates and could always earn an average of $2 an hour or better, and others either because they were not capable or did not have the desire would not do the work at any price. Therefore, price was not the question.

I remember one of my first conversations with the Secretary. He made the remark, "You have stoop labor and stoop wages." Obviously the Secretary has not looked completely into the problem, because wages are not stoop.

With the failure of the well-advertised minimum wages to attract more workers to our farms, the Labor Department undertook an evermore frantic recruiting drive. Here again, the theorists overlooked the fact that for years California's farmers have been undertaking expensive campaigns to recruit domestic workers. In prior years, our farmers have gone to Texas and New Mexico and have tried to use Indians on the farms.

Mr. Wirtz has not offered us anything new but he has offered us old, disproved programs on an unfortunately large scale. In my previous talks on this subject, I have offered many examples of the sad experience our farmers have had with the domestic workers—some of which has been recited by my distinguished colleague, the Senator from Florida [Mr. HOLLAND]. Most of them do not like the work and leave the farm in the first 2 or 3 days. Less than 20 percent have stayed more than 4 or 5 weeks

on the job. I have here a report provided me by the San Joaquin Farm Production Association on over two dozen groups of workers recruited for the Stockton, Calif., area. The results are dramatic evidence that domestic workers do not fill the bill for a farmer who is trying to get his crop harvested on time. I ask unanimous consent to have the report printed in the RECORD.

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

FRESNO

Date recruited: March 5, 1965.
Number recruited: 38.
Work record: 3 left work March 7; 1 left work March 8; 6 left work March 9; 6 left work March 11; 4 left work March 12; 1 left work March 15; 1 left work March 17; 1 left work March 18; 3 left work March 19; 6 left work March 20.

Of 38 workers recruited on this date in Fresno, 3 never arrived at work, 6 were still working on March 20.

Date recruited: March 19, 1965.
Number recruited: 51.
Work record: 3 left work March 21; 4 left work March 22; 11 left work March 23; 4 left work March 24; 2 left work March 25; 1 left work March 26; 1 left work March 27; 2 left work March 28; 2 left work March 29; 2 left work March 30; 3 left work March 31; 2 left work April 1; 3 left work April 3.

Of 51 workers recruited on this date in Fresno, 10 never arrived at work, 1 was still working on April 3.

Date recruited: March 26, 1965.
Number recruited: 61.
Work record: 17 left work March 29; 5 left work March 30; 3 left work March 31; 3 left work April 1; 3 left work April 2; 1 left work April 6; 1 left work April 7.

Of 61 workers recruited on this date in Fresno, 4 never arrived at work, 24 were still working on April 7.

Date recruited: April 30, 1965.
Number recruited: 8.
Work record: 4 left work May 5; 3 left work May 7.

Of 8 workers recruited on this date in Fresno, 1 never arrived at work, there were no workers left May 7.

Date recruited: April 23, 1965.
Number recruited: 84.
Work record: 16 left work April 25; 6 left work April 26; 1 left work April 27; 54 left work April 28; 5 left work April 29.; 1 left work April 30; 1 left work May 2.

Of 84 workers recruited on this date in Fresno, none were left May 2.

Date recruited: May 7, 1965.
Number recruited: 7.
Work record: 1 left work May 8; 3 left work May 10; 1 left work May 13.

Of 7 workers recruited in Fresno on this date, 2 were still working May 13.

TULARE

Date recruited: March 2, 1965.
Number recruited: 19.
Work record: 4 left work March 4; 1 left work March 6; 6 left work March 8; 3 left work March 10; 3 left work March 13; 1 left work March 20.

Of 19 workers recruited on this date in Tulare, 1 never arrived at work. There were no workers left on March 20.

Date recruited: March 19, 1965.
Number recruited: 25.
Work record: 1 left work March 22; 1 left work March 23; 1 left work March 24; 1 left work March 26; 3 left work March 27; 1 left work March 30; 2 left work April 3; 4 left work April 7.

Of 25 workers recruited on this date in Tulare, 2 never arrived at work, 5 were still working on April 7.

Date recruited: March 26, 1965.
Number recruited: 18.
Work record: 1 left work March 28; 1 left work March 29; 3 left work March 30; 3 left work April 1; 1 left work April 2; 1 left work April 3.

Of 18 workers recruited on this date in Tulare, 3 never arrived at work, 5 were still working on April 3.

Date recruited: April 30, 1965.
Number recruited: five.
Work record: 2 left work May 3; 2 left work May 5; 1 left work May 7.

Of five workers recruited on this date in Tulare, none were left May 7.

Date recruited: May 7, 1965.
Number recruited: eight.
Work record: 4 left work May 9; 1 left work May 15.

Of eight workers recruited on this date in Tulare, three were still working May 15.

BAKERSFIELD

Date recruited: May 4, 1965.
Number recruited: 30.
Work record: 3 left work May 5; 7 left work May 7; 10 left work May 8; 4 left work May 9; 1 left work May 11.

Of 30 workers recruited on this date in Bakersfield, 3 were still working on May 11, 2 never appeared for work.

Date recruited: May 11, 1965.
Number recruited: four.
Work record: 1 left work May 14.

Of four workers recruited on this date in Bakersfield, two never appeared for work, one was still working May 14.

Date recruited: May 18, 1965—four workers recruited in Bakersfield. We have no report on work record of these workers.

SACRAMENTO

Date recruited: April 23, 1965.
Number recruited: 21.
Work record: 16 left work April 26, 2 left work April 29, 1 left work April 30.

Of 21 workers recruited on this date in Sacramento, 2 never arrived at work. As of April 30, there were no workers left.

Date recruited: April 27, 1965.
Number recruited: 8.
Work record: 1 left work April 29, 5 left work April 30, 1 left work May 3.

Of 8 workers recruited on this date in Sacramento, 1 never arrived at work. There were no workers left as of May 3.

Date recruited: April 29, 1965.
Number recruited: 32.
Work record: 10 left work May 1, 8 left work May 2, 4 left work May 3.

Of 32 workers recruited on this date in Sacramento, 3 never arrived at work. As of May 3, 7 were still working.

Date recruited: May 6, 1965.
Number recruited: 4.
Work record: No work record on 3.

One worker never arrived at work. No report on remaining three.

Date recruited: May 20, 1965.
Number recruited: 4.
Work record: 2 left work May 24.

Of four workers recruited on this date in Sacramento, two never arrived at work. As of May 24, there were no workers left.

LOS ANGELES

Date recruited: May 3, 1965.
Number recruited: 13.
Work record: 6 left work May 8, 1 left work May 9, 4 left work May 13.

Of 13 workers recruited on this date in Los Angeles, 1 never arrived at work, 1 worker was still working on May 13.

Date recruited: May 10, 1965.
Number recruited: 14.
Work record: 2 left work May 12, 3 left work May 13, 1 left work May 14.

Of 14 workers recruited on this date in Los Angeles, 1 never arrived at work, 7 workers were still working on May 14.

Date recruited: May 17, 1965.
Number recruited: 12.
Work record: See below.

Of 12 workers recruited on this date in Los Angeles, 5 never arrived at work, as of May 19, 7 were still working.

CALEXICO

Date recruited: March 20, 1965.
Number recruited: 22.
Work record: 2 left work March 23, 1 left work March 24, 3 left work March 25.

Of 22 workers recruited on this date in Calexico, 11 never arrived at work, as of March 25, 5 were still working.

Date recruited: April 1, 1965.
Number recruited: 17.
Work record: 4 left work April 7.

Of 17 workers recruited on this date in Calexico, 1 never arrived for work, there is no report on remaining 12.

On May 5, 1965, one worker was recruited in Calexico who never arrived for work.

On May 5, one worker was recruited in Modesto. We have no report on this worker.

On May 12, two workers recruited in Merced. We have no report on these workers.

KANSAS CITY

Date recruited: March 28, 1965.
Number recruited: 37.
Work record: 1 left work March 31; 10 left work April 2; 1 left work April 3; 2 left work April 5; 7 left work April 8; 2 left work April 14; 2 left work April 15; 1 left work April 21; 1 left work April 23; 1 left work April 27; 1 left work April 30; 4 left work May 24; 1 left work May 25.

Of 37 workers recruited on this date in Kansas City, 2 never arrived for work; as of May 25, 1 worker was still working.

Mr. MURPHY. Mr. President, I should like to read from the report. First is on workers from the Fresno area. On March 5, 1965, of 38 workers that were recruited, 3 left work on March 7, 1 left work on March 8, 6 left work on March 9, 6 left work on March 11, 4 left work on March 12, 1 left work on March 15, 1 left work on March 17, 1 left work on March 18, 3 left work on March 19, and 6 left work on March 20.

Mr. President, this has been the general experience in California.

From the Tulare area—the same thing: Of 19 workers recruited on March 2, 1965, 4 left work on March 4, 1 left work on March 6, 6 left work on March 8, 3 left work on March 10, 3 left work on March 13, and 1 left work on March 20. In the same area, of 18 workers recruited on March 26, 1965, only 5 were still working on April 3.

This situation is consistent all through the record.

Mr. President, I shall not take time to read further from the report, but I hope that the Secretary will have someone on his staff read it thoroughly so that he will get the facts.

Accompanying that report, I received a letter dated June 26, from Mr. A. R. Duarte, manager of the San Joaquin Farm Production Association, and I ask unanimous consent to have the letter printed in the RECORD.

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

SAN JOAQUIN
FARM PRODUCTION ASSOCIATION,
Stockton, Calif., June 26, 1965.

Hon. Senator GEORGE C. MURPHY,
Senate Office Building,
Washington, D.C.

MY DEAR MR. SENATOR: The San Joaquin Farm Production Association requested 1,600

supplemental foreign workers to harvest our asparagus. The California Asparagus Growers Association requested 1,300 making a total of 2,900. A few days prior to the hearings before the Secretary of Labor's panel, the California Asparagus Growers Association canceled their request because they could not stand the extreme cost of recruiting domestics to harvest the asparagus. The confused members of the California Asparagus Growers did not have time to request our association to recruit the 1,300 that they needed to harvest their asparagus.

When I testified before the panel, I told them that the total minimum needs would be 2,900, but at this time I could only request 1,600 that our members wanted, that we were continuing our intrastate recruitment of workers daily from Calexico, Los Angeles, Bakersfield, Fresno-Tulare, Modesto, Merced, Stockton, Marysville, and Sacramento and that if this did not produce sufficient qualified workers we would need the additional 1,300.

The panel recommended the use of only 1,000 supplemental workers.

Five hundred additional supplemental workers were requested on May 21, 1965. The panel refused to take action on my request until about June 5. On June 4, I told the regional office of the U.S. Department of Labor to cancel my request because it was too late, and we could not meet the compliance guarantee, under the Migrant Labor Agreement.

We exhausted the domestic supply within the State. Farmers from the areas mentioned were complaining to the department of employment that we were recruiting their labor away from them. The department of employment then stopped us from any further intrastate recruitment. We were told that we would have to interstate recruit, and we were sent to Kansas City, Mo. The number of days worked are included in the enclosed, with record sheets.

We were also sent to Muskogee, Okla., to recruit 38 on June 8, 1965, 1 worker never arrived in Stockton, 8 were missing from camp the following day, 2 of them were jailed by our police for being drunk, 6 just disappeared. After 1 week of trying to train these workers, we have 14 left, the balance were released because of their inability to do the work. The results of our intrastate and interstate recruitment to get qualified agricultural workers has been very costly and the results very sad. The only workers that we were able to recruit intrastate and interstate were workers who were not qualified to work from where they were recruited.

The complete history of our 3 A–teams is being sent to you by Stockton Growers Group, Inc. who have been working them with our user-members.

I am enclosing a telegram that was sent to our association by the U.S. Department of Labor which gave us no recourse but to stop harvesting asparagus on the 25th of June, even though some asparagus farmers wanted to harvest into the month of July, but could not because of the great expense involved.

I contacted the California Asparagus Growers Association and they are sending you a résumé of their operations for 1965, and as I mentioned earlier Mr. Scatena, president of the Stockton Growers Group, Inc. is sending you data regarding their work experience with the A–teams and domestic workers.

I wish to state here that our membership consists of 950 farmers in 7 counties. My board of directors, the membership, and our office want to thank you very sincerely on the stand that you have taken to assist us with our many problems.

With best personal regards, I remain,

Very sincerely,

A. R. DUARTE,
Manager.

Mr. MURPHY. Mr. President, I invite attention to Mr. Duarte's report on a group recruited from Muskogee, Okla.:

We were also sent to Muskogee, Okla., to recruit 38 on June 8, 1965, 1 worker never arrived in Stockton, 8 were missing from camp the following day, 2 of them were jailed by our police for being drunk, 6 just disappeared. After 1 week of trying to train these workers, we have 14 left, the balance were released because of their inability to do the work. The results of our intrastate and interstate recruitment to get qualified agricultural workers has been very costly and the results very sad. The only workers that we were able to recruit in intrastate and interstate were workers who were not qualified to work from where they were recruited.

In other words, they were getting workers who were, in many cases, unemployable. They had no job. They had nothing to do, so they recruited them and took them out to these farms.

This, I believe, is a good summary of the problem our farmers are facing in the recruiting effort.

After Mr. Wirtz' minimum wages and desperate recruiting efforts had failed to fill the bill, he came up with one more great public relations gimmick to foreclose his defeat. This was the high school student A–team program.

I submit this was not a new idea either. It had been tried many years ago. A certain number of students from school work every summer. I used to do so when I was a boy, and I am sure that many other Senators did.

Our farmers were told bluntly by telegrams from the Labor Department that they must accept any and all available A–teams or other workers west of the Mississippi River if they were to retain their eligibility for foreign labor when the need was finally admitted.

This was not a suggestion. This was a "must."

Senators will note at this point that obviously the need must have existed, otherwise the Secretary would not be attempting to substitute the A–teams for other domestics.

The Secretary said at first only that we would have to hire domestics. Here again he changed the conditions under which the farmers were to be permitted supplementary farm labor.

As a result, we have received in California 31 A–teams composed of 20 to 30 vacationing high school students each. Our farmers, of course, must pay the transportation costs of these students, amounting to $105 round trip for students from Texas. In addition, they must pay for a "coach" to supervise the group, at a cost of about $4 per week per man. The farmers, of course, had no choice but to accept this, and we should commend those high school students who have come to our farms to give it a try. But, unfortunately, the result seemed to prove again that this will not be the answer.

But this is not the answer to California's farm labor needs. The best evidence of this is seen by a look at the California strawberry industry, the largest crop which has ripened. California is now over $6½ million behind last year in its strawberry shipments. This loss is increasing at the rate of $2 million a month and will continue until the loss is well over the $15 million figure I predicted in my last talk.

In other crops, this is normally a somewhat slack season, a time when the braceros formerly were often idle in their barracks awaiting new harvests. There has been cool weather which has delayed some of the crops. They are at least 2 to 3 weeks late this year. It has just begun to get hot in California and new problems, more extensive than in the past, are now at our door.

The most obvious fact to consider is that the high school students will not be available for work in late August and September and October when California will need at least 30,000 and probably 40,000 to 45,000 more workers than it has now. At that time the A–teams will be back in school.

Another fact to consider is that the publicity given to California's farm labor needs has attracted many farmworkers from other parts of the country. The Midwest is just reaching its harvesttime and is reporting many shortages of labor because of the exodus to California. I have here an article from the Northern Illinois University Northern Star indicating that the DeKalb area cannot get its normal labor from Texas because of the existing labor shortage there. This is exemplary of the chaotic conditions and complete displacement of normal labor supplies caused by Secretary Wirtz's ill-advised acts. I ask unanimous consent to have the article from the Northern Star printed in the RECORD.

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

[From the Northern Illinois University Northern Star, June 18, 1965]

SEE MIGRANT WORK SHORTAGE FOR DEKALB AREA HARVESTS

DeKalb area truck farmers will probably be faced with a labor shortage during their harvest season this year.

The farmers usually hire migrant workers from Texas and other Southwestern States, but this year, because of the U.S. Congress' decision not to allow Mexican laborers to cross the border into Texas, a labor shortage in Texas will keep most of the migrants close to their home base.

DeKalb area cabbage and cucumber growers have relied on the Texas workers to do the labor required to harvest the hard-to-handle vegetables.

Sweet corn, pea, and lima bean growers, because they harvest with machines, should not be affected by the labor shortage.

The Immigration and Nationality Act of 1952 allowed foreign workers to enter the United States for 6-month periods, provided their presence would not cause job shortages for Americans.

Labor Secretary W. Willard Wirtz has asked that an effort be made to recruit domestic farmworkers at wages that are in line with the rest of the economy. Although agricultural workers are not covered by the national minimum wage law, the Department of Agriculture has prescribed minimum wages varying from $1.15 in Arkansas to $1.40 in California.

Even with the minimum wage laws, many people do not believe Americans will accept the back-breaking work of harvesting and cultivating the vegetables.

The work, referred to as "stoop labor" because the 18-inch hoe used forces the workers into stooped position, is not the most pleasant way to pass the time of day in the hot summer sun.

In California only 8 of the first 400 Americans who started the work stayed for the entire season.

California growers are now offering paid hospital and medical insurance along with playgrounds to induce men to work for them.

Wirtz has said he will not allow foreign help unless extreme hardship will be caused because of the labor shortage.

Mr. MURPHY. Mr. President, I read from the article:

Wirtz has said he will not allow foreign help unless extreme hardship will be caused because of the labor shortage.

After the continued recitation that we have had in the Senate, I wonder what he considers "extreme hardship."

Incidentally, the Senator spoke of one man who went bankrupt. Three days ago I had a telephone conversation with a farmer in California who was the largest grower of boysenberries. He went out of business. He sold his processing plant and his acreage. He said he had sold it to a man who he doubts will be able to pay for it, because if the man tries to farm the land, he will go broke, too.

This is what is going on in many areas. I cannot understand it. Either the Secretary is not getting the word, or I cannot understand his thinking.

In my last speech I pointed out that California's tomato planting is down to somewhere between 95,000 and 110,000 acres this year, as opposed to the 143,000 acres last year.

This is unquestionably true of many crops, although the complete statistics will not be available until the end of the year.

I hear many individual reports, such as a farmer who did not plant 50 acres of white onions, and another who did not plant watermelons this year because of the labor shortage.

Unfortunately, the largest burden falls on the small farmer, who is in no position to bargain effectively in the critically short labor market. This special burden on the small farmer seems very strange indeed, when we consider the fact that many of the Secretary's ardent supporters talk incessantly about the demands of the "large corporate farmers" for foreign workers.

Mr. President, I am not talking about the large corporate farmers. We are talking about the co-ops. They are composed of small growers. The larger growers can manage to get by. It is the little man who is being hurt. All our farmers, both large and small, have need of supplemental labor for certain tasks, and the Secretary has been unable to remove that need by wishful thinking. It does not happen that way.

It must be amply clear to all that our farmers are needlessly suffering from a serious labor shortage. When we add to it the economic costs, it becomes a disaster, not only for the farmers, but also to the consuming public as well. I have an excellent report on the costs involved which I received from Mr. Scatena, president of the Stockton Growers Group, Inc., which has received three of the A-teams.

I ask unanimous consent that Mr. Scatena's letter, dated June 26, 1965, with his report on the teams be printed in the RECORD at this point.

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

STOCKTON GROWERS GROUP, INC.,
Stockton, Calif., June 26, 1965.

HON. GEORGE MURPHY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: I wrote to you on May 10 with photographs showing loss to the asparagus growers. I emphasized the need for workers for our future harvests which will begin with cucumbers and pepper then followed by tomatoes. The local domestic force will, beginning now and continuing through harvest periods of these crops, be following the tree crops—apricots, plums, peaches—absorbing the best workers that are available here in San Joaquin County.

We do not foresee the availability of workers in numbers sufficient to harvest our cucumbers, peppers, tomatoes, etc., that will require stoop labor.

Until today we have had 500 Mexican immigrants and 481 Japanese nationals cutting asparagus. June 25 was the last day for this supplemental labor force here in San Joaquin County.

During the past 4 weeks we were in need of many workers to weed and thin sugar beets, tomatoes, cucumbers, bell peppers, etc. The cherry harvest drew about 90 percent of our domestic local labor force. Many growers disced up their beets and tomatoes because they were unable to mount the labor force to accomplish their weeding and thinning. Those that hung on have slowly overcome the weed problem with anything and everything remotely akin to a labor force in an attempt to salvage their crops. The weeding cost to date has gone from an average cost of $38 per acre in 1964 to as high as $126 an acre in 1965. The average cost in our current season is above $67 per acre. The reason for this increased cost is not the $1.40 per hour minimum wage to the worker but the attitude of the worker himself. His approach is "Why work any harder, or better, when the grower must pay $1.40 because he has no other way to go—no one else to hire?" This means that the productivity of the worker is generally 56 percent of what it should be.

In view of the above this area asked for help and, naturally by this time, Secretary Wirtz forced upon us the use of A-teams.

On June 9 growers here were instructed by telegram from the regional office of the Department of Labor that growers were required to accept all workers available in areas west of the Mississippi River. These were to be workers of all types—A teams, Indians, and others. End results of these instructions netted 2 A teams from Texas and 1 adult group from Muskogee, Okla.: 1 A team, 38 workers, 15- and 16-year-old youths; 1 A team, 32 workers, 2 were 14; 8 were 15; 1 adult team, 38 workers.

Each A team was accompanied by a supervisor (an athletic coach). Transportation cost involved under their contract was quite excessive, amounting to $99.95 per individual. The coach receives $4 per week for each youngster on the team which means, in case of the first team, 38 times $4 or $152 per week or $25.33 per day cost to the grower, based on a 6-day week. This coach naturally knows nothing about agriculture. Consequently the grower must retain on his payroll his regular professional foreman at an additional cost of $20 per day. This brings the cost of supervision to $45.33 per day or $1.19 per student-day, even without considering the cost of social security contributions and compensation insurance. Usually the grower hires transportation and bookkeeping services and, under the contract, he provides lodging and board subsistence guarantees. This means he is meeting a cost in excess of $2.23 per worker-hour.

This of course is the minimum provided the student completes the term of his contract. If he chooses to leave contract fulfillment the cost rises proportionately to the loss of the workers.

I have gone through a lengthy explanation for this reason: We, as Stockton Growers Group, Inc., are blessed to have management of the two A-teams and of the Muskogee group. The San Joaquin Farm Production Association, which is represented by Mr. Bill Duarte, as the recruiting association, and ourselves work hand in hand with these youngsters in a sincere attempt to make this program work. We are now running into some difficulty, though. At the outset the attitude of the youth was very good. However, after 2 weeks some are getting homesick, tired, and bored. The novelty has worn off and we cannot stimulate further desire.

During the past 5 days productivity of the boys has decreased about 50 percent. We were in hopes that they would improve; however, they are getting worse day by day.

Although expensive, the growers have accepted this concept honestly and sincerely in order to comply with the Secretary's criteria. The rising costs of utilizing these groups, however, are such that they are no longer acceptable. It is purely a matter of economics. We have a problem.

We were amazed at the recruitment of those under 16 years old. They cannot be expected to produce an acceptable day's work at adult wages, nor can they be expected to perform, qualitywise, day after day in a manner equivalent to their seniors. However, under the contract, the grower has no alternative other than to offer them 48 hours work per week at the prevailing wage scale.

These youngsters will be returning to school at the height of our harvest season. Growers here in San Joaquin County must have a supplemental labor force and they must have some assurance, now, that such a force will be available. Time has run out. We will need a substantial harvest force by August 5.

Many thanks for your efforts in our behalf. We sincerely hope that you may help us find an equitable solution to our problem.

Respectfully yours,
STOCKTON GROWERS GROUP, INC.,
NAT R. SCATENA, *President.*

STOCKTON GROWERS GROUP, INC.

Adult interstate recruitment—Utilization

[Team of 38 arrived from Muskogee, Okla., June 10]

Date	Grower	Number worked	Hours worked	Cost
June 11	B. Del Porto	32	224	$409.93
12	do	29	186	347.63
13	Sunday			
14	No work			
15	Louis Mersaroli & Son	27	186	343.86
16	do	20	136	257.86
17	do	20	151	280.94
18	do	21	149	278.17
19	do	14	98	191.05
20	Sunday			
21	No work			
22	do			
23	Scatena Farms	14	112	204.91
	Additional costs (lodging and board and wage compliance for no-work days)			71.82
	Total	177	1,242	2,386.17

Summation and comments:

Average hours per man-day worked	7.01
Average hours per man-day based on expected yield of 6 days per week at 8 hours per day	2.97

Cost per man-hour worked (wages, compensation insurance, social security contribution, prorated cost of transportation from home, foreman salary, and lodging and compliances) ---------- $1.92

(The $1.92 is not a true cost figure; attrition will bring the final transportation cost far above that computed on a daily recoupment basis—6 men remained overnight and departed without working; 3 departed after 1 day's work; 2 departed the following day; 6 departed after 3 days' work; after 6 days only 14 workers remained; insobriety contributed to additional no-work days.)

A teams aggregate

[Team No. 1, 38 and coach arrived from San Antonio, Tex., June 6]

Date	Grower	Number worked	Hours worked	Cost
June 7	Ehlers & Son	38	190	$436.56
8	do	38	152	379.96
9	Scatena Farms	38	323	635.52
10	do	38	361	654.01
11	Steve Pellegri	38	304	569.11
12	do	38	323	597.41
13	Sunday			
14	Steve Pellegri	38	266	515.75
15	K. Fujinaka	38	323	599.96
16	do	38	380	683.16
17	do	38	380	683.16
18	No work			
19	L. Mersaroli & Son	37	259	502.08
20	No work			
21	Norris & Logan	37	277	528.79
22	No work			
23	Sil Nogare	38	295	554.95
	Additional costs (lodging, coach's salary, board and wage compliance for no-work days.			170.04
	Total	492	3,833	7,510.46

Summation and comments:

Average hours per man-day worked--- 7.79
Average hours per man-day based on expected yield of 6 days per week at 8 hours per day ---------- 6.30
Cost per man-hour worked (wages, compensation insurance, prorated cost of transportation from home, lodging, coach's salary and foreman's salary, social security) ------ $1.96

(Comparison: Similar costs of a comparable local adult team would be $1.55 per hour.)

Transportation to and from work, payrolling, bookkeeping, and reporting add an additional 23 cents per hour cost to the grower.

[Team No. 2, 32 and coach, arrived from Austin, Tex., June 8]

Date	Grower	Number worked	Hours worked	Cost
June 9	James W. Hatch	32	192	$418.08
10	do	32	192	418.08
11	Bud D. Klein	32	256	483.01
12	do	32	176	363.85
13	Sunday			
14	Bud D. Klein	32	288	530.67
15	do	32	256	483.01
16	do	32	256	483.01
17	do	32	256	483.01
18	do	32	249	472.59
19	do	32	256	483.01
20	Sunday			
21	No work			
22	Augusta Bixler Farms	32	256	483.01
23	No work			
	Additional costs (lodging, coach's salary, board and wage, and board compliance for no-work days)			141.90
	Total	352	2,633	5,243.33

Summation and comments:

Average hours per man-day worked--- 7.48
Average hours per man-day based on expected yield of 6 days per week at 8 hours per day ---------- 6.32
Cost per man-hour worked (wages, compensation insurance, prorated cost of transportation from home, lodging, coach's salary, foreman's salary and social security contribution) ---------- $1.99

(Comparison shown for A team No. 1 applies.)

Additional cost shown for A team No. 1 applies.

[Team No. 3, 34 and coach, arrived from North Highlands, Calif., June 15]

Date	Grower	Number worked	Hours worked	Cost
June 16	Giannecchini Bros.	34	153	$325.86
17	Mussi, Casale & Antonolli	34	212	411.46
18	No work			
	Additional costs (lodging, coach's salary, board and wage compliance for no-work days)			198.43
	Total	68	365	935.75

Summation and comments:

Average hours per man-day worked--- 5.36
Average hours per man-day based on expected yield of 6 days per week at 8 hours per day ---------- 3.57
Cost per man-hour worked (wages, compensation insurance, prorated cost of transportation from home, lodging, coach's salary, foreman's salary, and social security contribution) ---------- $2.56

(Comparison and additional costs shown for teams No. 1 and No. 2 apply.)

Growers' cost experience with teams No. 1 and No. 2 made the youths' services progressively difficult to sell. On June 20 team No. 3 was transferred to another servicing organization in order that excessive costs could be spread among a larger number of growers.

A teams aggregate

Average hours per man-day worked--- 7.49
Average hours per man-day based on expected yield of 6 days per week at 8 hours per day ---------- 6.07
Cost per man-hour worked (less transportation to and from work, payrolling, bookkeeping, and reporting) ---------- $2.00

(Comparison: Similar costs of a comparable local adult team would be $1.55 per hour.)

Experience has shown that quality and quantity of productivity is 56 percent of that expected. When this factor is applied the hourly cost becomes $3.57.

Mr. MURPHY. Mr. President, I read an excerpt from Mr. Scatena's letter:

We do not foresee the availability of workers in numbers sufficient to harvest our cucumbers, peppers, tomatoes, et cetera, that will require stoop labor.

Until today we have had 500 Mexican immigrants and 481 Japanese nationals cutting asparagus. June 25th was the last day for this supplemental labor force here in San Joaquin County.

They have been taken away. I have reports from the Salinas area, reporting that 6 A teams have already left. The boys have left for home.

Let me point out from Mr. Scatena's report the observation that the present domestic workers are producing only about 56 percent of the output of experienced able workers. It is also interesting that the productivity of the high school students decreased about 50 percent after 2 weeks, indicating that they soon become homesick, tired, and bored with the work. This is something for which you cannot blame the boys, but for which very much blame should accrue to the Labor Department which has foisted this program off as the answer to a very real and serious labor need in California.

I have reports from the Salinas area where 6 A teams have already left for home that the boys on the teams are very complimentary of the cooperation shown by the growers but are critical of the Labor Department for misrepresenting the program.

It is altogether too clear that the Department of Labor put this A team program together hurriedly and without careful planning in a desperate effort to avoid facing up to the fact that their entire program to date has been a dismal failure. In fact, the program was thrown together so hurriedly that California's own department of employment was apparently not consulted since the director of that department suddenly refused to permit any more out-of-State teams to enter California because he said there were enough high school boys available in California.

It has just come to my attention that the Department of Labor itself has provided statistics which prove how inadequate has been Secretary of Labor Wirtz's program. These appear on page 14370 of the CONGRESSIONAL RECORD of June 28, 1965, and were introduced into the RECORD by my fellow Californian, Congressman COHELAN, with the purpose of attempting to show that all is well on our farms this year. In fact, exactly the opposite is shown and it is obvious from an analysis of these figures why our farmers are in such serious trouble.

The figures show that on May 15, 1965, there were 18,500 more domestic workers working on certain specialized crops than at the same time last year. The table further shows that on that date last year 85 percent of the foreign workers in the United States were involved in those same crops. This means that there were at this time last year 44,600 foreign workers working on these same crops and it is apparently the Labor Department's claim that 18,500 domestic workers on May 15, or 28,400 domestic workers on May 31, have replaced those 44,600 foreign workers of last year. This is obvious nonsense.

It is particularly ridiculous when we consider that even Secretary Wirtz himself has admitted that it will take from 1.3 to 1.7 domestic workers to do the job formerly done by one foreign worker. It is even more ridiculous to claim from these statistics that our farm labor problem is solved when you consider that everyone knows that there have been 8,000 to 10,000 Mexican greencard workers crossing the border from Mexico to the United States to do farmwork and that these Mexican workers are classified

by the Labor Department statistics as domestics. Therefore, by the Labor Department's own figures our farmers are short at least 30,000 workers. And this does not consider the fact that in the crisis to get crops harvested, many normal farmworkers have moved from their usual farm occupations into the crisis crops as is shown by farm labor shortages in Ohio and Illinois. I am glad for the chance to clarify these statistics before too many people have been deceived by them.

Mr. President, I have previously discussed the losses suffered by our strawberry, asparagus, and citrus growers because of insufficient or inexperienced labor. Today, to illustrate that the A teams are unfortunately not the answer to our labor needs, let me discuss briefly some of the experiences of our cantaloup growers in the Blythe desert area. These growers estimate that they are suffering a 20 to 25 percent loss because of the inexperienced help, not to mention the economic loss caused by greatly increased costs of labor. These growers, like those in all other parts of California, have cooperated fully with the Labor Department's requirements. The California Farm Labor Panel named by Wirtz specifically commended these people for their fine efforts to implement the A team program. Here again, however, their good intentions were not enough to get the job done. One grower sent one of his buses to Yuma, Ariz., about 2 hours away, to pick up a team of domestic workers. When the bus arrived the officials in charge of the work team noted that it was not air conditioned and required the grower to rent an air-conditioned bus and send his own bus back empty. The workers then rode air conditioned 2 hours to Blythe and then were turned loose in the over 100° heat to pick the melons. This grower, like the others, is more than willing to cooperate with the program but he would be the last to claim that he is running a desert resort.

I would like to point out that the A teams by agreement with the Labor Department were to start at the minimum decided by Secretary Wirtz of $1.40 an hour. After a break-in period it was agreed that they could work at a minimum of $1.25 an hour or at piece rates in the cantaloup fields. At this time, experienced Mexican workers on the same fields were averaging $38 per day—or over $4 an hour in piece rates, while the A teams were not even making the $1.25 minimum in piece rates.

The growers find that their picking costs per crate of melons, which were about 40 cents per crate last year, have risen to from 80 cents to $1.50 per crate this year. And even then not all the crop is being picked. One grower sent a crew of experienced Mexican workers through the field after the A team and found that 25 to 30 crates per acre, or about one-fourth of the melons, were left unpicked.

Here again, I am not critical of the domestic workers, but only point out that they are not cut out for this kind of work. One grower has had to hire a full-time girl to write the termination paychecks of the workers who are leaving.

So, in the cantaloup fields we have another example of the Labor Department's refusal to face the facts. At the outset of his program, Mr. Wirtz promised that he would not permit crops to rot because of his policies. Yet crops have been lost, in citrus, in strawberry, asparagus, and melon fields solely because of Mr. Wirtz' policies.

Mr. Wirtz told the farmers that if they abided by his criteria they could have Mexican workers if the need were proved. They have abided by the original criteria, and by all the new conditions he has added, and still they have not received the necessary workers to prevent crop losses.

Mr. Wirtz stated in hearings before the Senate Agriculture Committee in January that he could get Mexican workers into California within a matter of days, even hours, if necessary, and so a standby arrangement with Mexico was not necessary. When he at last recognized the need for some foreign workers, it took over 3 weeks from the date he certified the need before the first worker came into California. Here again, Mr. Wirtz was wrong. His error was costly to my State's farm producers.

Now California's tomato growers have relied on Mr. Wirtz' assurances and planted 100,000 acres of tomatoes, a large number of tomatoes, albeit a drastic drop from last year's crop. I hope Mr. Wirtz is prepared to face the fact of life that these growers will need 25,000 workers when their harvest begins in late August.

That is the estimate of experienced growers. They will need 25,000.

Mr. President, the people of California are astounded that this seeming crusade against our farmers can be permitted. They see all about them examples of the losses caused by the need for farm labor. They read in their newspapers that the farmers in Florida were permitted to have a large number of supplemental laborers—not all they needed, but still a large number—and they wonder why California has been chosen for Mr. Wirtz' unsuccessful experiment. They learn that when Mr. Wirtz refused to permit some offshore labor to remain in Florida, the Attorney General, Mr. Katzenbach, stepped in and announced that, he, in truth, had the final authority and so could permit the labor to stay, and he did so. They wonder whether the Attorney General has investigated the situation in California and if so, why he has not stepped in to help our farmers there. They wonder why they have not heard from the Secretary of Agriculture who is, I understand, the representative of our agricultural community in the Cabinet. These and many other questions are being asked—and I intend to get the answers.

And, lastly, Mr. President, the housewives of California and indeed across the Nation, are asking if Mr. Wirtz has seen the latest food prices and the latest cost of living index which indicates that food prices were the greatest factor in its increase. I have here a table showing food price comparisons in the Los Angeles market between June 21, 1965, and June 19, 1964, and I ask unanimous consent that this table be printed in the RECORD at this point.

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

Wholesale price comparisons of sales of California stocks in the Los Angeles market

Item and unit	June 19, 1964	June 21, 1965	Approximate percent increase
Avocados (2-layer lugs 32's)	$4.75 to $5	$9.75 to $10	100
Lemons (cartons 115's)	$2.75 to $3	$3.75 to $4	33
Asparagus (pound)	$0.27 to $28	$0.40 to 0.42	50
Beans (pound)	$0.15 to $0.16	$0.20	33
Cucumbers (3/4 lugs)	$1.25 to $1.50	$2 to $2.25	50
Beets (dozen bunches)	$0.75 to $1	$1 to $1.15	20
Lettuce (crate):			
Boston	$0.75 to $1	$1.75 to $2	100
Salad Bowl	$0.75 to $1.25	$1.75 to $2	100
Onions, Yellow Grano (50-lb sacks)	$1.50 to $1.75	$4.25 to $4.50	175
Bell peppers (pound)	$0.12 to $0.16	$0.25 to $0.28	100

Mr. MURPHY. Perhaps even more eloquent than the figures is a letter I received from Mrs. Joseph Kitts and I ask unanimous consent that the letter be printed in the RECORD at this point.

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

OAKLAND, CALIF.,
June 17, 1965.

Senator GEORGE MURPHY,
Senator from California,
Washington, D.C.

DEAR SENATOR MURPHY: Perhaps you can get Willard Wirtz to tell you what we, who are retired and have a low income, are to do to be decently fed, to stay well.

I have just returned from trying to shop at Safeway for vegetables. They are impossible in price, fresh corn at 15 cents for a small ear, asparagus 39 cents a pound and half must be discarded as too tough to eat. These are a few of the weekend bargains.

If we cannot afford fresh vegetables or fruit what are we to eat?

Perhaps like Marie Antoinette he thinks we should eat cake if we cannot get vegetables.

Another angle of Mr. Wirtz' short sighted police in regard to the braceros, is the good will of the Mexicans. We spend millions on the Peace Corps and then with our arrogant policy toward the Mexicans we antagonize hundreds of them.

Some years ago I taught a class in English for foreigners (adult education). There were 22 braceros in my class. They worked hard all day but wanted to learn English enough to come to school in the evening. They were the most courteous considerate

people I ever taught and these are the kind of people Mr. Wirtz' insults.

What's the use of the Peace Corps?

Very sincerely,

ALBERTA H. KITTS.

Mr. MURPHY. I have here a letter from the chairman of the Committee on Agriculture of the Japanese Chamber of Commerce of Southern California, pointing out the losses which our Japanese farmers are suffering because of their lack of labor. I ask unanimous consent that this letter from Mr. Takeyasu be printed in the RECORD at this point.

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

LOS ANGELES, CALIF., *June 17, 1965.*

Hon. GEORGE MURPHY,
U.S. Senator,
Senate Office Building,
Washington, D.C.

HON. GEORGE MURPHY: We, members of Japanese Chamber of Commerce of Southern California, appreciate your effort in promoting status of Americans of Japanese ancestry.

As you know contributions made by Japanese farmers has been great in the past years, and it is one of the major industries for many Japanese-Americans. These farmers, however, because of lack of laborers are suffering bitterly.

We had a committee meeting the other day, and it was revealed that to supplement lack of laborers at peak harvesting period farmers are suffering from severe competition in raising wages to obtain necessary workers. Thus, some are rather willing to sell land and go out of business.

Since labor situation is a serious matter for farmers kindly send us any information available regarding crop damage due to lack of labor, actual labor situation, plans for next years cultivation of land, and methods of supplementing labor, etc.

Your cooperation in this matter is greatly appreciated.

Sincerely yours,

JOHN S. TAKEYASU,
Chairman, Committee on Agriculture, Japanese Chamber of Commerce of Southern California.

Mr. MURPHY. These were carefully selected boys from farms in Japan. They came over and spent 2 years. It was one of the most perfect people-to-people programs that has ever taken place. I have talked with the Japanese Ambassador and representatives of the Japanese farm community. They are extremely concerned about this situation. The harm that is being done by this policy has many ramifications, and it would be impossible for us to gather them all together in a short time. But the Senator from Florida [Mr. HOLLAND] and I have determined that we shall keep bringing this matter to the attention of the Senate. Hopefully, one day the executive branch of the Government will have a look into it, and then our problem will be solved.

I might add that our foreign labor programs provided one of the greatest sources of international good will which we have ever devised in this country. By working on our farms the Mexican worker, who would earn $1.50 a day at his home, could make $15 to $20 and more per day. And the workers who came to us from Japan took back to their homeland a real appreciation of the American way of life. Now we have left Japan and Mexico puzzled as to why we have cut them off when their help is so obviously needed.

I have some messages from California farmers which point out the various problems they face more dramatically than can any words of mine. I ask unanimous consent that a letter from Mrs. Robert Pannell, a telegram from Mr. Anthony Groich, a telegram from Mr. Anthony Maggio, and a letter from Mr. Lee Anderson to a Labor Department official, be printed in the RECORD at this point.

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

VISALIA, CALIF.

Hon. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: We are now trying to harvest our year's labor. As of this moment, apples—next week, plums, we hope. We started out with 12 pickers—today we have 7. The apples will not hurt for several weeks. But what will happen next week? The plums will not wait. We have never used foreign workers but the lack of them in other areas are pulling our regular pickers away from here.

From all of the reports that we hear the use of high school kids is not working out What will Mr. Wirtz come up with next? The farmer needs qualified help the same as anyone in business. What has happened to the ideas that our country was based on? Such as protecting the "little guy". Is there anything that one can do? My husband and I are deeply concerned about this agricultural "mess". We have put over 20 years of hard work into our small ranch and it seems the only solution for us is to sell.

We will continue to support you.

Mrs. ROBERT PANNELL.

SAN JOSE, CALIF.,
June 12, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.:

I have sent the following telegram today to Senator HARRISON WILLIAMS:

"I read in our local newspaper where you said that the facts in your possession show that crops are not rotting in fields in California. The farmers have lost millions of pounds of strawberries and even today are losing more. I don't know where you obtained your facts but they certainly are incorrect. I think that you and Secretary Wirtz and several other Senators and Congressmen that have made such statements should publicly make an apology, whether you realized it or not the backbone of this Nation is its farmers. Unfortunately through legislation in the last few years, we are losing farmers daily. This is something I am sure that you don't want to be proud of. Why don't you check with some of the Federal or State offices as to the amount of fruit being lost daily, and if they don't desire to substantiate this I can do it for you very easily. If at all possible, I sincerely hope that you could visit our area for just 1 day and I am sure it would affect you emotionally as it has all good citizens that have seen the chaotic situation that is presently existing here."

ANTHONY GROICH,
President, Picnpac Frozen Foods, Inc.

KING CITY, CALIF.,
June 12, 1965.

Senator GEORGE MURPHY,
Washington, D.C.:

We have accepted all recruits available under the Departments of Labor, State, and interstate program. They leave as fast as they come. Some are too young. Some are too old. Some are skid-row types. As we have stated before, we were the first to go with the program last year and used no braceros in our carrot fields. The results were disastrous this year. We were forced to destroy 400 acres in Imperial Valley. Now we are facing the same thing in the Salinas Valley. Some recruited workers remain on the job but the wage cost is more than the selling price of the carrots, and the market is good. Please, please, we beg you to do something about it. I do not want to destroy foodstuff that hungry people need. We have 250 union workers on our 3 packing sheds and practically all are drawing partial unemployment benefits because we cannot get sufficient carrots harvested.

ANTHONY MAGGIO,
President, Carl Joseph Maggio, Inc.

LEE ANDERSON'S COVALDA DATE CO.,
Coachella, Calif., June 15, 1965.

GLENN E. BROCKWAY,
Regional Administrator, Bureau of Employment Security, U.S. Department of Labor, San Francisco, Calif.

DEAR SIR: On May 21, 1965, I mailed you ES–320 forms for two experienced men to work in the date palms on our 73 acres of date gardens.

Mr. Brockway, now how in the name of justice can you say in your certificate (disapproval) that you determined and certified that sufficient workers in the United States able, willing, and qualified, are available for employment in this occupation?

For your information, because of an inadequate labor supply in the United States "able, willing, and qualified," I had to stand by and see over 200,000 pounds of my date crop be ruined because of the lack of help to get the date blooms pollinated. Of the local domestic labor that was supplied to us, not one stayed on the job over 2 days. The recruited Indians stayed 1 week and the inexperienced Japanese were with us 3 or 4 weeks. Our cost survey proved that it cost us $4.50 per hour to get a $1.50 worth of work done.

Mr. Brockway, just imagine you and I changing places. You come down here and run my farming operations, and I come to San Francisco and run your office. Now you are in dire need of labor. You cannot get an adequate supply of domestic labor "able, willing, and qualified" to do your work. Just imagine how you would feel if you were to send me ES–320 forms asking for qualified foreign labor, and if I would send the forms back stamped (disapproved), saying there are sufficient workers in the United States "able, willing, and qualified" to do the work. You in my place on the farm, knowing all the facts and I in your office, not knowing the facts, would be calling me a liar and many other names, because I had been telling you that there is plenty of labor in the United States "able, willing, and qualified" for employment in this occupation. Mr. Brockway I can testify under oath that there is not qualified labor to do the work in this occupation. The State farm labor office here in Indio has not been able to supply enough date workers for many years. The extra expenses which the Department of Labor's rulings are adding to the farmers already overburdened farm labor costs is causing many farmers to cancel out their farming operations here in the United States of America. They are moving their operations to Mexico, South America, Australia, and other foreign countries. This leaves many people unemployed who would have had work preparing their products for market. Also if you will take time, to take inventory of businessmen and manufacturers who are moving their operations to foreign countries you might stop and do some thinking about on which road the Department of Labor is leading our country. This used to be the best Government in the whole world but what is it being changed into?

Mr. Brockway, do you know that our Government is assisting to build date packing and processing plants in Iraq, Iran, and Pakistan? These packing plants are equipped with modern equipment at our taxpayers expense. The latest figure I have, the laborer is paid $0.60 per day, and there are between 40 and 50 million pounds of dates imported into the United States each year. Do you know that the date growers in California are not getting any more per pound for their dates now, than they did in the 1930's and our costs are four times as much?

I really feel that if you people in the Labor Department would face the facts, you would realize that there are especially in date gardens not enough qualified farmhands to do the jobs that must be done. You would realize the adverse effects this condition is having on the economy of the Nation. You would consider the truth, as to the need of Mexican labor to supplement for laborers we cannot get to produce and harvest our crops.

I'm mailing to your office the ES-320 forms that were rejected. This time please use the approved stamp. Please accept my invitation to visit my date garden for a first hand inspection.

Thank you.

Sincerely,

LEE J. ANDERSON.

Mr. MURPHY. Mr. President, the economy of my State has suffered a severe loss this year because of the Labor Department's policies. We must have action to assure that there is no further loss this year and that our farmers are never again subjected to the whimsical dictatorship of theorists who simply do not understand what is going on on our farms.

We have had crop losses this year, certainly. But perhaps even more serious than that is the permanent loss our agricultural economy has suffered because farmers have moved their operations to Mexico. I have just learned of a Coachella Valley nurseryman who has shipped to Hermosillo, Mexico, enough Valencia citrus stock to plant 5,000 acres and enough seed to plant 20,000 acres more. This is equivalent to one-quarter of the existing Valencia acreage in California and Arizona, so it is easy to see that in a very short time at this rate, Mexico can replace our domestic production. Certainly Mr. Wirtz can win his argument that we can get along without supplemental labor by doing away with California's agriculture, but I should think that even he might consider that a very hollow victory. Even he must realize that the only result of this could be to increase the ranks of our unemployed, since 1¼ million jobs in California alone are dependent upon agriculture.

And so, Mr. President, the design of disaster continues toward its inevitable final impact, which will hit not only the farmers and the economy of my State, but the pocketbooks and food budgets of all the housewives in the Nation about next November.

Then, and then only, will I be able to report the total cost of the misfortune, inefficiency, and waste forced upon our agricultural industry by the Secretary of Labor.

Then, and then only, will I be able to point out the unnecessary dollars that the housewives will have to pay in added food costs, the number of crops that were lost to the farmers as well as the number of unemployed in California, the number of farms and badly needed payrolls which have been moved out of our State and gone to Mexico, never to return.

And I intend to keep a carefully documented account of the entire destruction and report it to my constituents.

The Secretary was warned before the event and he has been warned during the early stages. He has chosen to ignore the facts in favor of fiction and, therefore, cannot avoid the full condemnation of the people of my State for the unbelievable and unnecessary hardship and havoc he has caused.

It is truly a sad state of affairs when it seems apparent that a political promise must take precedence over the general welfare of the people. As time goes on, I intend, as I have in the past, to make a full and comprehensive report on these matters. I repeat: Those responsible must take full blame for their errors in judgment and for the disaster which they have caused.

As I said on the first occasion when I had the honor to speak on the floor of the Senate, if the Chief Executive of our great Nation will interest himself in this subject, I have full confidence that the problems of the great States of Florida, California, Arizona, Michigan, and all the rest that are involved, and will become involved as time passes, will find relief.

Mr. KUCHEL. Mr. President, while I have some comments to make in my own right, I wish to compliment my colleague from California upon the delivery of a remarkably persuasive address to the Senate on this occasion. In quite full relief, he has demonstrated the tragedy which confronts the farm people of the State we have the honor to represent and also those who toil on the land to produce crops all across our Nation. I congratulate him upon the assiduous manner in which he has accumulated these statistics. No one can blink at them. The Senator has clearly demonstrated a policy on the part of the Department of Labor that constitutes, I believe, the worst blunder of the administration.

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

Mr. KUCHEL. I yield.

Mr. HOLLAND. I join in those expressions. I have not heard a finer speech on the floor of the Senate in the years I have been here. It factually, carefully, and in an itemized way depicts the tragedy which has been inflicted upon a great producing area by the misconceptions and sociological adventures that are being practiced by the Secretary of Labor. I repeat the hope that the President, the Secretary of Labor, the Secretary of Agriculture—who has not asserted himself enough in this matter—and the Attorney General—who after all is given the final authority in this particular matter, because it is in his Department that the Commissioner of Immigration is located—will all listen, because the great States of California and Florida, and the other States that are involved, produce so much of the food that is consumed by the people of our Nation. They are not used to coming to Washington and crying for help from the Federal Government. No two States in the Nation do less of that than the States of California and Florida.

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

Mr. KUCHEL. I yield.

Mr. MURPHY. We all know well that we are talking about people who have asked for no subsidy whatsoever from the Government. These crops are produced in the American fashion of free enterprise by investment. A banker in California, a vice president of the Bank of America, one of the largest lenders of money to farmers, says that this disaster may reach the extent of $500 million in California alone.

Mr. HOLLAND. I thank the distinguished Senator from California for yielding to me.

THE NEED FOR A SENSIBLE FARM LABOR PROGRAM

Mr. KUCHEL. Mr. President, I have long been deeply disturbed by the ever-changing procedures of the Department of Labor in attempting to secure the needed supplemental labor to meet California's agricultural needs. Recently in my State we have seen the Department of Labor place great stress on so-called A teams—that my friend and colleague from California has so graphically demonstrated in his comments earlier today—of presumably high school athletes from many States west of the Mississippi River being urged to come to California to harvest our crops. It is commendable for young people to get out in the sunshine and enjoy the California climate. Many of these young people did a fine job. But, as with youth, they frequently tire when doing a man's work and the initial joy of the "great adventure" has worn off. Some of these young people were 14 and 15 years old. My State has long observed strict child labor laws as well as a greater number of protective labor laws than any other State in the Union.

What the attempt to recruit high school students from throughout the Middle and Far West shows is two things: First, that there is a shortage of qualified domestic labor in California: and second that our Government seemingly has a policy of encouraging "nomadism" in our land. We do not meet year-round agricultural needs, by recruiting high school students who are only available for 2 or 2½ months in the summer. We do not improve the quality of American life by encouraging "nomadism" whether it be by high school students, migrant farmworkers from other States, or unemployed coal miners in Kentucky as was suggested by one administration official last year. What is needed is a stabilization of the work force within a given area and training for those men who are employable but do not have the skill to perform cultivating and harvesting tasks on our farms.

I am also concerned with the "on-again, off-again" policies of the Department of Labor. The Secretary of Labor, Willard Wirtz, is a sincere and dedicated man. He is as much concerned with the plight of unemployed workers in California as I am. But as I have said on the floor of the Senate for years, in com-

mittee for years, and to the Secretary of of Labor on many occasions, the fact that a man is unemployed in the industrial sector of our economy does not mean that he is willing to take a job in the agricultural sector. To say that an unemployed autoworker in Detroit is ready to do farmwork in California is like adding apples and neckties.

When Secretary Wirtz appeared before the Senate Committee on Agriculture on January 15, 1965, I cross-examined him at length. I urged that he enter into a standby agreement with the Republic of Mexico so that should the need arise in his judgment for supplementary farmworkers in California, the mechanism would be readily available to recruit, examine, process, and transport such workers to the United States. Secretary Wirtz, at page 70 of the hearings, described my proposal as "quite premature and not in the public interest."

I deny that. It was not premature. Subsequent events have demonstrated that it was not premature. It has been against the public interest, not merely in California, but all across the country, as today the statistics of declining farm yield and farm income clearly demonstrate to any reasonable person.

Thus, as time slowly elapsed and the crops began to ripen, nothing was done despite telephone calls from me and from other Members of the California congressional delegation and face-to-face meetings with Secretary Wirtz and ourselves and our staff on several occasions. On April 15, 1965, Secretary Wirtz established the California Farm Labor Panel. This panel recommended that the 1,000 Japanese and Filipino workers permitted to remain in California be redeployed into the San Joaquin Delta and to Monterey County. In addition, the panel recommended that 1,500 braceros be imported from Mexico. The growers had requested 6,700. The Mexican Government said at that time that it would take about 4 weeks to secure the workers and that in reality they were reluctant to establish the necessary machinery to recruit 1,500 workers. I had asked that such machinery be established long before.

The California Farm Labor Panel made its recommendations on April 23. Secretary Wirtz accepted them without qualification on April 25. Still nothing happened. I called the Secretary on May 3, 1965, and urged that notes be exchanged with Mexico so that the procedures could be worked out. Early on May 4, the Department of State delivered the necessary note to the Mexican Government. This delay should not have been necessary. On January 15, 1965, after calling my proposal that such machinery be established premature, Secretary Wirtz went on to say:

I would suggest that it would be relatively short matter, I mean almost hours, or at the most days, to take care of that problem if we ever get to that stage. I don't think there would be any great difficulty about it. And, therefore, on the balance of what is involved, it would seem to me that to undertake the housekeeping proceeding before we have decided to take the house would be misunderstood (at p. 71 of hearings before Senate Committee on Agriculture, Jan. 15, 1965).

Mr. President, it was not until May 17 that the first Mexican national entered California despite the need being clearly recognized by Secretary Wirtz' own panel on April 23, 1965, nearly a month before.

To date, 2,771 braceroes have come to California for farmwork. There are now 1,614 remaining. The rest returned home after the initial period of their contracts expired and still more are leaving. The Secretary of Labor has contended that these workers were sent home because growers found that their needs could be met by domestic workers. This is part of the story, but by no means all. And it glosses over all the facts. Two of the employers to which he referred are in California. They are Salinas Strawberries and the San Joaquin Farm Production Association.

Mr. President, I ask unanimous consent that excerpts from the newsletter of the National Council of Agricultural Employers, dated June 22, 1965, pertaining to the factual situation confronted by these employers be printed at this point in the RECORD.

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

CLAIMS OF ENOUGH DOMESTIC WORKERS DENIED

Secretary of Labor Wirtz announced last week that two California employers—Salinas Strawberries and the San Joaquin Farm Production Association—had informed the Department that their current needs could be met with domestic workers and that they were ending their employment of foreign nationals. He also reported that the National Pickle Growers Association had indicated that labor needs for its Michigan growers probably would be met with domestic workers.

Reports from the areas and persons concerned indicate that the facts are these:

1. Salinas Strawberries hired 10,112 domestic workers from January 1 to June 16. It had lost 9,118. It also reports a minimum loss of more than $2 million. On June 16 (the day following Secretary Wirtz' announcement), the company reported that 12 A teams of about 350 boys had arrived. Two teams of about 61 were leaving. It concluded its statement with the comment that "it is just not in the realm of economic possibility for us as growers to continue" financing trips to California for those who didn't want to work.

In elaborating on its decision to phase out its foreign workers, this company cited a telegram from the Department of Labor's regional administrator, Glenn Brockway, which said in part:

"You are required to accept all workers who are available in an area west of the Mississippi River. These workers will be of all types, A teams, Indians, and others.

"If any employer of foreign workers refuses to accept these available workers, I am directed after telephone clearance with my national administrator to submit a revised authorization ES-354 to the Immigration and Naturalization Service reducing the number of foreign workers previously authorized by the exact proportion as the number of domestic workers refused.

"User employers in California between them must accept all A teams west of the Mississippi River as are available. These A teams will be included in quotas arranged by my office with Mr. Tieburg."

The action taken by Salinas Strawberries was done to preserve its eligibility for employing foreign workers and because its spring peak was past.

2. The San Joaquin Farm Production Association was reported to have said that it would not seek an extension of the foreign workers it now has in asparagus beyond June 25. This association previously was refused a request for 500 additional Mexicans for asparagus work by the California Farm Labor Panel. Since the asparagus harvest is just about completed and since the association is prohibited from employing the Mexican workers it now has on other crops, it can no longer afford to retain them.

3. On the day following Wirtz' statement the National Pickle Growers said "that we believe that despite our best and enormous efforts to obtain domestic labor we are going to have to rely on a source of supplementary foreign labor to get through this crop." W. R. Moore, the association's secretary, said that a conversation he had with a Mr. David North in the Secretary's office was "twisted." In a statement issued subsequently, Moore asserted that Wirtz was making his statements in order to scare growers out of planting and reduce labor requirements. He said that two growers had plowed up 80 acres of pickles as a result of these statements. He also reported that pickle acreage in Michigan was down considerably as a result of the labor situation.

In other developments, it is reported that the director of the California department of employment has refused to clear further requests for out-of-State A teams until local youth had been fully utilized. Earlier the Secretary of Labor had wired Governor Brown to let him know immediately whether the State planned to use domestic workers (predominately A teams) from some 14 States.

Mr. KUCHEL. I must say, Mr. President, that I am disturbed by the tone of Mr. Brockway's telegram to various growers in my State. Because of these policies and because producers are harassed by ever-changing ground rules for the employment of foreign workers, any semblance of orderly operation of a supplemental farm labor program is jeopardized. Under such conditions, it is the small- and medium-sized farmer and grower in particular who is hurt. He must depend on this labor to harvest his crop for market. His whole year's profit or loss depends on the small period when the crop is ripe and the availability of sufficient labor at that time.

If the farmer is uncertain as to the availability of labor during his peak harvest season, so is the banker who lends him his money. So is the Government of Mexico. So are the canners who must employ needed workers to can a crop which they are not certain will be harvested.

The peak farm labor need in California has not yet arrived. It will come this fall with tomatoes. It appears now that we might have a contract tomato acreage of around 110,000 acres plus another 5,000 or 6,000 acres of open market tomatoes. This would be a good crop despite the lag in planting which occurred earlier this year because of the uncertainty of the labor situation.

My constituents in California are still uncertain with regard to the availability of needed farm labor to harvest tomatoes and the various other crops which are now ripening. Sixty-nine percent of the lemon crop was harvested by June 20, whereas last year 85 percent had been harvested by that time. And it was a

smaller crop. Real losses have occurred in strawberries. The total movement of strawberries to the processors is now running 4 to 5 million pounds per week below what we would normally expect from the acreage available.

Mr. President, I urge once again that the Department of Labor and this administration face up to the agricultural labor needs of my State. The uncertainty must end for the sake not only of the growers, cannery workers, transportation workers, and thousands of others with related skills involved but also for the sake of the American consumer and the country.

Mr. President, I am glad to join the Senator from Florida and my colleague from California in commenting on this situation.

Mr. WILLIAMS of New Jersey. Mr. President, I should like to engage the Senators in a colloquy in order to clarify the RECORD.

A great deal of this discussion has dealt with Public Law 78 as distinguished from Public Law 414, which is still the law which guides us.

Public Law 78 was the responsibility of the Committee on Agriculture and Forestry as a legislative matter. Public Law 414 is an immigration law, and was the responsibility of the Committee on the Judiciary.

I am on neither of those committees. However, I am on a committee which does have a very substantial interest in this entire discussion, the Migratory Labor Subcommittee of the Committee on Labor and Public Welfare. Our responsibility runs to the American agricultural migrant worker. Anything which affects his position is within the scope and responsibility of the subcommittee of which I have the honor to be chairman.

I have examined the unemployment statistics generally and farm unemployment statistics in particular. These are the statistics with which I have to work.

In January of 1965, for all workers, unemployment was running at the rate of 5.5 percent. In agriculture it was running at the rate of 11.7 percent. In January of 1964 unemployment for all workers was 6.4 percent. For agricultural workers, it was 15.9 percent. Figures similar to these occur month after month.

Unemployment among agricultural workers, both wage and salary, is far above that of workers in all other categories.

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

Mr. WILLIAMS of New Jersey. I yield.

Mr. HOLLAND. The Senator knows that, in most of the Nation, the agricultural economy is relatively inactive in the winter months, and that the unemployment statistics for the northernmost States and the Midwest States would naturally show a low level of employment of agricultural workers during that period.

Mr. WILLIAMS of New Jersey. The Senator is correct. However, the annual averages which I gave the Senator were for 1964. We do not have the averages for 1965 as yet. In 1964, they were 5.2 percent for all workers, and 9.3 percent for agricultural workers.

I should like to correct a little colloquy that I had with the Senator from Florida 3 weeks ago on Public Law 78. That law was enacted during the Korean crisis, in June of 1951, I believe. The RECORD of 3 weeks ago suggests that it was enacted in 1954.

The law was enacted in partial response to the unusual demands for farmworkers caused by a period of national emergency when many young boys and men had gone into the Armed Forces.

I ask the distinguished senior Senator from Florida what he feels the congressional intent was in terminating Public Law 78.

Mr. HOLLAND. I feel that the intent of Congress was to terminate Public Law 78. It was desired to include the paternalistic setup under which many millions of dollars were being spent, under which various headquarters were being maintained, under which, even in the last year of its operation, approximately 194,000 Mexican workers were brought in, as I recall. For one reason or another, Senators and Representatives voted against the further extension of that act. They felt that the law had existed long enough.

Mr. WILLIAMS of New Jersey. Mr. President, I supported the termination of that law. Perhaps many Members did not express themselves. However, I know that my reason for supporting termination of Public Law 78 was to give the American workers a greater opportunity for agricultural employment.

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

Mr. WILLIAMS of New Jersey. I yield.

Mr. MURPHY. Mr. President, I was not here at the beginning of this matter. However, it is my understanding—and my knowledge of this matter is not as great as is that of the distinguished Senator from New Jersey—that at all times, even during the existence of Public Law 78, it was provided that the domestic workers must receive preferential hiring, and if there was only one job, and one domestic worker, the domestic worker must get that job. Was that not the case?

Mr. WILLIAMS of New Jersey. The Senator is correct. There were protections afforded to Mexican workers which were not afforded to the British West Indians.

Certification for braceros was more easily achieved. We therefore had a great wave of Mexican nationals entering this country under Public Law 78, depressing job opportunities for Americans.

Mr. HOLLAND. It is true that a great many Mexican nationals came in. As I have already stated, approximately 194,000 of them came in in 1962, the year before the last debate on the Senate floor. However, it is also true that prior to that time, the number of wetbacks who came in—many of whom had been abused and exploited—was much larger. My recollection is that in 1 year the figure rose to approximately 600,000. They had to be excluded. It was a vast exclusion.

That was a great tragedy. Many of them were imposed upon and the purpose in enacting the law was well stated by the distinguished chairman of our committee, the senior Senator from Louisiana [Mr. ELLENDER] in the quotations which I read into the RECORD today from the hearings in 1951, when he made it clear to the committee members that we were trying to prevent their continued abuse and exploitation and trying to satisfy the legitimate demands of Mexico that they be allowed to say where the unemployed people were to be available for this work. Too often they were coming from across the border where there was no such pool of unemployed persons. The attitude of Mexico was the most responsible reason for the enactment of Public Law 78.

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

Mr. WILLIAMS of New Jersey. I yield.

Mr. MURPHY. Mr. President, I remember that about 15 years ago above the Mexican border, in California, the border patrol had a bad situation. They used to pick the wetbacks up by the hundreds. At that time a program existed—I believe the RECORD will show—in which we used to take the wetbacks in old DC–3 airplanes and fly them into the central part of Mexico. These people would come hundreds of miles. The thought was that if we were to fly them there, it would be too difficult for them to return. However, they did return.

I lived down there at one time and worked on a motion picture which was based on exactly the problem faced by the wetbacks. They would be sent over by an agent. The agent would slip the wetbacks over the border and tell them where to come back. They would meet him there. Literally hundreds were destroyed and murdered down there. It was a frightful situation.

Mr. WILLIAMS of New Jersey. Mr. President, the Senator from California is an expert. Perhaps we ought to call on Henry Fonda to testify in our committee hearings. He played in the motion picture "The Grapes of Wrath." He could describe some of the situations which existed.

Mr. MURPHY. I believe that Henry would make a very good witness.

Mr. HOLLAND. Mr. President, I want the RECORD to show again that there was a great deal of compassion in the minds of those who enacted Public Law 78. This does not seem to be realized now by anybody.

There was also a great need for agricultural labor in the western part of our Nation, which need would have been denied if Mexico made good on its promise at that time that they would not permit the program to continue unless the program was regulated by the Federal Government.

Mr. WILLIAMS of New Jersey. I am glad the Senator put it exactly that way. This was the Mexican Government's compassion for its nationals. It has

been my purpose over the years to support the same kind of compassion for American workers. That is why we have tried to achieve better housing, education, and employment opportunities for American agricultural workers.

We are going to have hearings and I assume both the Senator from California and the Senator from Florida will attend. They will also concern programs to bring American farm unemployment together with farm employment opportunities. We are trying to make it a realistic program by providing working conditions that will make American workers want to work on American farms. I refer to unemployed agricultural workers of course, and not, for example, automobile workers. I am not at all convinced that we can find an adequate answer to our farm labor problems by trying to get young people to pick our crops. The A-team procedure was an experiment, but only a small part of our attempts to answer and solve our farm labor problems.

When the farm child labor bill was up for consideration I met resistance from Members who said it was good for young people to work in the fields, and that their families needed the income that the children would receive from picking the crops. Therefore a child labor prohibition bill should not be passed. These are not older children that I am talking about; they are high school age children.

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

Mr. WILLIAMS of New Jersey. I yield.

Mr. HOLLAND. I remind the Senator that he is not the only one who has had compassion for domestic workers. My recollection is that I was glad to join in at least three of the bills of which he was the principal sponsor, for relief in the area of education, housing, and nursing care.

Mr. WILLIAMS of New Jersey. And a health bill.

Mr. HOLLAND. I thought the distinguished Senator had spoken very kindly of my joinder and efforts.

Mr. WILLIAMS of New Jersey. Oh, yes.

Mr. HOLLAND. I was not alone in that regard. The Senator from Florida was not alone in extension of compassion in 1964. The average Member of the Senate is a compassionate person. People who address themselves solely to this problem, to the point where it looks like the biggest thing in the world, sometimes overlook the fact that some other people are entitled to compassion and understanding.

So far as the Senator from Florida is concerned, he thinks he has compassion for those who produce in the sunshine and the rain, with the investment of their whole fortune. The problem involves a matter of working out a reasonable, compassionate settlement for all concerned.

That is what we tried to do in 1951, and are still trying to do.

The distinguished Secretary of Labor has been lost in compassion for those who are unemployed in this country to the extent that he has become so impractical that I cannot imagine a greater degree of impracticability. Anybody who thinks that an unemployed miner in West Virginia or Kentucky or Pennsylvania, let us say, must be a good picker, does not know the facts.

The Senator previously spoke of ladders. We do have 40- and 45-foot ladders. When I used to pick oranges, we had ladders 50 feet long. Very few people want to pick them at that height. Practically no one wants to pick date palms, because there are no limbs, and it is a lonesome task to prune the trees. We do not grow dates in Florida, because the humidity there prevents it. Of course, we grow the trees there, such as the Washington Robusta and the Giant Sabel, which grow as tall as 70 or 75 feet, and it is a rough job going up that high.

Mr. WILLIAMS of New Jersey. I would not take that job for double a Senator's ample salary.

Mr. HOLLAND. The Senator is very candid, and I think he is on good ground. If he is like me, he wants to keep on the ground.

Mr. WILLIAMS of New Jersey. Both feet on the ground.

Mr. HOLLAND. Yes. We are trying to be compassionate. It is in that field that the Secretary of Labor has failed to serve the needs that so greatly need to be served. If they are not served, a greater disaster is going to be worked upon the whole economy, and thousands of good people who are engaged in this endeavor.

Mr. WILLIAMS of New Jersey. British West Indian workers and Mexican nationals can be certified under the law, if there are no Americans available for the work.

Mr. HOLLAND. I believe the language is, "if there is no adverse effect on American workers." Whatever the law is, we have always observed it. We have maintained it by going as far as the State represented by the distinguished Senator from New Jersey. Workers were brought down by the truckload from Philadelphia and Scranton. They did not stay long. They either were not able to do the work or did not want to do it. Perhaps they wanted a trip to Florida; I do not know. But they did not stay long.

Mr. WILLIAMS of New Jersey. My files bulge with correspondence dealing with people who have certain talents and who are needed in this country. I have three or four from Chinese food experts in Hong Kong. The people there have jobs waiting for them, but cannot get into this country. Perhaps we ought to make opportunities to enter this country more generally available to people who need jobs, and for whom there are jobs available in our country.

Mr. HOLLAND. If the Senator will yield—I placed in the record at another hearing the fact that there are 1,371 Basque sheepherders in the western part of our country, merely because Americans will not endure the solitude involved in sheep grazing and tending.

I have already mentioned in earlier debate the various other groups we have brought into this country.

If the Senator's wife wanted a seamstress, she would not send for a dishwasher. If the Senator wanted someone to paint his house, he would not ask for a man who operated a grass mower. In order to have cane cut, in order to pick citrus fruit, in order to do the other highly difficult tasks such as celery cutting, we have to find people who can do that work.

I hope the Senator, instead of saying that we have no right to get these people, will agree with me that Public Law 414 continues to give a mandate to the executive branch to help people who, having gone as far as they can, cannot find qualified persons to do the necessary work in the field of agriculture which is required to be done. I believe there is a serious mandate. There was no mandate in the extension of Public Law 78 for 1 year with respect to supplemental labor being brought in. The mandate in the old law was continued, and becomes more impressive, because our efforts to solve the problem in large part by use of Mexican braceros through Public Law 78 had to be terminated because a bare majority in the Senate wanted to terminate it. It was a wonderful sociological experiment. There were 194,000 braceros in the West in the year before that action was taken last year. In addition to those 194,000, there were others who were there under the immigration law, as the Senator well knows.

Mr. WILLIAMS of New Jersey. Mr. President, I believe it was the expressed policy that we would do all we could to improve the job opportunities of the American worker. If we do all we can and sufficient workers are not available, this is the opportunity, under Public Law 414, to import supplemental foreign farm labor.

Mr. HOLLAND. I am so glad that the Senator has made that clear statement. I helped to conduct the hearings last January and February, and have been involved in the various stages of this problem ever since. I have heard at least a dozen witnesses, some of them ministers of the Gospel, some of them labor leaders, state that it was the mandate of Congress, in the action taken in 1963 on Public Law 78, that the Secretary of Labor should not agree to the importation of any more supplemental agricultural labor.

The Senator from New Jersey knows that was not the case, and the statement clearly recognizes that that was not the case. Therefore, I hope very much that there will be an end to that kind of statement. It is for that reason that I documented today in as great detail as I did what had happened throughout the experience gained in this problem since 1951.

What has happened is that Public Law 414 still exists. It is more important now than it was in 1951. It is more important now than it was in 1963 and 1964 when Public Law 78 was coming to an end.

I hope that the Senator from New Jersey, a man of great ability and great compassion, will understand that I am trying to help get the workers who are

so sorely needed to keep the producers of agricultural products going, principally products which are highly perishable, of which the Senator knows a great deal.

Mr. WILLIAMS of New Jersey. Mr. President, I do not wish to delay Senators any longer. One of the most enjoyable experiences of my service in the Senate is engaging in colloquy such as I have had today with the Senator from Florida and the Senator from California.

Let me say, that I went to Florida where I observed what seemed to be a true need for offshore workers. I called the Secretary of Labor and made that observation to him.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. WILLIAMS of New Jersey. I witnessed the picking of the strawberry crop. I do not know of any crop more perishable and more hazardous to harvest than strawberries.

I have some findings on the retail price of groceries. It is a statistical report. The hour being late, I shall place it in the RECORD tomorrow.

Mr. HOLLAND. I thank the distinguished Senator. He has been most considerate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7105) to provide for continuation of authority for regulation of exports, and for other purposes.

The message also announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8147) to amend the tariff schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 3415. An act to equalize certain penalties in the Intercoastal Shipping Act, 1933;

H.R. 4525. An act to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs;

H.R. 5283. An act to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the United States District Court for the District of Alaska;

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes; and

H.R. 8147. An act to amend the Tariff Schedules of the United States with respect to the exemption from duty for returning residents, and for other purposes.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HOLLAND. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate adjourn until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 44 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, July 1, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 30 (legislative day of June 29), 1965:

U.S. TARIFF COMMISSION

Joseph E. Talbot, of Connecticut, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1971. (Reappointment.)

U.S. TRAVEL SERVICE

John W. Black of Washington, to be the Director of the U.S. Travel Service.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 30 (legislative day of June 29), 1965:

DEPARTMENT OF COMMERCE

LeRoy Collins, of Florida, to be Under Secretary of Commerce.

FEDERAL AVIATION AGENCY

Gen. William F. McKee, U.S. Air Force, retired, of Virginia, to be Administrator of the Federal Aviation Agency.

David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Agency.

DEPARTMENT OF THE ARMY

Stanley R. Resor, of Connecticut, to be Secretary of the Army.

David E. McGiffert, of the District of Columbia, to be Under Secretary of the Army.

DEPARTMENT OF THE NAVY

Robert H. B. Baldwin, of New Jersey, to be Under Secretary of the Navy.

EXTENSIONS OF REMARKS

Proper and Persuasive Foreign Relations

EXTENSION OF REMARKS
OF
HON. BURT L. TALCOTT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 30, 1965

Mr. TALCOTT. Mr. Speaker, Gary Player of South Africa, has demonstrated, dramatically, that he is a great golfer—and a great sportsman—and a great man. Even though small in physical stature, he has fought and worked his way to the top in one of the most fiercely competitive and demanding of all individual sports.

Gary Player has always been a gentleman—perhaps the finest attribute a man can possess. He is considerate and understanding of all with whom he comes in contact—his family, friends, competitors, and the citizens of foreign lands.

Few greats of the sports world have provided such a wholesome example for young people—and for other champions, as well.

After winning the recent U.S. Open, and achieving the fabled "grand slam" of golf, Gary Player gave his winnings to an American charity and to promote American junior golfing activities. The amount was substantial in terms of dollars, but these gifts pale in comparison with what Gary Player has given in terms of human understanding.

His approach to the challenges of championship golf should be an inspiration to all young people, everywhere.

Gary Player has said:

It's no use just asking God to please let you win. You must do something about it yourself * * *. I try to love each course I play. I can't fight each course * * * Golf asks something of a man. It makes one loathe mediocrity. It seems to say, "If you are going to keep company with me, don't embarrass me."

The times cry out for more such men—men of character, men who aspire to greatness, men of the stuff of which heroes are made. Such men succeed by initiative, by developing their God-given abilities through persistence and effort. The life and achievements of Gary Player are worthy of study and emulation by all—and especially the young—who desire to make a positive, genuine contribution to our society.

Advice From General Lee

EXTENSION OF REMARKS
OF
HON. A. WILLIS ROBERTSON
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Wednesday, June 30, 1965

Mr. ROBERTSON. Mr. President, I am indebted to the California publication entitled Think for acknowledgment of a reference to the immortal Robert E. Lee, in a recent speech by my good friend and esteemed House colleague, Hon. GEORGE H. MAHON, of Texas.

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

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

ADVICE FROM GENERAL LEE

All of us want to share in the material comforts of life; to a point, sharing in the economic abundance appeals to our sense of moral and Christian virtue. But America has no need for a race of young people fitted to the pattern of what someone called prosperous conformity.