to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Laos, vice Horace H. Smith.

POSTMASTERS

ARKANSAS

Janice W. Cobb, Altheimer, Ark., in place of L. H. McDonnell, retired.

CALIFORNIA

James N. Bonner, Bellflower, Calif., in place of W. M. Martin, transferred.

Florence L. McQueen, Big Sur, Calif., in place of E. J. Ewoldsen, resigned.

Ray E. Wheeland, Hesperia, Calif., in place of R. F. Walters, retired.

Howard C. Denton, Los Altos, Calif., in place of P. W. Helena, retired.

IDAHO

Earl Wright, Jr., Murtaugh, Idaho, in place of Parley Perkins, retired.

ILLINOIS

Delbert J. Larsen, Durand, Ill., in place of Lillie Doyle, retired.

James W. Hettermann, McHenry, Ill., in place of E. R. McGee, retired.

Roy D. Deppe, Percy, Ill., in place of J. L. McCuen, resigned.

Jane L. Gray, Wellington, Ill., in place of M. E. Stewart, retired.

INDIANA

Roscoe W. Owen, Avilla, Ind., in place of M. M. Pepple, retired.

IOWA

Aaron Schlegel, Jr., Maynard, Iowa, in place of B. E. Sykes, retired.

Wayne C. Smith, Waterloo, Iowa, in place of T. M. McNally, retired.

KENTUCKY

Cecile M. Higdon, Blue Diamond, Ky., in place of G. S. Lindon, resigned.

James E. Peavey, Liberty, Ky., in place of C. L. Sharp, retired.

LOUISIANA

Willie S. Fussell, Amite, La., in place of J. H. Goldsby, retired.

MASSACHUSETTS

Wayne G. Goddard, Hardwick, Mass., in place of H. E. Bingham, retired.

Gertrude C. Bardwell, Whately, Mass., in place of K. D. Flavin, retired.

MICHIGAN

Warren Barrie, Hillman, Mich., in place of G. R. Sabourin, resigned.

Roland H. Bramer, Nahma, Mich., in place of E. A. Hruska, deceased.

Velma M. Weatherwax, Somerset Center, Mich., in place of G. W. Fisher, retired.

MINNESOTA

Hilson L. Stewart, Humboldt, Minn., in place of J. S. Easter, retired.

Leonard L. Baker, Windom, Minn., in place of W. A. Lienke, deceased.

MISSOURI

Clarence W. Hunsperger, Jr., Koshkonong, Mo., in place of H. M. Swain, retired.

Joseph M. Brown, Leonard, Mo., in place of P. T. Keith, retired.

NEBRASKA

Robert D. Stroup, Dannebrog, Nebr., in place of Harold Hald, deceased.

Forest H. Bahm, Shelby, Nebr., in place of W. H. Wills, transferred.

NEW HAMPSHIRE

Harry D. Perkins, Smithtown, N.H., in place of S. A. Brown, retired.

NEW JERSEY

Michael A. DeLorenzo, Dover, N.J., in place of W. H. Rule, retired.

NEW YORK

C. James Foster, Chappaqua, N.Y., in place of J. J. Harrigan, deceased.

Robert H. Simm, Glen Head, N.Y., in place of J. T. McLaughlin, retired.

Edward A. Groves, Niagara University, N.Y., in place of V. E. Trunk, resigned.

Audrey L. Manzo, Ocean Beach, N.Y., in place of E. C. Nolin, resigned.

Edward G. Kling, Ronkonkoma, N.Y., in place of J. L. Friedman, retired.

NORTH DAKOTA

August E. Steinwand, Jud, N. Dak., in place of F. W. Bork, retired.

Leslie J. Manstrom, Wyndmere, N. Dak., in place of J. M. Gannon, transferred.

OHIO

Phyllis J. Dundon, Rootstown, Ohio, in place of Gertrude Deming, retired.

OREGON

Edna B. Carl, Oswego, Oreg., in place of G. H. Carl, deceased.

PENNSYLVANIA

C. Earl Garland, Bethlehem, Pa., in place of J. W. Dawley, retired.

Andrew Evanitsky, Jr., Lakewood, Pa., in place of C. G. Reynolds, retired.

Herbert E. Hoover, Rheems, Pa., in place of J. B. Henry, retired.

William E. McClearn, Stoneboro, Pa., in place of W. D. McIntire, retired.

PUERTO RICO

Luis Mercado-Calderon, Fajardo, P.R., in place of Adela Delpin, retired.

SOUTH DAKOTA

Erwin E. Maag, Tripp, S. Dak., in place of M. C. Martin, retired.

TEXAS

John L. Rose, Albany, Tex., in place of W. K. Wood, retired.

Harold O. Real, Converse, Tex., in place of Meta Cargile, retired.

Arthur E. York, Jr., Seagraves, Tex., in place of D. E. Williams, resigned.

WASHINGTON

John B. Walli, Lacrosse, Wash., in place of C. E. Shaver, resigned.

Aaron B. Green, Monroe, Wash., in place of C. H. Currie, retired.

Merl T. Benton, Rockport, Wash., in place of E. V. Pressentin, retired.

Thelma B. Meigs, Yacolt, Wash., in place of E. S. Baccus, retired.

WEST VIRGINIA

James O. Lin, Charleston, W. Va., in place of F. E. Wiseman, transferred.

WISCONSIN

Oren P. Neville, North Prairie, Wis., in place of L. G. Sherman, retired.

John P. Tracy, Wausaukee, Wis., in place of H. J. Christ, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 23, 1960:

CIVIL AERONAUTICS BOARD

John S. Bragdon, of the District of Columbia, to be a member of the Civil Aeronautics Board for the remainder of the term expiring December 31, 1960.

FEDERAL MARITIME BOARD

Vice Adm. Ralph E. Wilson, of Maryland, to be a member of the Federal Maritime Board for a term of 4 years expiring June 30, 1964.

FEDERAL COMMUNICATIONS COMMISSION

Robert E. Lee, of the District of Columbia, to be a member of the Federal Communications Commission for a term of 7 years, from July 1, 1960.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 23, 1960

The House met at 10 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, DD., offered the following prayer:

John 14: 21: *He that hath My commandments, and keepeth them, he it is that loveth Me.*

O Thou who art always ready to answer our most ambiguous and perplexing questions, we beseech Thee to make known unto us life's deeper meaning and enable our minds to see it in a new perspective.

Give us a greater appreciation of the inheritance of inspiration left to us by men and women of past generations who had a clear perception of the moral and spiritual values and who found their delight in obeying Thy commandments.

May our life be rich in the love that seeketh the welfare of others, the faith that never wavers and the courage which remains steadfast in times of temptation and adversity.

Grant that all mankind may lay hold of and learn those fundamental principles of truth and righteousness which are our final protection against the tide of materialism and the powers of darkness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 4964. An act for the relief of Mrs. Betty L. Fonk.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10455. An act to amend the Mineral Leasing Act of February 25, 1920.

The message also announced that the Senate insists on its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. ANDERSON, Mr. GRUENING, Mr. DWORSHAK, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11389. An act making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1961, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with

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the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HILL, Mr. ELLENDER, Mr. ROBERTSON, Mr. ALLOTT, Mr. SALTONSTALL, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11776. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1961, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HILL, Mr. ELLENDER, Mr. ROBERTSON, Mr. HOLLAND, Mr. ANDERSON, Mr. ALLOTT, Mr. SALTONSTALL, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1765. An act to authorize and direct the Treasury to cause the vessel *Edith Q.*, owned by James O. Quinn, of Sunset, Maine, to be documented as a vessel of the United States with full coastwise privileges; and

S. 3019. An act to provide for certain pilotage requirements in the navigation of U.S. waters of the Great Lakes, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10644) entitled "An act to amend title V of the Merchant Marine Act, 1936, in order to change the limitation of the construction differential subsidy under such title," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. BARTLETT, and Mr. BUTLER to be the conferees on the part of the Senate.

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

S. 2388. An act relating to the separation and retirement of John R. Barker; and

S. 3319. An act to authorize the Administrator of General Services to release the recapture provisions contained in the conveyance of certain real property to the city of Little Rock, Ark., and for other purposes.

SOCIAL SECURITY AMENDMENTS OF 1960

The SPEAKER. The unfinished business is the passage of the bill (H.R. 12580) to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such systems; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes.

The Clerk read the title of the bill.

CALL OF THE HOUSE

Mr. FLYNT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 142]

Alford	Frazier	Morrison
Anfuso	Healey	Multer
Ashley	Hess	Mumma
Barden	Kelly	Steed
Barry	Keogh	Taylor
Blitch	McSween	Thompson, La.
Buckley	Magnuson	Wainwright
Byrnes, Wis.	Merrow	Whitten
Durham	Metcalf	Withrow
Edmondson	Morris, Okla.	Young

The SPEAKER. On this rollcall 400 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SOCIAL SECURITY AMENDMENTS OF 1960

The SPEAKER. The question is on the passage of the bill H.R. 12580.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 381, nays 23, answered "present" 3, not voting 24, as follows:

[Roll No. 143]

YEAS—381

Abernethy	Bolling	Collier
Adair	Bolton	Colmer
Addonizio	Bonner	Conte
Albert	Bosch	Cook
Alexander	Bow	Cooley
Allen	Bowles	Corbett
Andersen, Minn.	Boykin	Cramer
	Brademas	Cunningham
Anderson, Mont.	Bray	Curtin
	Breeding	Curtis, Mass.
Andrews	Brewster	Curtis, Mo.
Arends	Brooks, La.	Daddario
Ashley	Brooks, Tex.	Dague
Aspinall	Broomfield	Daniels
Auchincloss	Brown, Ga.	Davis, Ga.
Avery	Brown, Mo.	Davis, Tenn.
Ayres	Brown, Ohio	Dawson
Bailey	Broyhill	Delaney
Baker	Budge	Dent
Baldwin	Burdick	Denton
Baring	Burke, Ky.	Derounian
Barr	Burke, Mass.	Derwinski
Barrett	Byrne, Pa.	Devine
Barry	Byrnes, Wis.	Diggs
Bass, N.H.	Cahill	Dingell
Bass, Tenn.	Canfield	Dixon
Bates	Cannon	Donohue
Baumhart	Carnahan	Dooley
Becker	Casey	Dorn, N.Y.
Beckworth	Cederberg	Dowdy
Belcher	Celler	Downing
Bennett, Fla.	Chamberlain	Doyle
Bennett, Mich.	Chelf	Dulski
Bentley	Chenoweth	Dwyer
Berry	Chiperfield	Elliott
Betts	Church	Everett
Blatnik	Clark	Evins
Blitch	Coad	Fallon
Boggs	Coffin	Farbstein
Boland	Cohelan	Fascell
Feighan	Kluczynski	Rains
Fenton	Knox	Randall
Fino	Kowalski	Ray
Flood	Kyl	Reece, Tenn.
Flynn	Lafore	Rees, Kans.
Fogarty	Laird	Reuss
Foley	Landrum	Rhodes, Pa.
Forand	Lane	Riehlman
Ford	Langen	Rivers, Alaska
Forrester	Lankford	Roberts
Fountain	Latta	Robison
Frelinghuysen	Lennon	Rodino
Friedel	Lesinski	Rogers, Colo.
Fulton	Levering	Rogers, Fla.
Gallagher	Libonati	Rogers, Mass.
Garmatz	Lindsay	Rooney
Gary	Lipscomb	Roosevelt
Gavin	Loser	Rostenkowski
George	McCormack	Roush
Giaimo	McCulloch	Rutherford
Gilbert	McDonough	St. George
Glenn	McDowell	Santangelo
Goodell	McFall	Saund
Granahan	McGinley	Saylor
Grant	McGovern	Schenck
Gray	McIntire	Schneebeli
Green, Oreg.	Macdonald	Schwengel
Green, Pa.	Machrowicz	Scott
Griffin	Mack	Selden
Griffiths	Madden	Shelley
Gross	Mailliard	Sheppard
Gubser	Marshall	Shipley
Hagen	Martin	Short
Haley	Matthews	Sikes
Halleck	May	Siler
Halpern	Meader	Simpson
Hardy	Meyer	Sisk
Hargis	Michel	Slack
Harmon	Miller, Clem	Smith, Calif.
Harris	Miller, George P.	Smith, Iowa
Harrison		Smith, Miss.
Hays	Miller, N.Y.	Spence
Hébert	Milliken	Springer
Hechler	Mills	Staggers
Hemphill	Minshall	Stratton
Henderson	Mitchell	Stubblefield
Herlong	Moeller	Sullivan
Hiestand	Monagan	Teague, Calif.
Hoeven	Montoya	Teague, Tex.
Hoffman, Mich.	Moore	Teller
Hogan	Moorhead	Thomas
Holifield	Morgan	Thompson, N.J.
Holland	Morris, N. Mex.	Thompson, Tex.
Holt	Moss	Thomson, Wyo.
Holtzman	Moulder	Thornberry
Horan	Murphy	Toll
Hosmer	Murray	Tollefson
Huddleston	Natcher	Trimble
Hull	Nelsen	Udall
Ikard	Nix	Ullman
Inouye	Norblad	Vanik
Irwin	O'Brien, Ill.	Van Pelt
Jackson	O'Brien, N.Y.	Van Zandt
Jarman	O'Hara, Ill.	Vinson
Jennings	O'Hara, Mich.	Wallhauser
Jensen	O'Konski	Walter
Johnson, Calif.	O'Neill	Wampler
Johnson, Colo.	Oliver	Watts
Johnson, Md.	Osmers	Weaver
Johnson, Wis.	Ostertag	Weis
Jonas	Passman	Westland
Jones, Ala.	Patman	Wharton
Jones, Mo.	Perkins	Whitener
Judd	Pfost	Whitten
Karsten	Philbin	Widnall
Karth	Pilcher	Wier
Kasem	Pillion	Williams
Kastenmeier	Pirnie	Willis
Kearns	Poage	Wilson
Kee	Poff	Winstead
Keith	Porter	Withrow
Kilburn	Preston	Wolf
Kilday	Price	Wright
Kilgore	Prokop	Yates
King, Calif.	Pucinski	Young
King, Utah	Quie	Younger
Kirwan	Quigley	Zablocki
Kitchin	Rabaut	Zelenko

NAYS—23

Abbitt	Gathings	Rivers, S.C.
Alger	Hoffman, Ill.	Rogers, Tex.
Ashmore	Johansen	Scherer
Brock	McMillan	Smith, Kans.
Burleson	Mahon	Smith, Va.
Dorn, S.C.	Mason	Taber
Fisher	Norrell	Tuck
Flynt	Riley	

ANSWERED "PRESENT"—3

Pelly	Rhodes, Ariz.	Utt

NOT VOTING—24

Alford	Buckley	Frazier
Anfuso	Durham	Healey
Barden	Edmondson	Hess

Kelly	Metcalf	Powell
Keogh	Morris, Okla.	Steed
McSween	Morrison	Taylor
Magnuson	Multer	Thompson, La.
Merrow	Mumma	Wainwright

So the bill was passed.

The clerk announced the following pairs:

On this vote:

Mr. Anfuso for, with Mr. Rhodes of Arizona against.

Mr. Keogh for, with Mr. Utt against.

Mr. Merrow for, with Mr. Hess against.

Until further notice:

Mr. Buckley with Mr. Taylor.

Mr. Morrison with Mr. Wainwright.

Mr. Multer with Mr. Mumma.

Mr. UTT. Mr. Speaker, I have a live pair with the gentleman from New York, Mr. KEOGH. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. RHODES of Arizona. Mr. Speaker, I have a live pair with the gentleman from New York, Mr. ANFUSO. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. HOFFMAN of Illinois changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FARM SURPLUS REDUCTION ACT OF 1960

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 12261) to amend the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, with respect to market adjustment and price support programs for wheat and feed grains, to provide a high-protein food distribution program, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 12261, with Mr. IKARD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the bill was considered as having been read and open to amendment at any point. It was also agreed that all time for debate on the bill and all amendments thereto be limited to 1 hour, one-half hour to be used on yesterday and the remaining one-half hour to be used today.

Are there any further amendments?

Mr. COOLEY. Mr. Chairman, may I inquire as to how many amendments there are now at the desk?

The CHAIRMAN. Approximately seven amendments.

Mr. COOLEY. And we have 30 minutes remaining?

The CHAIRMAN. That is correct.

Mr. ANDERSEN of Minnesota. Mr. Chairman, the question has come up as to the desirability of offering a perfecting amendment to the Andersen substitute to the Quie amendment adopted as of yesterday. As the Chairman knows, I have cleared this perfecting amendment both with his side and with the gentleman from Iowa [Mr. HOEVEN] on our side. Consequently, Mr. Chairman, I offer the following perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSEN of Minnesota to the Quie amendment as amended by the Andersen substitute: In lines 13 and 14 of section 211(a) strike out the words "nonconserving crops" and substitute the words "feed grains as defined in section 201(b)".

The amendment was agreed to.

Mr. McGOVERN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McGOVERN: Strike title I and title II and substitute a new title, as follows:

"SEC. I (a) section 101 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof a new subsection (g) as follows:

"(g) (1) Notwithstanding any other provision of law, the Secretary of Agriculture is authorized and directed to make available through loans, purchases, payments, or other operations, price supports to cooperating producers of wheat, corn, cotton, tobacco, rice, peanuts, milk and butterfat, oats, rye, grain sorghum, barley, soybeans, flaxseed, eggs, turkeys and farm chickens, if producers have not disapproved marketing quotas or goals for such commodities, at a level not less than 90 percent of the parity price of the commodity. Control features of the program shall be in units of production (bushels, pounds, bales) rather than acreage.

"(2) Eligibility of any producer for price support under subsection (1) hereof shall be limited to family farm production which shall be defined as the value at the parity price of 14,000 bushels of corn or 10,000 bushels of wheat, whichever is greater. Eligibility of any farmer to receive payments under the programs authorized in this title shall be limited to $5,000 in any one year."

Mr. McGOVERN. Mr. Chairman, my amendment seeks to recapture the basic purpose of the original Family Farm Income Act of 1960 which a number of us introduced in the House early in this session. I have in this one-page amendment offered a program that will provide a fair return at not less than 90 percent of parity to the family farms of the country.

The second thing it accomplishes is to replace acreage controls, which many Members of the House on both sides of the aisle have agreed have been rather ineffective in limiting production, with more effective control devices such as bushels, pounds and bales.

The third thing the amendment seeks to do is to gear the program to the family-size farm operation. I have made what I think is a thoughtful effort to define family farm production as being the equivalent of 14,000 bushels of corn, or 10,000 bushels of wheat at the parity price. In round figures what this means is that price supports or other income support features that might be used by the Secretary of Agriculture would be limited for any one producer to that volume of gross production that would be contained in about $25,000 gross production. That would probably return to the individual farm operator about $4,000 or $5,000 net income.

If the Secretary of Agriculture were to use direct payments on some of these commodities as he is authorized to do under this amendment he could not in any one year pay out more than $5,000 to a single producer, so the program is definitely geared to what I think we all believe in, and that is the family farm institution.

Fourthly, the amendment covers virtually all important farm commodities. It does not discriminate against a particular class of commodities but covers virtually the whole range of farm production.

I have omitted cattle, hogs, and sheep because of my conviction that if we have a good support price on feed grains and on wheat this will have a stabilizing effect on the market price of cattle and hogs.

Just the other day I had a communication from farmers in my district pointing out that egg prices had fallen to 21 cents a dozen and are headed to even lower figures. The cattle market has been sliding off in recent days. This legislation I am suggesting here will have the effect of firming up farm prices all across the line.

I think that what we need in the United States today is a program that will enable farm families to stay on the land rather than a program that pays them to move off. Secretary Benson's proposals would not only destroy family farm life but would undercut the economic, social, and spiritual basis of our community life.

I hope this amendment will be adopted.

May I remind the Members on my side of the aisle of the platform on which we asked for election in 1956, the platform of the Democratic Party. This same pledge was made by President Eisenhower in 1952. I am reading now from the platform of the Democratic Party:

The Democratic Party pledges continuous and vigorous support to * * *

Undertake immediately by appropriate action to endeavor to regain the full 100 percent of parity the farmers received under the Democratic administrations. We will achieve this by means of supports on basic commodities at 90 percent of parity and by means of commodity loans, direct purchases, direct payments to producers, marketing agreements and orders, production adjustments, or a combination of these.

Mr. Chairman, the farmers of America are entitled to a fair return on their investment and labor. Yet, net farm income has dropped 24 percent in the last 7 years while the income of the Nation as a whole has climbed 35 percent. The net income of farmers in the last 7 years under Secretary Benson's low price policies has been $20 billion less than in the previous 7 years. In 1959 the average return received by farmers in terms of an hourly wage was 71½ cents an hour. Farmers actually paid their hired men 80 cents an hour which was more than they themselves received.

In contrast, hourly earnings of industrial workers in 1959 averaged $2.22 and corporation dividends in 1959 were 47 percent above the 1952 level.

The farmer is caught in a cost-price squeeze that threatens to destroy not only our family farming institution but the community and commercial life that depends upon agricultural support.

I urge the passage of my amendment to secure a fair return for our farm families.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. ARENDS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ARENDS. There has been some doubt in the minds of various Members here as to the allocation of the time that remains of the 30 minutes. My understanding is that those who offer amendments will be entitled to speak to their amendments, but those Members who desire to speak on the bill generally in the remaining time are thus precluded from having the opportunity to speak.

The CHAIRMAN. On each amendment as offered the Member offering it will get 5 minutes allocation of the time until the time remaining under the limitation runs out or unless some other unanimous consent request is submitted.

Mr. ARENDS. But unless someone offered an amendment he would probably be precluded?

The CHAIRMAN. The Chair cannot answer that question.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the time be divided so that the author of each amendment may have an opportunity to express his views concerning his amendment and that there may be the same amount of time allocated in opposition to the amendment. That means that, since we have six amendments pending, excluding the one we now have, there would be about 4 minutes on each amendment, 2 in favor of the amendment and 2 in opposition to the amendment. That way everybody would be given an opportunity. Otherwise, as the gentleman from Illinois points out, the members of the committee might very well consume the remaining time and other Members have no time at all.

Mr. ARENDS. Reserving the right to object, Mr. Chairman, a few expressions of opinion are desired to be made before this bill is voted on. Unless an amendment were offered by the Member desiring to speak he would have an opportunity to do so. I am hoping some time will be made available so that Members can speak on the bill generally without offering an amendment.

Mr. COOLEY. We have so many amendments pending I am trying to provide a way for the authors of the amendments at least to have an opportunity to express themselves.

Mr. HOEVEN. Reserving the right to object, Mr. Chairman, in view of the circumstances would it be agreeable to extend the time to 30 minutes?

Mr. COOLEY. It is not within my power to fix the time. The time has been fixed by the committee by unanimous consent.

Mr. HOEVEN. Can the gentleman ask unanimous consent that the time be extended to 30 minutes?

Mr. COOLEY. I do not think I should do that because the time was fixed by the Committee.

Mr. HOEVEN. Mr. Chairman, I ask unanimous consent that the time be extended an additional 30 minutes.

Mr. BASS of Tennessee. Mr. Chairman, I object.

Mr. HOEVEN. Mr. Chairman, I move that the time be extended another 30 minutes.

Mr. COOLEY. Mr. Chairman, I did not yield for that purpose. The unanimous-consent request I made is still pending.

Mr. AVERY. Mr. Chairman, further reserving the right to object, the chairman of the committee made some reference to six amendments pending at the desk. I think, although I was not attempting to read his mind, that, perhaps, the gentleman was about to suggest that the time be divided on the basis of those six amendments.

Mr. COOLEY. That is correct.

Mr. AVERY. Mr. Chairman, I have personally sent an amendment up to the desk since that count was rendered and, of course, perhaps, other Members may have also done the same. I do not think the 30 minutes of time should be limited to the number 6, but the time ought to be divided on the basis of the number of amendments presently at the Clerk's desk.

Mr. COOLEY. I am perfectly willing to accept the gentleman's suggestion that the time should be so divided.

Mr. Chairman, I ask unanimous consent that the remaining time be so divided as to permit the author of each of the amendments to consume half of the time and that the other half be allotted in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

Mr. DOWDY. Mr. Chairman, reserving the right to object, while I do not have an amendment, I do have a question I would like to propound concerning the bill, which I think might be very material with regard to the administration of the bill. I would like to have a minute or two at least to propound that question. I was standing yesterday when the time was limited to 1 hour and I was standing again this morning when the announcement was made as to the remaining 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. LATTA. Mr. Chairman, I object.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman from North Carolina yield for a parliamentary inquiry?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a motion to strike out the last word. Is that an amendment?

Mr. COOLEY. Mr. Chairman, I did not yield for that purpose.

Mr. Chairman, I ask unanimous consent that the time remaining be extended for 10 additional minutes, 5 minutes for the minority and 5 minutes for the majority on the committee and that the remaining time be divided equally between the amendments—half in favor and half in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TABER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, H.R. 12261 was a monstrosity before it was amended last night. The amendments adopted make it absolutely unacceptable. I understand the price support for feed grain will be increased to 90 percent of parity with a compulsory soil bank.

The implementation of these increased price supports under this bill will result in very substantial increases in feed cost in the entire deficit feed grain area. A careful examination of this bill would indicate that it would cost Maine about $20 million, New Hampshire about $8 million, Vermont about $15 million, Massachusetts about $16 million, Rhode Island about $2 million, Connecticut about $15 million, New York about $80 million, New Jersey about $35 million, and Pennsylvania about $90 million.

This will definitely mean increased feed costs and will result in another increase in the cost of milk. In addition it should be noted that pulling out 20 percent of the cropland on every farm in the United States will result in more cattle pasture and hay land being made available to dairy producers to compete with our small family farms in the Northeast. This bill will be disastrous to the Northeast region of the country and we recommend that Congress disapprove this monstrosity.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the amendment offered by the gentleman from South Dakota [Mr. MCGOVERN].

The question was taken, and on a division (demanded by Mr. MCGOVERN) there were—ayes 59, noes 65.

Mr. MCGOVERN. Mr. Chairman, I ask for tellers.

Tellers were ordered and the Chair appointed as tellers Mr. MCGOVERN and Mr. COOLEY.

The Committee again divided and the tellers reported that there were—ayes 55, noes 73.

So the amendment was rejected.

Mr. O'HARA of Michigan. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. O'HARA of Michigan: On page 10 strike out lines 3 through 12 and insert:

"(d) Item 7 of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340 (7)), is amended by striking 'fifteen acres' each time it appears therein and inserting in lieu thereof 'twelve acres'."

Beginning on page 10 strike out line 20 and all that follows down through line 14 on page 11 and insert in lieu thereof the following: "(C)" and adding the following new subparagraph:

"(2) Notwithstanding any other provision of law, each farm acreage allotment for the crops of wheat".

And beginning in line 17 on page 11 strike out "plus such other acres as may be necessary under subparagraph (2) above".

Mr. O'HARA of Michigan. Mr. Chairman, my amendments would affect those wheat growers who are operating under the 15-acre exemption.

Under the provisions of subtitle A of the committee bill an across-the-board cut of 25 percent in wheat acreages is called for. Those farmers presently enjoying a 15-acre exemption would have their plantings reduced to an acreage 25 percent lower than the highest acreage actually planted during the last 3 years.

Mr. Chairman, the defect of the committee bill's treatment of such small farmers is that no recognition is given to the difficulties they would experience under such a formula. I reluctantly agree that if acreage reductions are to be made it may be necessary to further restrict the planting of farmers presently operating under the 15-acre exemption. However, the reduction provided for in the bill would seriously interfere with the operation of the small farmer who is planting wheat in rotation with other crops. One year he may have grown 8 acres of wheat; the second year 10 acres; the third year 12 acres, and so on. To assign him an allotment 25 percent below the highest of his plantings during those 3 years would restrict him to planting not more than 9 acres hereafter. He would be prohibited from ever again devoting the 10- or the 12-acre field to the production of wheat in his normal crop rotation. The simple and rational way to reduce the wheat grown by such farmers is to simply reduce the size of the exemption and that is what my amendment would do. Under my amendment, the 15-acre exemption under present law would become a 12-acre exemption and any wheat producer whose allotment is less than 12 acres would be permitted to grow up to that amount without penalty.

I would like to make it clear that my amendment affects only small producers who, for the most part, do not grow the types of wheat that are today in large oversupply. Their production is almost entirely in the soft winter wheats and is not in the hard wheats which make up the large surplus that overhangs today's market.

Adoption of my amendment would provide simple justice to the small farmer who already is being made the victim of a surplus he did not create, without doing any violence to the principles embodied in the proposal now before us.

I urge the adoption of my amendments.

Mr. LATTA. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. LATTA as a substitute for the amendment offered by Mr. O'HARA of Michigan: On page 10, line 8, after the word "exceed" strike out the balance of line 8 and insert "the smaller of (1) fifteen acres or (2) the highest number of acres planted to wheat on the farm for harvest in any of the three calendar years 1958, 1959, or 1960,"; and strike out lines 9 through 12; and on line 20 strike out "two subparagraphs" and insert "a subparagraph"; and strike out lines 22 through 25; and strike out lines 1 through 12 on page 11; and strike out the figure "(3)" on page 11, line 13, and insert "(2)".

Mr. LATTA. Mr. Chairman, I am opposed to any reduction of the 15-acre minimum as I believe it to be unwarranted, unnecessary, unjustified and not consistent with the facts relative to the production and carryover of the type wheat grown by a great majority of the farmers operating under this exemption. However, in an attempt to save the 15-acre exemption, I am offering a substitute for the O'Hara amendment which would provide that the 15-acre exemption would still be in effect unless a farmer has produced less than 15 acres of wheat during any 1 of the last 3 years. In such a case, under my amendment, the smaller of the two would prevail.

Mr. Chairman, I must admit that the O'Hara amendment would be much more acceptable to the small wheatgrowers of the Nation than would the provisions contained in the bill now under consideration. The bill now under consideration would reduce the 15-acre exemption to 12 acres or the highest planted acres in the last 3 years—whichever is smaller—less 25 percent. Therefore, under the provisions of the bill now under consideration, a farmer who had not used all of his 15-acre exemption during the last 3 years, but had planted a maximum of 12 acres, would only be permitted to plant 9 acres after the 25 percent had been deducted from his highest planted acres. In this hypothetical situation, this small wheat farmer would be actually receiving a 40-percent reduction as compared to a 25-percent reduction for the larger producers of the Nation. This provision of the bill is certainly discriminatory and is the type legislation which a handful of our Western States—who are producing the type wheat causing our surplus—would like to see enacted into law.

As I pointed out earlier in this debate, most of the farmers operating under the 15-acre exemption produce Soft Red Winter wheat and that according to figures soon to be released by the Department of Agriculture the carryover of this type wheat on July 1, 1960, will only be 8 million bushels, as compared to a carryover of 16 million bushels on July 1, 1952. The normal carryover of this type wheat between 1943 and 1952 was 19 million bushels.

I would now like to refer the Members to the February 1960 issue of the Department of Agriculture's bulletin entitled "The Wheat Situation," and particularly to page 11. In discussing the anticipated wheat carryover on July 1, 1960, the Department said:

Production of Soft Red Winter wheat was not large enough to maintain our level of exports and still maintain a normal carryover.

For the benefit of the Members, I would like to compare the carryover of the various classes of wheat as of July 1, 1952, and July 1, 1960:

[In thousands of bushels]

	Carryover July 1, 1952	Carryover July 1, 1960	Change in carryover
Hard Winter	97,000	1,001,000	+904,000
Spring	117,000	210,000	+93,000
Durum	15,000	12,000	−3,000
White	11,000	60,000	+49,000
Soft Red Winter	16,000	8,000	−8,000
Total	256,000	1,291,000	1,035,000

I would also like to point out to the Members that should we adopt the reduction for the 15-acre farmers which is provided for in this bill, we would not only be reducing the supply of Soft Red Winter wheat which is already in short supply, but we would undoubtedly force an inferior product on our consumers by reason of substitutions. In the last few days, I have received several telegrams from the users of this type wheat which I think you will find interesting. For example, I received a telegram from the National Soft Wheat Millers Association, signed by D. M. Mennell, which reads as follows:

Understand Poage bill scheduled for debate on June 21 drastically reduces small farm wheat acreage. This provision would be disastrous for small wheat farmers and soft wheat supplies which come from eastern half of United States. There is no surplus of soft wheat in this territory.

Another telegram from the Hopkinsville Milling Co.:

It is very important to producers of Soft Red Winter wheat in Kentucky and other Central States and to consumers of soft wheat flour products that there be no reduction of the 15-acre minimum exemption. Soft Red wheat is not in surplus. Hard wheat flour is not an acceptable substitute. Urge your support of largest possible minimum exemption.

Here is a telegram from the United Biscuit Co. of America:

All flour used in our plants is made from soft wheat. Soft wheat flour is essential to cookie, cracker, and other specialized types of baking. There is no substitute for it. There is no surplus of soft wheat. If soft wheat produce is cut back, it will impose a hardship on small farmers and will bring about a shortage of this type of wheat. This will have undesirable effects on production and employment in our industry.

Here is a telegram from the vice president of the National Biscuit Co.:

Reduction of the 15-acre exemption from wheat quotas if applied to Soft Red Winter wheat farms, could result in serious shortage of the type of flour required by the biscuit and cracker industry. There is no surplus of Soft Red Winter wheat and hard wheat flours cannot be substituted for Soft Red wheat flour in the production of biscuits and crackers. Respectfully urge you to oppose the reduction of the 15-acre exemption from wheat quotas for Soft Red Winter wheat.

Here is a telegram from the J. Allen Smith & Co., Inc., Knoxville, Tenn.:

Southern consumers have long been accustomed to baking in the homes with high-quality soft wheat flour. They prefer its characteristics to those of flours milled from hard wheat. We have been milling and supplying the southern consumer with such soft wheat flour for three-quarters of

a century and would be seriously handicapped if soft wheat supplies were to be curtailed below current production levels which even now barely balance soft wheat needs.

And here is one from Frank J. Delaney, president of the Biscuit & Cracker Manufacturers Association:

The biscuit and cracker industry must have soft wheat flour for the manufacture of its products. Hard wheat flour cannot be substituted for this purpose. The restrictions on soft wheat production contained in H.R. 12261 will seriously jeopardize our supplies of soft wheat flour. Strongly urge no reduction in 15-acre exemption which is major source of this nonsurplus wheat.

And still another from the National Soft Wheat Millers Association:

Statements have been made that hard wheat flours could be freely substituted for soft wheat flour's primary use for cakes, cookies, crackers, biscuits, pastries, cones, and pretzels. An adequate supply of soft wheat with its characteristic gluten is essential to maintain volume of these products in quality required by consumers.

These are but a few of the many telegrams which I wish that the Members would consider before casting their vote on this amendment. I urge you to support my amendment to assure the Nation of an adequate supply of our Soft Red Winter wheat.

Mr. ABBITT. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. ABBITT moves that the Committee do now rise and report the bill back to the House with recommendation that the enacting clause be stricken.

Mr. AVERY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. AVERY. How does the time figure on this preferential motion? Does it come out of the time allowed, or is it beyond that?

The CHAIRMAN. This does not come out of the time. This is on the motion offered by the gentleman from Virginia.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Ohio.

Mr. LATTA. I take this opportunity to express my gratitude to the gentleman from Virginia [Mr. ABBITT], who has consistently supported my position in this matter and who has so effectively rallied support on his side of the aisle for it.

Mr. ABBITT. I thank the gentleman.

Mr. Chairman, I would like to have your attention for a few minutes. This bill, so far as the wheat section is concerned, provides for a choice between two different proposals and permits certain wheatgrowers to decide which proposal they prefer.

As to the decision in that first referendum, over 60 percent of the wheat producers of America are not permitted to vote. None of these 15-acre boys we have talked about will be permitted to cast a vote even though, if the referendum carries for A plan, they will be cut, they will be deprived of their 15 acres.

Mr. Chairman, I am very much in favor of the amendment of the gentleman from Ohio, mainly because these 15-acre people are not producing wheat that is contributing to the surplus. The vast majority of them are producing Soft Red Winter wheat that is in short supply.

For instance, in New Jersey there are 4,963 wheatgrowers and 4,012 would not be permitted to vote in the first referendum.

In Pennsylvania there are over 88,000 producers and 80,000 of them will not be permitted to vote in the first referendum. Those are the little 15-acre boys. Even if they have a 10-acre allotment and plant only that allotment, they will not be permitted to vote.

In Delaware there are over 2,000 wheat farmers and 1,186 of them would not be permitted to vote.

In Maryland there are over 14,000 wheat farmers and 10,641 of them would not be permitted to vote.

In Ohio there are 153,000 plus and over 123,000 of them would not be permitted to vote. These are the little 15-acre farmers who are not contributing to the surplus.

In Indiana there are 121,771 wheatgrowers and 99,742 would not be permitted to vote.

In Illinois there are 137,923 and 108,728 would not be permitted to vote.

In Missouri there are 151,536 and 128,893 of them would not be permitted to vote.

In Arkansas there are over 19,000 and of those 18,527 would not be permitted to vote.

In Mississippi there are 2,762 and 2,082 would not be permitted to vote.

In Alabama there are 7,248 and 6,589 would not be permitted to vote.

In Georgia there are 22,634 and of those 21,276 would not be permitted to vote.

In South Carolina there are 37,672 and of them 36,341 would not be permitted to vote.

In North Carolina there are 79,688 and 77,061 would not be permitted to vote.

In Kentucky there are 28,000 plus and 24,426 would not be permitted to vote.

In West Virginia there are 6,430 and 5,979 of them would not be permitted to vote.

In Virginia there are 49,823 wheat-producing farmers and of these 46,513 would not be permitted to vote.

In Tennessee there are 35,752 and 33,235 would not be permitted to vote.

Mr. Chairman, according to the information I obtained from the Department, these States, the figures for which I read, are not contributing to the surplus. They are producing Soft Red Winter wheat which is in short supply. But this bill in its present form would still compel them to take a cut without giving them the right to participate in the election to decide which program they prefer. That is not right nor proper.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. ABBITT] has expired.

Mr. ALBERT. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. LEVERING. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Ohio.

Mr. LEVERING. Mr. Chairman, I rise in support of the amendment which seeks to retain the 15-acre exemption, believing it is in the best interests of the producers of my district.

Mr. ALBERT. It is well known that the gentleman from Ohio offered a similar amendment to another amendment yesterday. His support of the small grower is exceeded by that of no other Member of the House.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Oklahoma.

Mr. BELCHER. Will the gentleman please explain, if he knows, why it is that this Soft Red Winter wheat that has not been in surplus has been under Public Law 480 for the last several years. During this last year millions of bushels have been sold to foreign countries for foreign currencies, which constitute a virtual giveaway. That Red Winter wheat that is not in surplus has been given away all over the world for the past several years.

Mr. ALBERT. Mr. Chairman, I thank the gentleman, because what he says is correct. The gentleman will recall that in our hearings last year we were advised by spokesmen for the Department of Agriculture that over 60 million bushels of Soft Red Winter wheat had been shipped overseas under Public Law 480; and that they could stop the surplus any time they stopped shipping it overseas. We were advised that each year from 160 million to 200 million bushels of Soft Red Winter wheat are produced.

One hundred and thirty million to one hundred and forty million bushels of Soft Red Winter wheat are consumed domestically and the balance of it is shipped overseas under Public Law 480.

I might add this, that the reason we do not have a larger surplus of Soft Red Winter wheat is that many farmers have found it is more profitable to grow Hard Red Winter wheat. Any time the domestic price of Soft Red Winter wheat rises competitively with Hard Red Winter wheat we will have a surplus of Soft Red Winter wheat.

These amendments disclose why it has been so difficult for the Subcommittee on Wheat and the Committee on Agriculture to come to any resolution of this problem. One of the big loopholes in the law is the 15-acre exemption.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I decline to yield.

Mr. LATTA. The gentleman has made an erroneous statement. I think the gentleman ought to yield.

Mr. ALBERT. I have simply said, and the Department's testimony will bear me out, that one of the big loopholes in the law is that anyone, whether he has ever grown wheat or not, has a statutory exemption and that wheat grown on exempt acreage adds up to almost 600 million bushels of the total surplus now in Commodity Credit Corporation warehouses.

If all of us are unwilling to give, then we are going on year after year pouring more wheat into Commodity Credit Corporation warehouses, buying it and storing it at the taxpayer's expense.

These amendments should be defeated for another reason. Under the amendments offered, the right of franchise is not given the little man. The bill gives the small grower the right to vote and it gives them price supports. This bill will raise the income of the 15-acre grower. This bill gives the 15-acre grower a real break. The commercial grower's allotment is based on a 5-year average, but this bill bases the allotment of the 15-acre grower on his highest planted, and thus gives him a real advantage. All we seek to do is to plug a loophole that is haunting the wheat program.

Are we going to leave these loopholes in the law or are we going to try to put some sense into this legislation? That is really the question before us.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from North Carolina.

Mr. COOLEY. I should like to call attention to the fact that on January 29, 1959, President Eisenhower in his special message had this to say about the matter we are now discussing:

> Eliminate the provision allowing any farmer to produce and market up to 15 acres of wheat. This loophole alone will account for some 600 million bushels or 40 percent of the estimated accumulated carryover as of July 1, 1960.

Mr. ALBERT. I thank the gentleman.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Virginia.

The motion was rejected.

Mr. ARENDS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if there was any misunderstanding on the part of any Member of the House prior to the time we took this bill up for consideration this discussion yesterday and today certainly must have increased such misunderstanding. Never have I seen so much confusion. At this moment we have before us a big package of nuts and bolts, all mixed up. I doubt whether there is any Member of this House, and I do not say this in a derogatory way because I too, am a Member who clearly understands what is before us in this package. I say to the Members you had better stop, look, and listen, because some of you who are about to vote, will very possibly be voting against the best interests of your own districts. You had better examine this proposal most carefully. This, I repeat, is confusion compounded. What is the practical situation we now face? As Members of the Congress I feel we ought to do the following: A recommittal motion will be made whereby we can accept the wheat bill recently passed by the Senate. This was passed by a substantial vote both in the Committee on Agriculture of the Senate and by the Senate itself. It has come here and by a motion to recommit, we can substitute the Senate proposal and send it to the White House. I feel it does stay within the guidelines suggested by the President of the United States in his message to the Congress on the most troublesome problem that we have in all agricultural commodities; namely, wheat. Therefore, I feel this Senate proposal might well be signed into law, and thereby we would at least be taking steps in the right direction toward a solution of this troublesome and perplexing problem.

This is confusion that exists here today. I want to say to you who represent the so-called cattle districts you had better look closely at this proposal. I want to say to you who have cotton in your districts, you had better take another look at what is going to happen in your district as to that commodity. To those of you who grow tobacco in your districts, I say take one more look before you vote and see what is going to happen to you in regards to tobacco. This, I repeat, is confusion and you may well be voting here unless you are careful, against the best interests of your district.

This bill in its present form, in my opinion, will not pass this body. It would be irresponsibility on our part to do so.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. ARENDS] has expired.

The question is on the substitute amendment offered by the gentleman from Ohio [Mr. LATTA] to the amendments offered by the gentleman from Michigan [Mr. O'HARA].

The question was taken; and on a division (demanded by Mr. LATTA), there were—ayes 27, noes 89.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan [Mr. O'HARA].

The question was taken; and on a division (demanded by Mr. O'HARA), there were—ayes 17, noes 85.

So the amendments were rejected.

Mr. AVERY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. AVERY: On page 23, line 16, strike out all of title III and insert "(b)".

The CHAIRMAN. The gentleman from Kansas [Mr. AVERY] is recognized.

Mr. AVERY. Mr. Chairman, although you may be in support of the objective of title III, the way it is presently written it would be impossible to administer.

Let me remind you that the Secretary of Health, Education, and Welfare now does not administer any welfare program at this time. All the Federal Government does is to make allocations to the various States, and the States in turn make distribution of surplus commodities and award welfare assistance. So, there would be no possible means of administering this title short of setting up an entire separate assistance program. It would be unworkable.

Further, the Secretary's Office advised me yesterday they were not advised nor aware that this language was in the bill. They were not asked for an agency report and have had no knowledge of it until I called them yesterday to inquire if further clarification of language was needed. The Department said they did not understand the intent of the language and would be at a loss to know how to proceed to administer this program if it were enacted by Congress. So I see no other alternative but to strike this title from the bill, and if the Congress decides next year it should be enacted, then the House can work its will in subsequent legislation in Congress.

I urge the committee to support this amendment that will eliminate this title from the bill.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Chairman, I arose here the other day to oppose H.R. 12261, but since that time this legislation has been amended to make it even more onerous for farmers and consumers of the Northeast.

An amendment has been made to raise the price support on corn to a flat 90 percent of parity. As anyone can see, this would have the effect of raising tremendously costs of farmers in the Northeast—and in the end it would raise the cost of milk and of eggs to consumers of my district.

I am told that a careful examination of the effects of the now amended bill would cost my little State alone 2 million additional dollars. But my State buys milk and eggs and poultry from all of the New England States and from New York State, New Jersey, and Pennsylvania.

Here is what the additional costs are figured for those States: Maine, $20 million; New Hampshire, $8 million; Vermont, $15 million; Massachusetts, $16 million; Connecticut, $15 million; New York, $30 million; New Jersey, $35 million; Pennsylvania, $90 million.

In my view, this bill would be disastrous to the Northeast region of the country. Agriculture is a vital part of our economy in this region. We do not want to simply give it away by throwing up our hands, and we are not going to if I can help it. As I have said before, we compete without Government help and we expect others to do the same generally. We expect to help farmers in regions less prosperous than ours, but we surely do not expect to subsidize them to the point of our own extinction.

This bill now has been amended to include in it a so-called green acres clause. This would force every farmer who takes part in a price support program to retire at least 20 percent of his land.

But he still could use that retired land for dairy cattle pasture and for hay crops. This would throw thousands upon thousands of acres into subsidized competition with the family farms of my

area that go along from day to day doing a good job without all this complex programing.

I am unalterably opposed to this legislation. I find it a monstrosity that I am amazed has reached this point.

Mr. POAGE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this section provides that we can use some good food for the needy people of the United States. It provides that we should buy it just like we are now buying it for school lunches. There is nothing radical in this thing.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from West Virginia.

Mr. BAILEY. Coming from a State in the Union that has the largest percentage of unemployment, where 258,000 of the 1,850,000 population are unemployed, and with all the surpluses, there is no staple food. Even now they have quit distributing cheese to the hungry people——

Mr. POAGE. The problem is whether you are going to feed the hungry people cornmeal or feed the corn to hogs and give the people good bacon.

Mr. BAILEY. I am in favor of giving them some bacon.

Mr. POAGE. So am I.

Mr. BAILEY. I cannot conceive of anyone representing any of these 13 or 14 States that have a tremendous amount of unemployment voting for a bill like this when we have an opportunity to do something for the hungry people.

Mr. POAGE. You have got a lot of people who have surplus corn voting against this proposition.

Mr. McGOVERN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from South Dakota.

Mr. McGOVERN. The gentleman said the amendment provided for the distribution of food.

Mr. POAGE. I meant the section of the bill. The amendment should be defeated by all means.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. We are so concerned about helping people all over the world, and we should now remember here is a chance to help the people at home.

Mr. POAGE. Here is a chance to help the people at home. Let us do it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. AVERY].

The question was taken; and on a division (demanded by Mr. AVERY), there were—ayes 37, noes 89.

So the amendment was rejected.

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KYL: At the end of title II add the following new section:

"The first sentence of section 22(a) of the Agricultural Adjustment Act (of 1933) as reenacted by the Agricultural Marketing Agreement Act of 1937, is amended by inserting before the period at the end thereof the following: '; and the President shall also cause such an investigation to be made to determine such facts in the case of wheat, corn, barley, oats, rye, soybeans, flax, and grain sorghums, when a surplus exists (as defined in section 106 of Public Law 480, Eighty-third Congress)'."

Mr. COOLEY. Mr. Chairman, I make a point of order against the amendment on the ground that the author seeks to amend the Agricultural Adjustment Act of 1933, which is not before us at this time.

Mr. KYL. Mr. Chairman, will not the gentleman from North Carolina withhold his point of order?

Mr. COOLEY. Mr. Chairman, I reserve the point of order against the amendment to permit the gentleman to make his statement.

The CHAIRMAN. The gentleman from North Carolina reserves a point of order against the amendment.

The gentleman from Iowa is recognized in support of his amendment.

Mr. KYL. Mr. Chairman, this amendment concerns the importation of agricultural products and directs the President to investigate imports under certain conditions. The principle embodied in this amendment has already been approved and reaffirmed by the Congress. The language is simply a clarification, by delineation of specific commodities to be covered by the act.

It is necessary for a very obvious reason. For instance, we have not produced the quantity of oats, barley or rye that we can consume in the United States. Yet the surplus of those commodities has mounted, and the market price has fallen because of imports.

There is no cost involved. The amendment is designed to concentrate attention on the problems created and aggravated by imports of these products.

The gentleman claims no pride of authorship for the amendment. The idea has been promoted by many on both sides of the aisle, and the gentleman is especially grateful to the gentleman from Minnesota [Mr. LANGEN] and the gentleman from South Dakota [Mr. BERRY] for their consideration.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Iowa.

Mr. GROSS. I arise to support the gentleman's amendment. It should also apply to imported meat as well as to feed grains, but I am sure that an amendment dealing with importations of meat would be ruled out on a point of order.

I had hoped a bill would be brought to the floor of the House in this session of Congress that would deal honestly and effectively with the problems of agriculture. I had hoped that politics might be abandoned to achieve this end. Instead, we are witnessing again the same old maneuverings and refusals to come to grips with the problem which is to assure American farmers their costs of production plus a reasonable profit, paid in the market places, in return for which they would accept allocated marketings based upon their units of production for domestic consumption.

I expect to vote for the amended bill although I know, and I am confident every Member of the House knows, that it falls far short of providing the overall machinery that ought to be enacted.

I earnestly hope that in the next session of Congress there will be the willingness and desire on the part of the Members of both the House and Senate to meet this issue fairly and honestly, for it is not only the farmers but the national economy and the welfare of all citizens that is being injured by this irresponsibility.

Mr. LANGEN. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield.

Mr. LANGEN. Mr. Chairman, I thank the able and distinguished gentleman from Iowa for yielding, and I take this time in order to express my support for his amendment. The amendment adopts a part of the legislation I previously introduced relative to imports of agricultural commodities that are in surplus. I have called to the attention of the House on previous occasions the extent to which imports have been a significant contributing factor to our surplus problems in three important small grain crops, namely oats, barley, and rye. I shall not reiterate the statistics relating thereto again at this time. It will suffice to say that in none of these three crops has the American farmer raised any surplus in the last ten years. Yet, because of substantial imports, surpluses have piled up requiring large expenditures in storage costs with a resulting depressed market price. It is regrettable, indeed, that a point of order has been raised against the amendment. This action only substantiates my previous remarks which called attention to the fact that the committee had failed to give any attention to this most significant factor in our surplus problems. Because of that failure, it now seems that it is impossible to give any consideration at this time, and so an opportunity to consider a matter that could have saved the taxpayers of this Nation millions of dollars has been lost.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I want to compliment the gentleman for calling this matter to the attention of the House. I am sorry only that so little time is available to discuss it.

Mr. KYL. Mr. Chairman, I suggest that the amendment is germane because it concerns the specific feed grains which are contained in this bill.

The CHAIRMAN. Does the gentleman from North Carolina insist on his point of order?

Mr. COOLEY. Yes; I do, Mr. Chairman.

The CHAIRMAN. The Chair is prepared to rule.

The Chair has examined the amendment and is of the opinion that it deals with an act which is not under consideration here today.

The Chair sustains the point of order.

Mr. FLYNN. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. FLYNN: On page 15, line 15, strike out all of title II commencing with the word "Title" on line 15 and continuing through the word "1965" on line 15 of page 23, and insert the following:

"TITLE II—GENERAL PROVISIONS

"SECTION 201. This Act may be cited as the 'Agricultural Production Stabilization Through Conservation Act.'

"SEC. 202. It is hereby declared to be the policy of the Congress to eliminate the recurrence in the future of burdensome surpluses of agricultural production by reducing the acreage in production to the extent necessary to bring into balance the domestic supply of, and the domestic demand for, agricultural products, and to prevent the loss of soil, farm labor, and farm capital resources. It is intended that existing surpluses be disposed of through such other programs as the Congress may by law authorize or direct, including the food stamp plan and the food-for-peace program.

"SEC. 203. It is the intention of the Congress that the programs authorized by this Act be carried out in the various sections of the country as nearly as may be practicable in proportion to the competitive desires of producers to participate therein.

"SEC. 204. For the purposes of this Act—

"(1) The term 'Secretary' means the Secretary of Agriculture.

"(2) The term 'Corporation' means the Commodity Credit Corporation.

"(3) The term 'county committee' means a county committee established under section 8 of the Soil Conservation and Domestic Allotment Act (7 U.S.C. 1831(d)).

"(4) The term 'acreage allotment' means an acreage allotment made pursuant to the agriculture laws of the United States.

"(5) The term 'farm' means the land constituting a farming unit as determined by the Secretary, taking into consideration the use of common work stock, equipment, labor, management, and other pertinent factors.

"SEC. 205. In the execution of the programs authorized by this Act, the Secretary and the Corporation shall have due regard for the interests of tenant farmers and sharecroppers.

"TITLE III—CONTRACTS

"SEC. 301. Notwithstanding any other provision of law, the Secretary is directed to determine and announce the national conservation reserve goal and the program applicable thereto for each year not later than March 1 of the preceding year. Not later than thirty days after enactment of this title the Secretary shall announce the national goal and program for 1961. The Secretary shall enter into contracts pursuant to the provisions of this title at a maximum rate approximating twelve million acres increase per year, until such time as the conservation reserve shall reach the smaller of eighty million acres, or a level at which the Secretary finds that agricultural commodity surpluses are being diminished in an orderly manner. Thereafter new contracts or contract riders pursuant to section 203(b) shall be entered into which shall maintain the conservation reserve at such level not in excess of eighty million acres as the Secretary finds to be in the public interest. The Secretary shall not enter into contracts which will result in the conservation reserve acreage's exceeding one-third of the total cropland of any county in which crop production is a major factor in the economy of a trade area without approval of a majority of those firms located in that trade area whose income is deemed to be substantially dependent on sustained crop production.

"SEC. 302. Any such contact shall be of a duration of not less than five and not more than twenty years, and shall be with the person or persons (hereinafter referred to as the contractor) who own or control the farm which is the subject of the contract. Any such contract may contain such provisions relating to transfer of the property which is the subject thereof, assignment, and termination, and such other provisions, as may in the opinion of the Secretary be necessary or appropriate in the public interest and to assure equitable treatment of contractors.

"SEC. 303. (a) Any such contract shall provide that the contractor shall place in the conservation reserve, subject to the provisions of subtitle B of the Soil Bank Act and regulations issued thereunder, an acreage which prior thereto accounted for at least 25 per centum of the total crop-producing capacity of the land in the farm which is eligible for the conservation reserve. Land not recently cropped which is brought into cultivation within the three years immediately preceding the first year of the proposed contract period shall not be eligible for placement in the conservation reserve until three full years have elapsed.

"(b) Any such contract shall describe the boundaries of the conservation reserve acreage, and such boundaries may not be changed without the consent of the Secretary.

"(c) Any such contract which is approved after land has been prepared for the planting of an annual crop for harvest in the first year of a contract period, and which places such land in the conservation reserve, shall, at the option of the contractor, permit the harvesting or grazing of the crop for which the land was prepared. This privilege shall apply for only the first year of the contract period and no annual rental payment shall be made on that acreage for the year in which the harvesting or grazing occurs.

"(d) Any such contract may contain such other provisions as the Secretary may deem necessary or appropriate to effectuate the purposes of this title.

"SEC 304. (a)(1) In consideration of the obligations imposed on a contractor pursuant to section 203, any such contract shall provide that the Secretary shall make payments to the contractor, in cash or in kind, as provided in this section.

"(2) For each of the first five years the contract is in effect, the Secretary shall compute for the contractor an annual rental payment determined according to section 107(b)(2) of the Soil Bank Act. Such amount shall be specified in the contract prior to execution.

"(3) Upon the expiration of each five-year period after the effective date of the contract, the amount of the annual rental payment shall be adjusted by multiplying the amount determined pursuant to paragraph (2) by the ratio of the Bureau of Labor Statistics Consumer Price Index as of the date of such adjustment to such index as of the first of the year for which the first annual rental payment is due under the contract. Notwithstanding the provisions of paragraph (2) and this paragraph, no annual rental payment in excess of $10,000 shall be payable in cash to a producer for all contracts within a State in which he has an interest.

"(b)(1) In lieu of the annual rental payments specified in subsection (a) the Secretary shall make surplus commodities available to those contractors who have not placed all of their eligible land in the conservation reserve as specified in this subsection.

"(2) Whenever, before land preparation begins for a crop year, the Corporation holds stocks of any commodity which it deems to be critical surplus stocks, the Secretary shall offer a contract rider for that crop year to those contractors with land which prior to being placed in the conservation reserve produced thereon crops currently deemed to be critical surplus crops. If accepted by the contractor the rider shall require reduction of the aggregate acreage of the designated critical surplus crops for the current year below the acreage thereof on the farm prior to placing land in the conservation reserve.

"(3) In consideration of the aggregate reduction in critical surplus crops the contractor shall be eligible for a negotiable certificate for a stated number of dollars redeemable in one or more critical surplus commodities chosen by the contractor from those for which an acreage reduction was made in lieu of the cash annual rental which would otherwise be payable.

"(4) The value of all negotiable certificates issued under a contract rider shall not exceed the amount obtained by multiplying the total rental under the contract that year by the ratio of the aggregate reduction of critical surplus crop acreage to the total conservation reserve acreage for the farm. In no case shall the value of all negotiable certificates exceed the total rental due under the contract for that year.

"(5) Negotiable certificates shall not be redeemable during the normal harvest season of the commodity. Where a negotiable certificate is presented for redemption, the Corporation shall deliver the specified commodity which shall be considered to have a value not less than 80 per centum of the current market price determined by the Corporation at the time and point of delivery. The Corporation shall not be responsible for transporting the commodity from its current location in fulfillment of negotiable certificates.

"TITLE IV—ACREAGE ALLOTMENTS, MARKETING QUOTAS, AND PRICE SUPPORTS

"SEC. 401. Paragraph (7) of the joint resolution of May 26, 1941, as amended (7 U.S.C. 1340(7)), is amended to read as follows:

"'(7) A farm marketing quota for wheat shall not be applicable to any farm on which the acreage planted to wheat is ten acres or less.'

"SEC. 402. For the purpose of determining future acreage allotments and marketing quotas the cropland acreage and the acreage deemed to have been diverted from the production of any commodity in order to carry out a conservation reserve contract shall continue to be deemed to be cropland, or acreage of the commodity, respectively, after termination of the contract as long as the conservation cover or use is maintained in a satisfactory condition.

"SEC. 403. The Secretary shall take steps to permit specified grain commodity prices to find their proper free market relationship one toward another as the expanded conservation reserve and surplus disposal programs progressively relieve the surplus situation. In order that adjustments in price relationships shall not be too rapid for any single commodity, the Secretary shall, notwithstanding any other provision of law, establish national average price support rates for barley, corn, dry edible beans, flaxseed, grain sorghums, oats, rye, soybeans, and wheat which shall be: (1) for 1961, 95 per centum of the rate in effect for 1960; (2) for 1962, 90 per centum of the rate in effect for 1960; and (3) for 1963, 85 per centum of the rate in effect for 1960. For 1964 and thereafter, price support shall not be offered for these commodities.

"SEC. 404. Notwithstanding any other provision of law, any contractor who knowingly and willfully grazes or harvests any crop from any acreage in violation of a conservation reserve contract or contract rider shall, in addition to liability for penalties stated in section 123 of the Soil Bank Act, be ineligible for price support benefits that year on all farms in which he has an interest within the State.

"SEC. 405. Section 211 of the Agricultural Act of 1956 is hereby amended by striking

out the words 'For a period of three years from the date of enactment of this Act,' wherever they appear therein and inserting in lieu thereof the following: 'Until directed otherwise by Act of Congress,'."

Mr. FLYNN (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD. This is the bill I introduced, H.R. 12005.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ANDERSEN of Minnesota. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. ANDERSEN of Minnesota. Is the gentleman's amendment in order at this point after the substitute for the Quie amendment has been adopted?

The CHAIRMAN. It is.

Mr. ANDERSEN of Minnesota. And its effect would be to undo everything that we did yesterday?

The CHAIRMAN. The Chair does not pass on the effect of amendments.

The gentleman from Wisconsin is recognized for 2 minutes in support of his amendment.

Mr. FLYNN. Mr. Chairman, I take the time allotted me to discuss the amendment which I have offered to the pending bill which amends the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949, and which bill is sponsored principally by the Democratic side of this House of Congress with the assistance of a few Republicans to give to the American farmer his fair share of this Nation's income, and to enable the American family farmer to operate his farm at a profit as he did prior to 1952, when the Republicans took control of the White House. Since that time, the income of the family farmer has gone steadily down, down, down, while the cost of everything he has purchased has continued to inflate, inflate, inflate. The cost-price squeeze in which the farmer has been placed has forced millions of farmers throughout this Nation and many in the First District of Wisconsin, which I represent, to leave the farm, either through forced sale or through a voluntary sale which was necessary to raise the money to pay their notes at the bank and their other existing debts. Millions of others have hung on only because the husband works in a factory while the wife takes over the responsibility of milking the cows, doing the plowing and other work around the farm.

When President Eisenhower assumed the reins of Government in 1952, he took over a domestic economy that was in an extremely prosperous condition. In many areas, it was at the highest point that this country had ever attained. The farmer was enjoying his fair share of the income dollar and was enjoying this prosperity along with citizens in all other walks of life. The farmer was getting $2.40 per bushel of wheat, $1.64 per bushel of corn, whereas today he receives $1.80 per bushel of wheat and 95 cents per bushel of corn. This same type of figure can be produced for milk and dairy products which are predominant in the district which I represent, but it likewise holds true for poultry, hogs, beef, small grains, and other farm produce.

President Eisenhower was elected upon a promise to the American farmer that he would continue the same type of program, to wit, a rigid price support program that the Democrats had used in securing for the farmer a fair price for the produce he produced. Yes, the President promised to outdo the Democrats and to work for 100 percent of parity instead of the 90 percent of parity which the Democrats had guaranteed. I ask you, Mr. Chairman, what did President Eisenhower do when he assumed office? Let me answer my own question. He appointed, as Secretary of Agriculture, a man who was openly and avowedly dedicated to a program of flexible support prices which was directly opposite to the rigid support prices that the President had promised in his campaign of 1952. Secretary Benson immediately inaugurated programs through his flexible support to bring down the price of farm produce and to make the price of products of the farm out of balance pricewise with products that the farmer had to purchase.

The President has presently and uniformly supported these policies of Secretary Benson. Secretary Benson is not at fault, as he has always said in advance what he intended to do. The one, the only one, who must bear responsibility is the President of the United States, for the reason that he installed a man as head of the Department who is openly opposed to the promises that the President has made in getting elected, and the President has insisted on supporting those policies ever since. The Democratic members in this Congress have several times passed farm bills that were designed to change the policies of the Department of Agriculture and that were designed to return to the farmer rigid support prices and guarantee the farmer a fair income. In each of these occasions, including last year when I was a member, and had the privilege of voting for the rigid price support bill, President Eisenhower vetoed the bills. We are attempting to pass a bill, today, that will be beneficial to the farmer and we are operating under another threat of veto from the White House, and from the President's lieutenants here in Congress who appear to be speaking for him when they say that the President will veto the bill that we are now considering.

We Democrats do not have enough votes to override a Presidential veto and I say, without fear of contradiction, that the only reason that there has not been favorable farm legislation passed since 1952 is because there are too many Republicans in the House of Representatives. They have voted almost solidly, all but the exception of a few farm area Republican representatives who have consistently joined us. Yes, they have voted solidly to defeat every bill that we proposed or passed to benefit the farmer or to guarantee the farmer a fair price for what he produced. They have stood idly by, while millions of farmers have been forced off their farms because they could not get enough for the produce that they sold to pay their bills and keep out of the "red." I say to you that the program and policies of the Republicans in Congress during the past 7 years seem to be intentionally directed toward bringing down the price of farm products while they make no attempt to reduce or bring down the price of automobiles or other products placed on the market by American industry. I ask, why should American industry escape the wrath of the Republican policy of reducing prices while the farmer is given the full treatment by the Republicans who consistently strive through the policies they follow to depress the price of farm produce further.

In the President's state of the Union message in January of 1960, President Eisenhower admitted that his agricultural program had failed and he asked Congress to devise some new program and stated that if they did, he might sign the same. In other words, he might raise the threat of veto on farm legislation if some entirely new program were offered, but the President did nothing to implement this statement by suggesting or offering a new thought, a new proposal, a new farm program, or a new idea that might be drafted into farm legislation. The Republican administration has offered no new farm bill in 1960 and we are within 10 days of the close of the session. Republicans do not propose to offer any comprehensive piece of farm legislation and that would indicate that they were satisfied with the status quo of the American farmer. I am not satisfied with the condition of the American farmer and it is for that reason that I am voting for the only bill that I have an opportunity to vote upon in Congress this year in order that I might do my very best to secure some type of new legislation for the American farmer and, in particular, for the farmers of the First District of Wisconsin. The pending bill may not be the best bill that could be offered, but it is the only hope that American agriculture has in 1960 of passing any bill that will be beneficial to agriculture. There will be no other farm bill that will come before the House of Representatives in 1960 and those who vote against this bill today are voting to maintain the existing status quo, of bankruptcy prices for the American farmer.

The situation existing today reminds me of the situation that existed in 1933 when President Roosevelt took office. The Republican administration of President Hoover had followed policies that brought on the great depression of 1932 in which all Americans suffered. I believe this was a farm-fed and a farm-led depression. In any event, President Hoover saw a great percentage of the farm and home mortgages of this Nation either foreclosed or threatened with foreclosure. President Hoover's answer was that if the mortgage was valid and if they were not in default that he could do nothing to stop the banks and the insurance companies from foreclosing on the farm and home mortgages. When President Roosevelt was elected, he

stated that he was going to put the faith and credit of the United States behind the people of this country and that he was going to redeem all defaulted farm and home mortgages where the owners desired to redeem them. He was scoffed at and ridiculed and they said it was impossible. Roosevelt carried through and expanded the Federal Land Bank which has become a permanent institution in our Nation's agriculture today. He organized the Home Owners Loan Corporation. Through these two institutions, he redeemed all farm and home mortgages that were in distress and saved the homes and farms of the Nation for the farmers of the Nation, for the little people, for the average man, for those who were victims of an economic system that they could not control and these people benefited through the saving of their farms and homes; but not only did they benefit, the second generation has benefited, their sons and daughters who would have been forced off the farms with their parents and who would have suffered accordingly. These boys and girls who are men and women today benefited tremendously by the policies of the Roosevelt administration. His program did not cost the American taxpayer 1 cent. As a matter of fact, when the Home Owners Loan Corporation went out of business, it turned many millions of dollars of profit over to the United States Treasury and it taught the bankers of this Nation how to reduce their interest rates from 7 percent to 4 percent on real estate mortgages. Today, we see these self-same bankers with the aid and assistance of the Eisenhower administration pushing the interest rates steadily upward and they are fast approaching the 7 percent point where they were when the great crash of 1929 occurred.

CONGRESSMAN FLYNN'S FARM PROPOSAL

Mr. Chairman, I have, today, the new approach, the new type of farm program that President Eisenhower called for in his state of the Union message in January of this year. I have introduced this farm bill and it bears number H.R. 12005. It fully meets with the approval of the Department of Agriculture and the conservation reserve department thereof. I discussed this type of farm legislation in my last campaign. I believe I was the first man in the Nation to suggest this type of program. The farm voters of my district approved this type of farm program when they voted for me in November 1958. I have worked sincerely for the enactment of this type of legislation since the first day I arrived here in Washington. My plan in brief is, that because every student of the farm problem admits that the farmers' trouble arises because of surplus and excess production that the problem should be tackled frontally, just as President Roosevelt tackled the farm and home mortgage problem. We should think as big as the problem we have before us. We should not have a farm program that is too little and too late. I believe that we should remove from production a sufficient number of acres of land to bring American agricultural production into balance with American domestic agricultural consumption. I stated in my last campaign that I felt that it would be necessary to remove from 50 to 80 million acres from production to accomplish this. Upon arriving in Washington, representatives of the Department advised me that they felt that it would be necesary to remove 80 million acres from production to accomplish the desired purpose. I accepted their figure and have used it in my bill. I testified on this program before the House Agricultural Committee last year, but at that time the Department of Agriculture, which knew that it would take 80 million acres to balance production with consumption, was considering the removal of only 23 million acres under the conservation reserve. I told them, then, that they were wasting the taxpayers' money on a feeble effort that was not designed to be successful because it was too small to do the job. It was the feeling of a number of Congressmen that if the Department of Agriculture through the conservation reserve would take out enough acres to balance production and consumption that the farm problem would be solved. The Department then was not so minded.

After the close of the last session in September of 1959, and in October of that year, a farm conference was held at the University of Iowa. This conference was attended by the majority of the leading farm economists throughout the Nation. The result of this conference was a recommendation by this enlightened body that Government should provide a means of removing 70 million acres of land from production. A report from the University of Wisconsin subsequently followed. This recommended, if I am not mistaken, removal of 65 million acres from production as a means of solving the farm problem. Shortly thereafter the Farm Bureau organizations throughout the country supported a program for the removal of 60 million acres of productive land from production. The conservation reserve department of the U.S. Department of Agriculture then agreed that it would support a program to remove 60 million acres of productive land from production under the conservation reserve program. When this session of Congress opened, Congressman POAGE, the ranking majority member of the House Agriculture Committee, introduced the Poage family farm bill which has received more consideration and thought than any other bill introduced into Congress this year, and in this bill he set up a formula to go into effect if his bill was enacted and under this formula from 50 to 80 million acres of productive land would have been removed from production. The Farmers Union and the National Grange both supported the Poage family farm bill and yesterday the House of Representatives in approving section 1 of the pending bill, to wit, the wheat section, ratified the philosophy of removing farm acres from production as a means of solving the farm problem of overproduction because it ratified section 1 which provided that the wheat farmers would remove 25 percent of the wheat acres from production in return for a guaranteed price on the balance of the wheat grown on their farms. This will mean the reduction of 11 million acres of wheat in the national wheat plantings this coming year. If Congress believes that it can solve the wheat problem by reducing the number of acres planted to wheat, then it logically follows that we could solve the entire farm problem by reducing the number of acres of land farmed or planted in the United States.

COST OF CONGRESSMAN FLYNN'S FARM PROPOSAL

The Department of Agriculture has been in existence for 91 years. The Department has spent more money in the last 7½ years under Secretary Benson than it spent during the entire history of the Department of Agriculture. Yes, the Department spent many, many millions of dollars more during this 7½-year period than it spent since 1869. During this period, the national farm income has dropped to approximately $11 billion and the taxpayers of this Nation, in supporting and operating the Department of Agriculture, had been spending, under Secretary Benson, from $7 billion to $9 billion per year in supporting an agricultural program that does not work. The cost of supporting the Department of Agriculture has cost the American taxpayers almost as much as the entire net income of every farmer in the United States. This cost has been shared by the farmer so that actually the farmer has received less since his tax dollars have gone to pay back to him the subsidy or acreage allotment or conservation reserve dollars that he got back from the Federal Government. I say to you, Mr. Chairman, if you were to deduct that portion of the taxes of the American farmer that was used to pay back to the same American farmer the price supports which he received, that the American farmer would have been better off if he had not operated a single farm in the United States but had accepted the money that was chargeable to the operation of the Department of Agriculture in order to support the existing price structure of American agricultural products. I believe, too, that the American farmer is an American taxpayer and the American farmer resents the spending of $7 billion to $9 billion on an agricultural program that does not work, as much as does the city dweller resent the waste and squandering of this huge amount of American tax dollars.

It has been pointed out previously by Congressman SMITH from the State of Iowa that if we were to remove a full 100 million acres from production, at an average cost of $20 per acre, that it would cost the Department of Agriculture $2 billion per year. If you would allow the Department another $1 billion to carry on its other operations, you could tackle and solve the farm problem for $3 billion under the program that I suggest of removing 80 million or more acres from production, as compared with the existing amount of $7 to $9 billion which it has cost to operate the Department of Agriculture under Secretary Benson. Therefore, it means that the program that I have suggested, and which is approved by every national farm

organization in the country, can be operated for about 40 percent of the cost of the existing farm program. I have recently conducted a poll in my district as to the type of farm program that my constituents desire and it has been extremely interesting to me to know that less than 20 percent of those answering the questionnaire have favored a continuation of a program of acreage allotments and price supports. Many farmers ask that we have no farm program at all and that we have unlimited production and no Government assistance. Unfortunately, the testimony before the Agriculture Committee, testimony from the Nation's greatest experts on agriculture, shows that if we were to withdraw all Government help from the American farmer that it would result in chaos for agriculture generally and in bankruptcy for hundreds of thousands of farmers. Therefore, if we must have a farm program to assist American agriculture, let us at least have a program that has a chance of working, one that can be operated at a reasonable cost and one that will build the fertility of the soil while the program is in existence and one that will save the soil for future production for the generations of this Nation yet unborn. Let me remind you that the money spent in putting this land in the conservation reserve is money spent to preserve our soil and its productivity, to promote wildlife and reforestation and to promote a myriad of other conservation practices while the land is out of production. Let me remind you also that as our population increases, this rested land can be put back into production to produce food and fiber for the future generations of America.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FLYNN].

The amendment was rejected.

Mr. DOWDY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have a question about the first portion of this bill. The members of the committee might be interested in this, too. What would happen if the farmers when they vote in the election between subtitle A and subtitle B, only 49 percent of them vote for subtitle A and 48 percent of them vote for subtitle B, the other 3 percent saying, "We do not want to have anything to do with either one of them"? What position would we be in? I would like to know that.

Mr. ALBERT. There would be no question about the division between the votes counted.

Mr. DOWDY. The bill does not say "votes counted." The bill says "majority of the producers voting." It would be entirely possible that neither subtitle receives a majority of those voting.

Mr. POAGE. There are only two alternatives on which they can vote.

Mr. DOWDY. If 3 percent of them say "we do not want either one of them."

Mr. POAGE. They cannot say that. They can only vote for or against. There is no other choice. There has to be a majority or an absolute tie.

Mr. DOWDY. I understood from statements made on the floor yesterday that the farmers were being given a free choice election on the program they would have. I am sorry I misunderstood. I should have known.

Mr. JENSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it should be said before the final vote comes on this bill that the green acres section of the bill which was added yesterday after the wheat section will cost no money. The reduction in acres will be paid by commodities in storage, so it makes little difference what the parity level is. Whether it is 75, 90, or even 100 percent, it will be paid with commodities out of Government surpluses. The thing we are trying to do is to cut down these great surpluses, reduce them to a minimum in order to increase farm income. The bill as it stands now will do just that.

We all know that in the feed buying sections of the country they want cheap feed, but let us not forget that the farmers of America as a group are the best buyers in America. They buy 2⅕ times more of manufactured goods than the average American when their dollar is worth 100 cents at the counter. So when the farmer is prosperous he will buy the manufactured goods made in industrial centers; when our farmers have good buying power all our people prosper along with the farmers.

Mr. SMITH of Iowa. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Chairman, I am again distressed at the number who are negative toward every proposal made. Simply being negative will not solve either the agricultural, economic, or farm production problem. Doing nothing will cost both farmers and taxpayers. In a recent speech, a distinguished farm economist from Iowa State University very adequately discussed this subject matter. I believe it is worthwhile to set forth his speech at this time. The thoughts contained deserve consideration of everyone working on this bill. Following are the summary of remarks by Francis Kutish, extension farm economist, Iowa State University, Ames, Iowa, before the National Pasture-Forage-Livestock Conference, Livestock Exchange Building, Omaha, Nebr., March 3, 1960:

As we enter the 1960's, commercial agriculture's chief problem is a chronic and persistent overproduction and excess capacity. This has resulted in large accumulations of Government stocks, costly storage and disposal programs and downward pressure on farm prices and incomes. This excess capacity has largely come about because of the very rapid introduction of new know-how and improved machinery in the last 20 years.

Overproduction is especially serious in the feed-grain-wheat-livestock part of the agricultural economy. Storage stocks have doubled in the last 8 years. Had it not been for the increased storage stocks, our farm income would have been even lower than it was. In a study we made at the agricultural adjustment center at Iowa State University, we concluded that if all the feed grain that had accumulated in storage since 1952 had been fed, we would have averaged over 6 percent more livestock production per year. Had the wheat accumulated during this period also been fed, we estimate that the production would have been about 10 percent greater. Since we know that a greater than proportionate drop in market prices results from a given increase in the supply of livestock on the market and costs would have been greater, our estimates are that the net income would have been 25 to 35 percent lower had these stocks been fed instead of accumulating in the Government bins. Thus, while these programs have accumulated Government stocks, they also have helped support farm incomes during the past 8 years.

Year after year our current farm production has exceeded our market outlets. This poses our real problem. If we continue adding surplus grain to Government stocks, the farm program will eventually break down. If we stop adding surplus grains to Government stocks, the most obvious alternative is to feed it to livestock. But even with our current levels of feeding, we are producing enough livestock of all kinds to depress livestock prices and livestock producer income.

What can we expect in the future?

If we assume a continuation of the trend in feed grain yields, which have existed from 1940 through 1959, and a continuation of present price support and control programs coupled with a further expansion in the conservation reserve up to 37 million acres by 1962, and average weather, our agricultural adjustment center studies indicate we still come up with the prospects that we will continue to accumulate feed grains in Government hands during the next few years. And meanwhile, livestock production will expand and returns to livestock producers will be lowered.

The plain fact is that we need a better balance in our feed grain production to bring it in line with the amount of livestock that we can sell at satisfactory prices.

How can this balance be achieved? The possibilities are rather limited. We either reduce our feed grain and wheat production or expand our market.

We have learned several things about farm programs that don't give us much hope. We can't eat all that farmers produce and merchandise it at a satisfactory price. Since World War II full employment with rising urban incomes and rapidly growing population have been the rule. Yet farm prices and farm incomes have continued to decline.

Greater and greater efficiency of production is not the answer either. During the last 10 years alone, industrial production has risen 26 percent, but farm production has risen 84 percent. At the same time, industrial labor income has risen 54 percent while total farm income rose only 10 percent. Since 1949, U.S. population has gone up a little less than 19 percent while total farm output has gone up over 23 percent. And this has happened even though 10 million people have moved off the farm in the last 20 years. So a reduction in the number of farmers will not necessarily result in farm prosperity or less production—at least not in the next few years.

Chemurgy is not the answer in the short run either. Responsible chemists tell us that there is little hope in the immediate future that chemurgy can offer enough market for excess farm products to solve our problems. Perhaps in the future they say. So several years of expanded utilization research may give us the answer, but they won't help us out in the 1960's, and I stress the word may.

Looking ahead, therefore, it would seem that our best solution lies in exploring what we can do to expand demand through proper nutrition and expanded food consumption programs; through an expanded and bold new foreign disposal program which will use farm products as a tool of foreign

economic policy; (but note, this does not leave a chance to use the foreign aid as a dumping ground for whatever product we happen to have in surplus). If this route is followed, it will necessitate producing the specific products that are required to be used in such a foreign economic policy program. Rather, we'll have to shift ours to produce the products most in need for this purpose.

And along with all of this, it is apparent that we will still, at least in the shorter run, find it necessary to follow a program in which we made an effort to bring about a better balance between our feed production and our markets—in other words, attempt to control production. There are two forms of procedure that could be followed. They are land retirement program, and an acreage or allotment program.

All these approaches have their strong points and their weak points. But the general conclusion is that there is no simple easy answer to the farm problem. There is no answer that will give us good farm incomes, cheap food in the city, complete freedom to farmers and no government expense. The choices are not easy and none of them are perfect. A mix of the group depending upon the peculiar abilities of each of the lines of approach is our best hope.

But whatever we do, it will cost us some money. If we do nothing, it still will cost money—except it will be the producers of farm products and the people in the little towns supplying them who bear the big burden. If some form of government program is used, chances are it will involve tax money. This will give us a different distribution of the cost. But regardless of what we do, it's going to cost us money to bring about an adjustment to get farming back on a sound footage again.

That's why we need a sympathetic, yet understanding, explanation of our problem, its nature, and the needed lines of action to our city friends. The good feeling between city and country people has been sadly dissipated. Restoration of an improved understanding is a must if we are to successfully meet the agricultural adjustment problems of the 1960's.

Mr. ANDERSON of Montana. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Chairman, I was standing when the limitation on debate was placed yesterday and again today. It was my intention to ask some questions of the author of the so-called green acres amendment, Mr. ANDERSEN of Minnesota. Since the time limitation now in effect will not permit a full discussion, I do at least want to call attention to some defects in the green acres amendment which has now become part of the bill before us. Some of the defects are only technical, and they can be corrected in conference, but I believe they should be pointed out at this time.

First, in section 211(a), you provide that—

Producers who have produced one or more of the commodities covered by this act in at least three of the years 1956–60 shall divert from the production of nonconserving crops, as determined by the Secretary, 20 percent of the total cropland on the farm.

I suggest that there are two defects in this sentence that need clearing up. For one thing, the words "title II" should be substituted for the word "act." As presently before the House, this feed grains section would, in this connection, necessarily apply to wheat, which is in the act, though not in title II. I am sure it was not the intent of the author to drag wheat into the feed grains section.

The second point that needs clarification is "What is a producer?" under the wording before us. Say there are two wheat farmers with two 600-acre farms; one has not raised feed grains in 3 of the last 5 years; the other raised, say 5 acres of oats for his cow, yes, or 2 acres each year. Under the wording of the bill, one farmer is not affected. The other must take 120 acres out of production.

A third point to take note of is that the provision that the 20 percent removed from crop production under this section may be used for production of hay and pasture. The diversified farmer in the Midwest is already doing this. All the benefits of the bill become available to him "free gratis." The grain farmer of the semiarid West has no such pleasant alternative. Dryland hay production approaches the uneconomical, and the dryland farmer pays a real penalty for any benefits he may enjoy under the bill. Thus, the apportionment of sacrifices and rewards under the bill is hardly equitable, with most of the rewards going to the diversified farmer in the Midwest and other fertile and well-watered areas, while the heaviest sacrifices are made by the grain farmers of the semiarid regions.

In the event of passage of the bill, as amended, I hope that the conference committee will take note of and remedy the defects I just mentioned. Let me make it quite clear, Mr. Chairman, that I urge the passage of the bill as amended. The technical matters I have pointed out can be corrected in conference.

The important thing to remember is that this is not a wheat farmer's bill, but a taxpayer's. This legislation will eliminate production of surplus wheat and reduce Government costs. At the same time, it does maintain the level of farm income and lay the groundwork for a better program in the years ahead. I urge my friends in the cities particularly to vote for this bill. Above all else, I urge that any motion to recommit with instructions to substitute the Senate bill be resoundingly defeated. The Senate bill is bad for everyone—farmer and taxpayer.

Mr. BERRY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Chairman, yesterday I listened to speech after speech on the need for green acres to increase the soil bank, taking land out of production in order to reduce the surplus.

Last night I went back to my office to see how much land had been taken out of production in soil bank contracts, and I found that as of 1960, which is the largest year since the soil bank went into effect, 28,432,186 acres are this year under contract. I found that during the 5 years the soil bank law has been in effect it has cost the American taxpayers $2,457,161,706; this, under the excuse of reducing production and reducing production under the excuse of decreasing the surplus.

Not one single soul in the entire 2 days of debate has said one word about the basic cause of agricultural surplus, which is competitive agricultural imports. Actually, we have no overproduction in this country. We have a surplus created by excessive imports.

During the 2 days, not one person even suggested that in 1959 we imported 2,337,438 head of beef. It is impossible to determine exactly how many acres are required to produce a beef and put it on the market, but the Department of Agriculture estimates that nationwide the production of about 20 acres are required to produce a beef. In other words, the importation of more than 2¼ million head of beef has supplanted and displaced the production of 45 million acres, or, if you please, 1¾ times the acreage in the soil bank today.

No one mentioned that imports of dressed lamb jumped 900 percent during the past year or that imports of mutton jumped 7,400 percent during the past year; nor did they mention the boatloads of live sheep that are coming in week after week unloading on our west coast; nor did they mention the pork imports during the past year that are almost as disastrous as the sheep and lamb imports, displacing hundreds of thousands of acres of land. No one mentioned these things, but they were asking my farmers to pull in their acreage and reduce their production to make room for these imports from these foreign countries.

No one mentioned the importation of sugar, although last year we imported almost half of all of the sugar used in the United States totaling 4,474,000 short tons, displacing and supplanting, if you please, the production of 1,920,000 acres; nor did anyone mention the fact that of that imported sugar 3,215,000 tons came from Cuba alone and that the sugar produced and imported from Cuba supplanted the production of 1,380,000 acres here in the United States. No one mentioned the fact that the difference in the price paid to Cuba's Castro between that which was sold in the United States and the world market, representing $2.38 per hundred, is a direct subsidy of the $153 million to the Castro government.

No one mentioned these things. The only talk was about putting more land in the soil bank, in green acres, and in the other programs to further effect reduction of production in spite of the fact that they know or should know that we cannot take land out of production fast enough to keep up with growing imports, and if the value of the dollar continues to go down as it has been in the past, imports will continue to increase because the American farmer cannot pay rent, taxes, buy equipment and machinery

with a 47-cent dollar and compete against the foreign farmer who can take his dollar to any international bank and demand and receive 100 cents in gold for that dollar bill withdrawn from the deposit at Fort Knox.

Mr. Chairman, the problem of agriculture is not reducing production in America; the problem of agriculture is reducing foreign imports which are putting the American farmer, the farm communities, and the small towns in America out of business.

Mr. QUIE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Chairman, it is a common observation that the way to walk the straightest path to an objective is to fix your eyes directly on the goal to be reached and stride to it.

To take your eyes off the objective—even for an instant—is disastrous for the straight path. If sight of the objective is lost, even for a very short time, a twisting, uneven path will be produced.

Surely this familiar rule for the outdoors has great meaning, great application today in the Congress. For if we lose sight of the objective in an effort to arrive at temporary expedients, the path we trod will be quickly detoured into twisting, uneven side excursions.

Mr. Chairman, this Congress has been trodding a twisting path in the field of agriculture.

For proof, let us look at the objective once again.

The objective is to provide farmers with higher prices for their commodities.

We are far from the objective.

Today farmers are not receiving their fair share of the Nation's prosperity. Prices are down. Costs are up. Farmers' income is down. Food prices, oddly enough, are high. Yet this is not the farmers' fault. An excellent editorial which appeared in the Red Wing Republican-Eagle, Red Wing, Minn., tells the story very well. I have introduced the editorial in the RECORD.

Quoting a national dairy magazine, it says:

> Farmers as a group have a proud record. Hunger in the United States has been greatly reduced. Important inroads have been made on hunger outside the United States. And all of this at prices which reflect the opposite of inflation in years when inflation has become a national problem.

Yes, we are far from the objective. Let us assess why we are off course.

Production is greater than consumption. The small surplus from each year is stored by the CCC, so the surplus has become large and a great price depressing factor, since the CCC sells the surplus back into the market as soon as the market price reaches 105 percent of the current support level.

We are not only far from the objective, but we are not on the straight path to attain higher farm prices. This is because we have been following bad practices. We have been using programs which attempt to reach temporary objectives.

We have wandered far because we have not faced the fact that before any long-range farm program can be devised, total production must be controlled, the surpluses must be reduced and their price-depressing influence abated. But instead of realizing this fact, we have been content to toy with farm programs which have tampered with the economy of agriculture.

We owe it to agriculture, to the farm families which depend on it, to the entire Nation, to take the straight path.

Unfortunately, the bill we are considering today does not represent this straight path. Using a percentage of parity, using support levels as a political gimmick, this proposed legislation has been designed as a tool with which to cultivate votes instead of agriculture. To enact this bill is to perform a disservice to the farmers we say we are striving to help. As it now stands, this bill is of little help to the farmers, and is a tremendously expensive liability to the taxpayers.

What must we do to get back on the straight path to the objective? We must take a step toward bringing the surplus down to a controllable level and preventing the Government from using the surplus to hold down prices and enable farmers to control their production.

In summary, we must provide legislation which will assist the farmer by actively controlling total production. In the past, total production has never been controlled—except in a slight degree by the soil bank. All farm organizations and almost all farm leaders urge production control in some form.

The bill under consideration, surely, will not get us back to the path. It is merely a hodgepodge of ideas—a great number of which would be of no lasting benefit to the farmer.

By what means shall we take the first step to the true path? By instituting a payment-in-kind program by which a farmer could allow some of his land to lie fallow and receive surplus commodities to maintain his income. A payment-in-kind bill of this nature would help the farmer adjust his supply to demand and would reduce the tremendous cost of storing surplus commodities.

Unless such a step is taken, no proposed program will work.

Mr. Speaker, in these remarks I have been concerned with the objective which is bolstered farm income and the means to attain it for the benefit of our farm families for the entire Nation. I would be less than candid if I did not point out that such steps can be taken and the objectives met only in a changed atmosphere. This is an atmosphere which encourages accomplishments for the best, long-range economic interest of agriculture. Only by such an atmosphere can the farm picture be brightened and all America be benefited.

Let us hope that Congress will face up to its duty, will sight the objective clearly and resolve on the necessary steps to be taken to assist agriculture.

For my part, I recognize a duty to point out the true objectives for legislation designed to help agriculture. I stand ready to cooperate with anyone at anytime to raise the income by instituting sound economic principles for the farmer.

I hope this bill will be defeated.

Mr. DORN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DORN of New York. Mr. Chairman, I have said before, and I should like to repeat, I represent a city district in which the people have been paying more and more for staple food. Bread prices continue to rise, citizens continue to pay taxes in order to have the privilege of paying higher prices. Urbanites are hit doubly. I cannot in all conscience as a representative of the people of my district, vote for this bill. I might be persuaded to a compromise point of view, if I could be persuaded that the overall program would be of benefit to the Nation as a whole. But I cannot find a scintilla of evidence that this would be so. I cannot find a great deal of evidence that it would benefit the small farmer.

In this connection, I should like to read a telegram which came to me today from E. S. Foster, executive secretary of the New York Farm Bureau:

> Poage bill, H.R. 12261, wholly unsatisfactory to farmers of New York State. Passage of bill would not settle wheat problems but would make matters worse for all farmers including all users of feed grains. Urge you vote to defeat this unsound proposal.

And so I reiterate, I cannot support this bill, not only because it would be detrimental to the folks in my district, but because the farmers of my State themselves do not want it.

Mr. PIRNIE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIRNIE. Mr. Chairman, I regret that we are still trying to regulate production through acreage reduction. If quotas are to be effective they should be expressed in bushels. We know the total production our economy can absorb and we should be governed accordingly. The record clearly shows that reduction of acres has been meaningless, for farmers have kept their best lands in production. Through increased fertilization and improved farming methods they have greatly increased the total yield instead of reducing it.

Furthermore, the legislation should recognize the facts. The disturbing overproduction in wheat is for all practical purposes limited to the Hard Red Winter variety. The farmers of New York State are not contributing to any troublesome surplus in wheat so I can see no reason why their operations should be curtailed.

The feed grain section is unsound in principle. It proposes that a regulatory program be established by a nine-man committee whose regulations shall have the force of law unless rejected by Congress within 30 days. This committee

will also administer the staggering sum of over $600 million without appropriation by the Congress. This, I believe, is an unconstitutional delegation of legislative power and sets a precedent which can only produce chaos and confusion if applied to industries generally.

Raising the feed grain support to 90 percent of parity with the establishment of a compulsory soil bank will cost New York State approximately $80 million and will put new areas into dairying throughout the country.

Moreover, this legislation will not protect the small farmer. Instead, it adds to his problems by increasing his costs and cutting back his operations. The farmers of upstate New York would prefer to get their return from successful management of their own business rather than from reliance on Government handouts. They do not want more regulation, but less. They know what redtape is and want to end it.

Their production is needed by the Nation. Any reduction of their acreage is unfair and not in the best interests of the country. This comment does not constitute selfish representation of my district, but reflects a commonsense attitude which should commend itself to all fairminded people.

Therefore, Mr. Chairman, I hope the bill will be rejected.

Mr. LANGEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Chairman, having listened with diligence to the debate that has taken place on the floor of this House during the past several hours and days, it is no longer a surprise to me that we do have a most serious farm problem. The diversity of opinions that have been expressed in debate and by amendments have most definitely convinced me that we still have a long way to go before anywhere near an adequate or proper solution can be found to the present depressed and expensive farm situation.

We now find ourselves ready to vote on the farm bill, but only a very small percentage of the membership of this House actually realizes what the bill will or will not do. This is not criticism or an indication of a lack of understanding on the part of any Member of this House, for it is impossible for anyone to comprehend the implications of the complex bill that we now have before us, with amendments added that have not been considered in committee, have not been fully discussed, or even read to the whole House. While I think there are desirable features contained in the bill, I am just as sure that there are undesirable provisions. It is disheartening, to say the least, to have noted that the time allotted to this, our Nation's greatest domestic problem, has in the first instance been limited to only 2 hours, and secondly to note that again, as was the case a year ago, debate and consideration of amendments have been made under very severe time limitations, with the final amendments proposed receiving only 2 minutes for pro and con statements. This very limited consideration can surely not produce constructive legislation.

While I intend to support the bill in its little-understood form, I do so only with a hope that a conference committee may be able to devote further consideration and bring back to us a bill in which many of the inequities have been corrected. The need and urgency for farm legislation is such that at this late date in the session, it seems that this provides a possible avenue for approving some legislation that would serve to benefit farmers, consumers, and taxpayers.

Mr. SHORT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. SHORT. Mr. Chairman, during yesterday's debate on farm legislation, it became crystal clear that there was a wide divergence of opinion among very sincere Members of this House regarding the role of the Federal Government in stabilizing our agricultural economy. Several of my colleagues who know I am a farmer and rancher have asked me, during yesterday's debate and since, "Why all this great difference of opinion among Congressmen representing agricultural areas?" Is the farmer riding a gravy train, as some magazine articles would have us believe, or is he on the low end of the income totem pole as we were told here yesterday?

The answer is that, depending upon where you sit, either condition may be true, although a much larger proportion are on the low end. In any part of the United States that I have ever visited I believe you could find farmers who would come close to falling into either category and possibly living next door to each other. Right here, may I say that I do not believe the well-managed family-size farm is actually losing money even today. Farm foreclosures and liquidation sales were at an alltime low in the United States in 1959. I will say that the farmer or rancher works harder and has more money invested for the dollars he makes than most other people in some other line of endeavor. As a farmer, myself, I will say that income taxes are more of a roadblock in the way of getting a farm paid for than a few parity points difference in the price of wheat. And while I mention price, may I also add that a higher price is not always the key to added income. Volume times price spells income.

But I am getting away from my point. Those who in past years have attempted to solve the economic problems of agriculture with Federal legislation have failed to take into consideration one very basic fact. We delude ourselves that we are attempting to stabilize the average or family-type farm. We close our eyes apparently to the obvious fact that living in the very same neighborhood as our average farmer is another, for which the fair price we have hit upon may be an attractive price. Just across the road may live another farmer for whom our fair price provides barely an existence. Why do we persist in kidding ourselves that a price support level of 80 or 85 or 90 percent of parity will provide an adequate income for the small farmer raising 25 or 50 acres of wheat? Are we kidding ourselves any less when we try to justify such a price for the farmer who produces 2,500 acres of wheat? If we are actually to treat all wheat farmers equitably, it would seem that one of the first steps would be to reduce them all to one common-size denominator. This I do not believe many Members of this House are ready to do.

To further aggravate the problem of equitable treatment are the matters of climate, distance from market, and variety of products, to name a few.

Now, what do I have to suggest as we further consider this farm problem that seems to have become a part of our national political and economic scene?

First, we must concentrate our effort on increasing the farmer's income, and as I have already mentioned this does not necessarily always mean raising the price. Cotton and tobacco have been examples of farm commodities which have shown that attempting to maintain too high a price has resulted in substitution and reduced use. The bill we are considering now does not pretend to increase the farmer's income.

Second, we must recognize that if we are to have fairly attractive prices guaranteed we must have very strict production controls. We cannot leave the door open to every farmer in America to produce up to 15 acres of wheat. I should say right here that that door has already been left open too long and partly closing it now is like locking the barn door after the horse has been stolen.

When Congress assumes the responsibility of establishing support prices for any commodity the level of this price immediately becomes a political issue. This is extremely unfortunate and does not contribute to objectively adjusting existing laws as conditions change. Witness our present surplus situation which stems from the failure of Congress to adjust controls in recognition of an average per acre production increase of 50 percent since the enactment of present wheat production control legislation.

A happy solution to the income problems of the American farmer is apparently close to an impossibility. We cannot have the full capacity production every farmer would prefer and attractive prices for every farmer at the same time. Each of us in performing his responsibility to his own State or district must take the welfare of his own farmers into consideration and this does not lead to a unified position among Congressmen representing agricultural States. What is good or fair for my State of North Dakota may not be looked upon as fair for the wheat farmers of Ohio, for example. It is extremely regrettable, but it appears to me it is impossible for Congress to agree upon legislation that could be beneficial to all segments of our farm economy.

Mrs. MAY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Chairman, I want to express my congratulations to the Members of this body for their sound action in refusing to pass on the farm legislation as it was presented in the House today. There can be no doubt that enactment of such legislation would have compounded the farm mess into a state of hopeless confusion. While I believe there were several sound suggestions made during the course of debate on this legislation, the end result was such a conglomeration of give and take that I could not support it as a Representative of a Pacific Northwest wheatgrowing area.

It is to be regretted that it appears that our farmers and taxpayers will be forced for another year to go along with the existing farm program so sorely in need of revision. In this regard, I have personally supported and fought for the legislation embodied in the Wheat Marketing Act of 1960 which I was pleased to cosponsor, and which is the marketing program for wheat supported by the National Wheatgrowers Association, and the National Grange. However, neither the Agriculture Committee of this body, nor the Agriculture Committee of the other body, reported this legislation and, thus, the Congress did not have an opportunity to consider it. It is my hope that next year, the Members of both bodies will give study to the wheat marketing proposal and its sound approach to the problems besetting the wheat industry, the taxpayer and the consumer, and that the Congress will have an opportunity to adopt the plan so as to give positive relief where needed in this domestic crisis that has befallen America.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, while there have been some promising proposals advanced in the amendments we have considered and in the points of debate, I cannot support either proposal on which we are about to vote.

More and more we are, it seems to me, attempting to fix a leaky roof by piling on more and more shingles until there is danger of the rafters collapsing.

The only hopeful sign, to me, is that we appear to be veering ever so slightly toward the provisions of the Wheat Marketing Act of 1960 which some dozen of us from commercial wheat producing areas have introduced. Let us hope that, next session, we will really pass the Wheat Marketing Act of 1961.

Mr. WEAVER. Mr. Chairman, every year at just about this time for the past quarter-century the U.S. Congress has turned its attention to the ever-present, ever-recurrent farm problem. And each year the succeeding sessions of Congress have reportedly solved this problem. And yet it is still with us.

No other segment of the American economy has ever been tinkered with so much. No other segment of America's economy has ever been subjected to so many theories, plans, proposals, ideas, and, it seems to me, just plain meddling.

The American farmer has become a class by himself. He is looked upon as something apart from the rest of our citizenry. He is thought of by some of our city friends as somewhat of a freak. I have seen articles in the press calling the farmers of our country chronic complainers. I have heard and seen them referred to as people constantly with their hands out, demanding special treatment from the Government. And I have heard it said that the farmers are to blame for the present high cost of living. He is blamed for everything. He is accused of everything. And he is the subject or guinea pig for every economic and social experiment that comes along. How unrealistic and unfair can some be in the consideration of problems affecting the welfare of millions of our farm citizens and one of the most important segments of our economy, America's basic industry, agriculture? I am not one of those who believes that the present farm program has worked very well. The fact that the family-size farm is fast disappearing from our land is proof enough of our overall failure to face the matter squarely and try to solve it.

Farm income continues to fall. This is particularly true in the grain States of the Midwest and Far West.

To demonstrate what I am talking about in graphic terms, I would like to cite a set of figures supplied to me by a smalltown banker in Nebraska. One of his chores is to help clients and customers with their income tax returns. This year he handled 141 farmers' income tax returns.

Of those 141, 42 showed that they had no net income at all, that they paid out more than they took in. Thirty more had a net income of $500 or less. In all, 91 had a net income of less than $1,000 and only one of them had a net income of more than $5,100.

This, to me, is a tragic state of affairs. It demonstrates to me personally that our farm families are in truth the lowest paid segment of our economy. Not many, even in the city slum areas, work a full year, long hours, and have to show for it less than a thousand dollars.

No wonder so many, many farm families have been forced to give up their way of life and turn to other means of earning a living.

Our Nation's farmers, particularly the small, family-size operator, have been caught in a squeeze between mounting prices and declining income. Every piece of machinery he must buy has gone up in price. The fertilizer he uses has increased in price. Freight rates—and in this the farmer is caught on both ends of the deal—have mounted steadily.

Meanwhile the prices of farm commodities continue to decline.

During the past decade the price of wheat, for example, has been cut in half. And yet, during the same period of time, the cost of a loaf of bread in the corner supermarket has nearly doubled.

The farmer is not getting the income increase.

I do not know what the complete and total solution to this problem is. I doubt seriously if any single Member on the floor here can stand up and state flatly that he does know an absolute and certain answer.

This is a difficult and complex problem. It extends beyond the pure problem of supply and demand. It involves many other factors, all of which combine to make it difficult to find a solution.

I do know that the present system has not worked. I know also that the present bill we are considering will not be the complete answer to the problem. At that, it is a better bill than the one passed by the other body. That bill would cut production but would also cut prices even below the present level. And, as the figures I produced earlier demonstrate, price cuts will not solve the problem. Farmers are not earning much as it is.

I cannot state flatly that the solution is high, rigid price supports. I do know, however, that high price supports with control are a better solution than the flexible system with its lower prices which has added huge surpluses to storage bins at tremendous costs to the taxpayers. There are still other solutions, from the point of view of the wheat producer. I joined with a group of my colleagues to introduce such a solution, the wheat marketing bill which was backed heavily by the National Wheat Growers Association, the National Farmers Union, and the Grange. This bill would have placed a marketing quota, not an acreage quota, on wheat.

However, the House has before it a wheat bill. I do not believe it is the full answer. And yet, Mr. Chairman, I find that I must support this new bill because I feel that it is better than nothing and much, much better than the bill that the other body has offered to us.

It is high time that we as a Congress stopped handling the farm problem on a hit-or-miss basis. It is high time that we stopped handling it on a year-to-year basis. This system obviously has not worked.

We need, instead, to devote ourselves to a long and intense study of the problem and then, casting aside partisanship and political advantage, we must attack the problem in a completely nonpartisan spirit. We must seek a solution that will be a solution, and not merely provide election year talking points.

I am supporting the present bill. I ask my colleagues to support it. However, I would also ask them to go further, to help find a permanent solution that will stand up and meet the challenge of time. I can assure my colleagues that whenever or wherever such a sincere effort is made to find this solution, I will be ready and willing to join hands with them.

Mr. WHARTON. Mr. Chairman, I seriously doubt that the huge Democrat majority has the slightest intent or desire to pass a farm bill at the current session of Congress. Here in the closing days of this session, the House is handed

a 24-page wheat bill, a 50-page committee report, plus some 20 amendments of a complicated nature.

A number of our colleagues have expressed the atmosphere of general confusion, which always prevails upon the floor at such a time. The only certainty, in the light of past experience, is that such legislation would increase the cost of this huge farm program to the taxpayers and add to consumer prices. In my own district the price of feed grains, already sky high, would immediately be reflected in the consumer's quart of milk.

This Congress has repeatedly expressed its intention to use flexible price supports in only one direction, and that has been upward, with inflationary results. I think it is most unfortunate that we could not have had a more sensible and orderly approach to this important problem, and I intend to vote against the bill.

Mr. BROWN of Ohio. Mr. Chairman, before we conclude debate on this farm bill, I wish to mention how greatly I have been impressed with the ability of our colleague from Ohio, Representative DEL LATTA, and with the effectiveness of his participation in this debate.

It has been a long time since Ohio farmers have had so able a champion of their interests. The gentleman is the first Ohio Republican who has been a member of the House Committee on Agriculture for many years. His activities as a member of that committee and of the House have given Ohio farm producers a new and effective voice in legislative problems.

I was particularly impressed by DEL LATTA's arguments concerning Soft Red Winter wheat. Certainly he has demonstrated beyond argument that the Soft Red Winter wheat of Ohio is not in surplus, is not aggravating any farm problem and is, in fact, in demand in quantities far greater than would be available if the pending bill became law.

Further, no one can argue with his presentation of the inequity involved in denying the vast majority of Ohio wheat producers a voice or a vote in the referendum that might affect them so seriously, even disastrously. If 123,000 of Ohio's 153,000 wheat producers are denied a vote, who can say that the law is fair or the program just?

It has been a great satisfaction to me to see the viewpoints of Ohio farmers presented so ably and defended so forcefully by the gentleman from our Fifth District [Mr. LATTA].

Mr. BOLAND. Mr. Chairman, the bill before us—H.R. 12261—was a very serious threat to Northeast agriculture in the form in which it originally came to this floor, but amendments inserted during consideration have made it an abomination.

In my view, this bill, in its present form, would be disastrous to the farmers of the Northeast—and would cost consumers of my district and of other districts in the region millions of dollars.

The bill would achieve that end by raising livestock feed costs for the Northeast, which must import much of its dairy cattle and poultry feed. Let us not fool ourselves. These increased costs would hurt Northeast farmers, to be sure, but more importantly they would do severe harm to consumers.

As I understand it, the bill would raise the price support on corn from $1.06 a bushel to more than $1.65. Automatically, that would raise the price of milk in my area.

I am told that a careful examination of this bill indicates it would bring added production costs of about $16 million to my State of Massachusetts—$20 million for Maine, $8 million for New Hampshire, about $15 million for Vermont, $2 million for Rhode Island, $15 million for the neighboring State of Connecticut and $80 million for New York.

Now, consumers in my district drink milk produced in many of those States—Connecticut, New Hampshire, New York, Vermont. Consumers of my district would have to pay those added costs through higher milk bills.

Let us look as another feature of the bill. There now is in this legislation a so-called green acres feature which would force any farmer who takes part in a price support program of any kind to retire 20 percent of his cropland. This will mean that more pasture and more hay land will be opened up in other parts of the country—and it will mean that these farms in other more lush areas will be brought into direct competition with the thousands of family farms that produce milk in the Northeast region.

The consumers of my area want to pay their way, but they do not want to pay someone else's way. They know that the farmers from whom they buy locally get very little, if any, Government money. But, they continue to wonder why they should allow Government to tax them for the benefit of farmers thousands of miles away.

I am not at all sure that some of my colleagues are reading correctly the minds of farmers in areas of the country other than the Northeast. As a New Englander, I have not been beseiged by farmers wanting special privilege for themselves. My experience is that farmers of my area want to be left alone to compete. And, they have had tough going, some of them. But, they have decided to make it on their own, using their brains, their energy and their resources.

I simply cannot in any way support legislation that will hurt both the consumers and the producers of my area. Let us leave these farmers alone. Let us not protect one group of farmers at the expense of another, and at the expense of the consumer.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I seek recognition.

Mr. Chairman, the bill as it is now before us is a bill which will help agriculture of this Nation. It will help all of the people of the United States. On an average it is a good bill. None of us can get everything we want, and personally I hope that the House will not seriously consider voting to recommit in favor of the Senate bill. This would certainly be doing no favor to the farmers of America.

The CHAIRMAN. All time has expired except the time reserved to the committee.

The Chair recognizes the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Chairman, may I appeal to the common sense and the good judgment of the members of the committee as we approach the final vote on the bill. The sole issue now is whether you want a bill which can be enacted into law. The bill before us has a lot of bad features. Over all it is a bad bill. However, it has some good features. I refer in particular to the green acres provision and the payment-in-kind provisions which perhaps could be made acceptable if properly amended in certain respects. But, the overall bill is bad, and in my opinion cannot be enacted into law.

If you really want a bill at this session of the Congress, you will have an opportunity to vote for the motion to recommit, which will be the Senate bill, relating entirely to wheat. If the motion to recommit does not prevail, I urge you to vote against this bill. You are not fooling the American farmer for 1 minute. He recognizes a political poultice when he sees it. The bill before us is exactly that.

I wonder if you realize how involved this bill is. I challenge anyone to tell us what is now contained in the bill. The bill now before us is more costly than the present program. No one denies that fact. Title I, the wheat section, will involve an additional expenditure of at least $104 million and approximately $200 million more is involved in title II. Title III will call for some $500 million. Those three items alone will exceed $800 million over and above the present program.

Does it really make sense that we should in these last days of the session pass a bill which is so complex and complicated that no one really knows how it will affect our agricultural economy? No hearings were held on the bill and the American farmer is entitled to better treatment than that. He wants to know how farm legislation is going to affect the crops he produces and this can only be determined through committee hearings.

I pointed out in general debate—and again emphasize the fact that the referendum now proposed in the feed-grain section still covers the delegation of legislative authority. If you set that precedent now, you are really in for a lot of trouble. In my judgment such surrender of legislative authority is not constitutional.

This delegation of authority simply means that nine men from nine districts in the United States are authorized to write a farm bill. Does anyone here contend that Members of Congress should not have a voice in writing farm legislation? These nine people could well get together in secret, if you please, and formulate a farm bill. It might be the Brannan plan. It might be something worse, who knows? And unless Congress takes affirmative action within a 30-day

period after submission of a plan it becomes law and it is thereafter submitted in a referendum.

And do not forget the bill authorizes "back-door spending." I have heard a lot said in the House against back-door spending. But here it is in this bill. So it seems to me that commonsense and good judgment right now should dictate that if you really want a bill, you should vote for the motion to recommit. Then at least you will have a wheat bill. It may not do everything hoped for. It may not be perfect and on the other hand it may not be too bad a bill. I believe it is a bill which can be enacted into law. So if you are interested in farm legislation, at this session of Congress, I urge you to vote for the motion to recommit and, if that does not prevail, then vote against the bill.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Illinois.

Mr. ARENDS. In order that some who are going to vote on this bill may know the facts, and since we have crossed this bridge many times during past sessions of other Congresses, section 4 of this bill provides for price supports of 90 percent on wheat, corn, oats, rye, barley, grain sorghums, soybeans and flaxseed. Does the membership realize the implications in this section? It might well destroy our ability to compete in world markets except with a large export subsidy, where none exists today. And that could cost billions of dollars.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. HOEVEN] has expired.

The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. The gentleman from Illinois must have a complete misunderstanding of this price support amendment in the bill, which is the original green acres bill. Here is what it does—and I ask the gentleman from Iowa to verify this. For the next 2 years, if it becomes law, the support price is 80 percent of parity. Then it goes up to 85 percent in the following 2 years and 90 percent after 1965. The gentleman was entirely mistaken; he did not know what he was talking about. Our objective must, of course, be the 90 percent level as an absolute minimum after the surpluses are liquidated.

Now, I should like to refer to what the gentleman from Iowa [Mr. HOEVEN] said. He talked about the feed grain committee. He was very gracious to say that he was for the green acres; and certainly the green acres provision will be the alternative selected by the farmers and the other subtitle will automatically go out. That is my answer. It is a pretty good bill.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Chairman, repeatedly during the course of this debate the distinguished gentleman from Iowa [Mr. HOEVEN], the ranking member of our committee, has stated the issue in terms of whether this House wants a bill. I insist that the issue is whether this House wants a bill acceptable to the American people, beneficial to the American farmer, and worthwhile.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Chairman, I did not intend to say anything on this bill, primarily because it involved commodities which are not produced in any great quantity in my area.

I would like to say that our committee has been dealing with probably the most difficult subject that confronts this Congress, and that is the serious problem which confronts agriculture. There has been much confusion introduced into this matter for the last 2 or 3 days. I hate to say it but it has been done more for political purposes than for the purpose of trying to get a good farm bill. It is quite true that some confusion does now exist. It has been deliberately created. May I assure my colleagues on both sides of the aisle that while differences may exist between some of us, we of the committee feel that we have brought to the House a piece of legislation which is fair and which in the end will be in the interests of the wheat and the grain farmers. I appeal to my colleagues to support this bill. I beg you to permit it to go to conference. I do not like the idea of being told year after year, "If you want to have a bill signed you have to do so and so." Quite often those who so argue point to us on our side and say, "Why don't you do something?" Well, we have. We have brought a bill here which merits your support. I urge you to support it and let the matter go to conference.

Mr. COOLEY. In connection with the motion to recommit, I would like to reiterate something I said during the course of the debate. When this House bill is passed I will call up the Senate bill and move to strike out everything after the enacting clause and insert the House bill, and that will put the Senate bill in conference, so you do not need any motion to recommit except for one purpose, and that is to try to strike out this green acres provision.

In conclusion, I want to compliment the members of our Wheat Subcommittee, headed by the gentleman from Oklahoma [Mr. ALBERT]. They have worked faithfully and diligently during long hours in an effort to come up with some solution for the wheat problem, which is our agricultural problem No. 1 in America, the one commodity in which we have over $3 billion invested.

All of our Liberty ships are loaded up with wheat and stored away in the mouths of all our rivers. Here we are living in a hungry world, and we have given every possible authority to the Secretary of Agriculture to dispose of these surpluses. Unfortunately he has not been able to dispose of them.

We provide in this bill that we will give the farmer a payment in kind, not cash. We will pay him in wheat to stop growing wheat, so that we can reduce this surplus and minimize the storage costs and other costs involved.

One other observation and I am through. We are being criticized and ridiculed because we have not enacted a wheat bill. We did enact a wheat bill but the President vetoed it. Now we come back again, and the ranking minority member of the committee stands in the well of the House here and tries to intimidate you and threatens you with another veto. I am getting sick and tired of being threatened. Maybe the gentleman from Iowa is authorized to speak for the Secretary of Agriculture, who I know is authorized to speak for the President on matters of an agricultural veto.

I submit we ought to pass this bill, send it on to conference with the Senate, and deliver it to the President before this Congress adjourns.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired.

Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. IKARD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12261) to amend the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, with respect to market adjustment and price support programs for wheat and feed grains, to provide a high-protein food distribution program, and for other purposes, pursuant to House Resolution 564, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. DIXON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DIXON. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DIXON moves to recommit the bill H.R. 12261 to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert therein the following: "That this Act may be cited as the 'Wheat Act of 1960'.

"TITLE I—PRICE SUPPORT AND ALLOTMENTS

"SEC. 101. Title I of the Agricultural Act of 1949, as amended, is amended by adding the following new sections:

" 'SEC. 107. (a) Notwithstanding the provisions of section 101 of this Act, for each of the 1961, 1962, and 1963 crops of wheat price support shall be made available as provided in this section. The support price for each such crop shall be 75 per centum of the parity price therefor. Price support under

the foregoing provision of this section shall be made available only to cooperators, only in the commercial wheat-producing area, and only if producers have not disapproved marketing quotas for the crop. In case marketing quotas are disapproved, price support to cooperators shall be as provided in section 101(d)(3).

"'(b) If marketing quotas are in effect for the particular crop of wheat, wheat of any such crop, and any other commodity produced on a farm to which a wheat marketing quota is applicable and in the calendar year in which wheat of any such crop is normally harvested, shall be eligible for price support only if—

"'(1) the farm is in compliance with the farm wheat acreage allotment for such crop;

"'(2) the total acreage on the farm devoted to the production of nonconserving crops as determined by the Secretary which would normally be harvested in the calendar year in which such wheat crop is normally harvested does not exceed the total average annual acreage on the farm devoted to the production of such nonconserving crops for harvest in 1958 and 1959, less an acreage equal to 20 per centum of the farm acreage allotment for such crop of wheat which would be in effect for the farm except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended; and

"'(3) the producers on the farm in accordance with regulations prescribed by the Secretary—

"'(i) designate an acreage on the farm equal to the 20 per centum reduction in the farm acreage allotment required under section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended, for the particular crop of wheat, and

"'(ii) do not produce any crop thereon which is normally harvested in the calendar year in which the particular crop of wheat is normally harvested and do not graze such acreage during such year.

A farm shall be deemed in compliance with the requirements of clauses (1) and (2) if no crop not subject to acreage allotments is produced on the farm for harvest, and the farm is in compliance with the farm acreage allotments. In accordance with regulations prescribed by the Secretary, the acreage of such nonconserving crops for harvest in 1958 and 1959 may be adjusted to the extent the Secretary determines appropriate for abnormal weather conditions, established crop rotation practices for the farm, changes in the constitution of the farm, participation in soil bank or Great Plains programs, or to give effect to the provisions of law relating to release and reapportionment or preservation of history, and such other factors as the Secretary may deem appropriate. For the purposes of eligibility for price support a producer shall not be deemed to have violated any of the foregoing conditions unless the producer knowingly violated such condition, but the Secretary may provide by regulation for adjusting any payment in kind under subsection (c) or (d) on account of any violation of any such condition or any other condition of eligibility for such payment. For the purposes of this section a wheat marketing quota shall not be deemed to be applicable to any farm exempt from wheat marketing quotas under item (7) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(7)) or exempt from wheat marketing penalties under section 335(f) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1335(f)).

"'(c) Producers of wheat meeting the foregoing conditions of eligibility for price support for any calendar year shall be entitled for such year to a wheat payment in kind from Commodity Credit Corporation stocks equal in value to one-half of the average annual yield in bushels of wheat per harvested acre on the farm for the three years immediately preceding the year for which the designation is made, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the acreage is designated and for the county in which the designated acreage is located. The wheat redeemable for such certificate shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The acreage designated under this section shall be in addition to any acreage devoted to the conservation reserve program.

"'(d) If marketing quotas are in effect for the 1961 crop of wheat and the producers on the farm agree to meet the requirements of subsection (b) for 1961, 1962, and 1963, and, in accordance with regulations prescribed by the Secretary—

"'(1) designate an acreage on the farm equal to not less than 20 per centum nor more than 100 per centum of the acreage allotment which would be in effect for the farm for the 1961 crop of wheat except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended, and do not produce any crop thereon which is normally harvested in the calendar years 1961, 1962, and 1963 and do not graze such acreage during such years, but devote such acreage to soil and water conserving uses;

"'(2) reduce by the number of acres so designated the acreage of wheat on the farm in each such year below the acreage allotment which would be in effect for the farm for such year except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended; and

"'(3) reduce by the number of acres so designated the acreage of nonconserving crops on the farm in each such calendar year below the average annual acreage on the farm devoted to the production of such nonconserving crops for harvest for 1958 and 1959 adjusted as provided in subsection (b),

such producers shall be entitled to a wheat payment in kind, in lieu of the payment provided by subsection (c), for each such year from Commodity Credit Corporation stocks equal in value to one-half of the average annual yield in bushels of wheat per harvested acre on the farm for the three years 1958 through 1960, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary, multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the payment is made and for the county in which the designated acreage is located. The wheat redeemable for such certificate shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The share of any producer in certificates issued under this subsection with respect to any year and with respect to all farms in which he has an interest, based on the face value of the certificates, shall not exceed the greater of (1) $10,000, or (2) such producer's share of payments made under this subsection for acreage required to be designated either in 1961 or in such year as a condition of price support. If such producers fail to comply with the requirements of this subsection for all or any part of the three year period, such producers shall forfeit or refund in cash all or such part of the payments provided for by this subsection as the Secretary determines to be fair and equitable and prescribes by regulation. The acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of wheat by reason of designation under this subsection shall be considered acreage devoted to wheat for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended. In applying the provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), and section 326(b) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1326(b)), relating to reduction of the storage amount of wheat that part of the acreage designated under this subsection in excess of the 20 per centum reduction required under section 334(c)(2) of the Agricultural Adjustment Act of 1938 on any farm shall be regarded as wheat acreage on the farm of normal production as that term is defined in section 301(b)(9) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301(b)(9)).

"'SEC. 108. Notwithstanding the provisions of section 101 or 107 of this Act or any provision of the Agricultural Adjustment Act of 1938, if marketing quotas are disapproved for the 1961 crop of wheat, the level of price support to cooperators and noncooperators for the 1961 crop and each subsequent crop of wheat shall be 50 per centum of the parity price of wheat and no national marketing quota or acreage allotment shall be proclaimed with respect to any subsequent crop of wheat: *Provided*, That if price support at 50 per centum of the parity price is in effect under this section, the current price support for wheat, for the purposes of section 407 of the Agricultural Act of 1949, as amended, shall be determined on the basis of a price support level for wheat of 75 per centum of the parity price therefor.'

"SEC. 102. (a) Item (1) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(1) If a national marketing quota for wheat is in effect for any marketing year, farm marketing quotas shall be in effect for the crop of wheat which is normally harvested in the calendar year in which such marketing year begins. The farm marketing quota for any crop of wheat shall be the actual production of the acreage planted to such crop of wheat on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to double the normal yield of wheat per acre established for the farm multiplied by the number of acres planted to such crop of wheat on the farm in excess of the farm acreage allotment for such crop unless the producer, in accordance with regulations prescribed by the Secretary and within the time prescribed therein, establishes to the

satisfaction of the Secretary the actual production of such crop of wheat on the farm. If such actual production is so established the farm marketing excess shall be such actual production less the actual production of the farm wheat acreage allotment. Actual production of the farm wheat acreage allotment shall mean the actual average yield per harvested acre of wheat on the farm multiplied by the number of acres constituting the farm acreage allotment. In determining the actual average yield per harvested acre of wheat and the actual production of wheat on the farm any acreage utilized for feed without threshing after the wheat is headed, or available for such utilization at the time the actual production is determined, shall be considered harvested acreage and the production thereof in terms of grain shall be appraised in accordance with regulations prescribed by the Secretary and such production included in the actual production of wheat on the farm. The acreage planted to wheat on a farm shall include all acreage planted to wheat for any purpose and self-seeded (volunteer) wheat, but shall not include any acreage that is disposed of prior to harvest in accordance with regulations prescribed by the Secretary.'

"(b) Item (2) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(2) During any marketing year for which quotas are in effect, the producer shall be subject to a penalty on the farm marketing excess of wheat. The rate of the penalty shall be 65 per centum of the parity price per bushel of wheat as of May 1 of the calendar year in which the crop is harvested.'

"(c) Item (3) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(3) The farm marketing excess for wheat shall be regarded as available for marketing, and the penalty and the storage amount or amounts of wheat to be delivered to the Secretary shall be computed upon double the normal production of the excess acreage. If the farm marketing excess so computed is adjusted downward on the basis of actual production, the difference between the amount of the penalty or storage computed on the basis of double the normal production and as computed on actual production shall be returned to or allowed the producer or a corresponding adjustment made in the amount to be delivered to the Secretary if the producer elects to make such delivery. The Secretary shall issue regulations under which the farm marketing excess of wheat for the farm shall be stored or delivered to him. Upon failure to store, or deliver to the Secretary, the farm marketing excess within such time as may be determined under regulations prescribed by the Secretary the penalty computed as aforesaid shall be paid by the producer. Any wheat delivered to the Secretary hereunder shall become the property of the United States and shall be disposed of by the Secretary for relief purposes in the United States or foreign countries or in such other manner as he shall determine will divert it from the normal channels of trade and commerce.'

"(d) Item (7) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340 (7)), is amended to read as follows:

"'(7) A farm marketing quota on any crop of wheat shall not be applicable to any farm on which the acreage planted to wheat for such crop does not exceed fifteen acres: *Provided, however,* That a farm marketing quota on the 1961 and subsequent crops of wheat shall be applicable to—

"'(i) any farm on which the acreage of wheat exceeds the smaller of (1) twelve acres or (2) the highest number of acres planted to wheat on the farm for harvest in the calendar years 1956, 1957, 1958, 1959, or 1960; and

"'(ii) any farm on which any wheat is planted if any of the producers who share in the wheat produced on such farm share in the wheat produced on any other farm.'

"(e) Item 12 of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340 (12)), is repealed, effective beginning with the 1961 crop of wheat.

"(f) Section 326(b) of the Agricultural Adjustment Act of 1938, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(b) If a farm is in compliance with its farm acreage allotment for any crop of wheat and the actual production of such crop of wheat on the farm is less than the normal production of the farm wheat acreage allotment, an amount equal to the deficiency may be marketed without penalty from wheat of previous crops stored by the producers on the farm to postpone the payment of marketing quota penalties.'

"SEC. 103. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(a) Section 334 is amended by inserting '(1)' after '(c)' and adding a new subparagraph (2) following subparagraph (c)(1) to read as follows:

"'(2) Notwithstanding any other provision of law, each old or new farm acreage allotment for the 1961 and subsequent crops of wheat as determined on the basis of a minimum national acreage allotment of fifty-five million acres shall be reduced by 20 per centum. In the event notices of farm acreage allotments for the 1961 crop of wheat have been mailed to farm operators prior to the effective date of this subparagraph (2) new notices showing the required reduction shall be mailed to farm operators as soon as practicable.'

"(b) Section 334(e) is amended to read as follows:

"'(e) If, with respect to any crop of wheat, the Secretary determines that the production of any kind of wheat will be inadequate to provide a sufficient quantity of that kind of wheat to satisfy the demand therefor, the wheat acreage allotment (and the number of acres which may be planted under item (7)(i) of Public Law 74, Seventy-seventh Congress, without making a farm marketing quota applicable to the farm) for such crop for each farm located in a county which has produced such wheat for commercial food products during one or more of the five years immediately preceding the year in which such crop is harvested, shall be increased by such uniform percentage as he deems necessary to provide for such quantity. No increase shall be made under this subsection in the wheat acreage allotment of any farm (or in the acreage which may be planted without making a farm marketing quota applicable to the farm) for any crop if any kind of wheat other than that for which the increase is made is planted on such farm for such crop. Any increases in wheat acreage allotments authorized by this subsection shall be in addition to the National, State, and county wheat acreage allotments, and such increases shall not be considered in establishing future State, county, and farm allotments. The provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), and section 326(b) of this Act, relating to the reduction of the storage amount of wheat shall apply to the allotment for the farm established without regard to this subsection and not to the increased allotment under this subsection, except that any farm in compliance with its increased allotment under this subsection shall be considered in compliance with its farm acreage allotment for the purposes of said section 326(b). Any farm receiving an increased allotment under this subsection shall be excused from complying with clauses (2) and (3) of section 106(b) of the Agricultural Act of 1949 to the extent deemed appropriate by the Secretary to provide for the increase in allotment under this subsection, and no farm on which acreage is designated pursuant to section 106(b)(3) or 106(d) of the Agricultural Act of 1949 in a greater amount than required as a condition of price support for any crop shall be eligible for an increased allotment under this subsection for such crop.'

"(c) Subsection (f) of section 335 is amended by striking out the semicolon at the end of item (1) and adding 'and shall not apply to other farms with respect to the 1961 and subsequent crops;'.

"(d) Section 336 is amended to read as follows:

"'SEC. 336. Between the date of issuance of any proclamation of any national marketing quota for wheat and July 25 of the year in which the proclamation is made the Secretary shall conduct a referendum by secret ballot to determine whether farmers favor or oppose such quota. Farmers eligible to vote in such referendum shall be farmers who were engaged in the production of the crop of wheat normally harvested in the calendar year immediately preceding the calendar year in which the referendum is held on a farm in the commercial wheat-producing area for such crop and on which more than twelve acres was planted to wheat of such crop if such crop was the 1961, 1962, or 1963 crop, or on which more than fifteen acres was planted to wheat of such crop if such crop was any crop other than the 1961, 1962, or 1963 crop. Any acreage considered as being devoted to wheat in establishing future allotments under applicable provisions of law shall be considered as wheat-producing acreage for the purpose of determining eligibility to vote. If the Secretary determines that more than one-third of the farmers voting in the referendum oppose such quota he shall prior to the effective date of such quota by proclamation suspend the operation of the national marketing quotas with respect to wheat.'

"(e) Section 362 is amended by deleting the second sentence thereof.

"(f) Subsections (b) and (c) of section 335 are hereby repealed and subsection (d) of said section is repealed effective beginning with the 1961 crop of wheat.

"(g) The first proviso of section 377 is amended by striking out '*Provided,* That beginning with the 1960 crop' and inserting in lieu thereof '*Provided,* That beginning with the 1964 crop in the case of wheat and the 1960 crop in the case of any other commodity'.

"SEC. 104. Section 101(d) of the Agricultural Act of 1949, as amended, is amended by—

"(A) striking out paragraph (5); and

"(B) amending paragraph (7) to read as follows:

"'(7) No price support shall be made available for any crop of wheat for which acreage allotments are not in effect and no price support shall be made available for any crop of wheat in any State designated under section 335(e) of the Agricultural Adjustment Act of 1938, as amended, as outside the commercial wheat-producing area for such crop.'.

"TITLE II—AMENDMENTS TO GREAT PLAINS PROGRAM

"SEC. 201. Section 16 of the Soil Conservation and Domestic Allotment Act of 1938, as amended, is amended as follows:

"(1) Paragraph (3) of subsection (b) is amended to read as follows:

"'(3) insofar as the acreage of cropland on any farm enter into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of

1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subsection by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;'.

"(2) Paragraph (4) of subsection (b) is amended to read as follows:

"'(4) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under the program or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended;'."

Mr. DIXON (interrupting the reading of the motion to recommit). Mr. Speaker, I ask unanimous consent that the further reading of the motion to recommit be dispensed with. It is identical with the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. ARENDS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 195, nays 211, not voting 25, as follows:

[Roll No. 144]

YEAS—195

Abbitt
Adair
Addonizio
Alger
Allen
Arends
Auchincloss
Ayres
Baker
Baldwin
Barrett
Barry
Bass, N.H.
Bates
Becker
Belcher
Bennett, Mich.
Bentley
Betts
Boland
Bolton
Bosch
Bow
Bray
Brewster
Brooks, La.
Broomfield
Brown, Ohio
Broyhill
Budge
Byrne, Pa.
Byrnes, Wis.
Cahill
Canfield
Cederberg
Chamberlain
Chenoweth
Chiperfield
Church
Clark
Collier
Colmer
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Delaney
Derounian
Derwinski
Devine
Dixon
Dooley
Dorn, N.Y.
Dorn, S.C.
Dowdy
Downing
Dulski
Dwyer
Fallon
Farbstein
Fenton
Fino
Flynt
Fogarty
Forand
Ford
Frelinghuysen
Friedel
Fulton
Gallagher
Garmatz
Gary
Gavin
Giaimo
Gilbert
Glenn
Goodell
Granahan
Green, Pa.
Griffin
Gubser
Hagen
Halleck
Halpern
Hardy
Harrison
Hays
Hechler
Henderson
Herlong
Hiestand
Hoeven
Hoffman, Ill.
Hoffman, Mich.
Holt
Holtzman
Hosmer
Jackson
Johansen
Johnson, Md.
Jonas
Judd
Kearns
Keith
Kilburn
Kirwan
Kluczynski
Knox
Kowalski
Lafore
Laird
Landrum
Lankford
Lindsay
Lipscomb
Loser
McCulloch
McDonough
McIntire
Macdonald
Mailliard
Martin
Mason
Meader
Meyer
Michel
Milliken
Minshall
Monagan
Moore
Moorhead
Murray
Nelsen
Nix
Norblad
Osmers
Ostertag
Pelly
Pillion
Pirnie
Poff
Powell
Quie
Quigley
Ray
Reece, Tenn.
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, S.C.
Robison
Rodino
Rogers, Fla.
Rogers, Mass.
St. George
Saylor
Schenck
Scherer
Schneebeli
Schwengel
Short
Siler
Simpson
Smith, Calif.
Smith, Va.
Springer
Staggers
Stratton
Taber
Teague, Calif.
Thomson, Wyo.
Toll
Tollefson
Tuck
Utt
Vanik
Van Pelt
Van Zandt
Wallhauser
Weis
Westland
Wharton
Widnall
Williams
Wilson
Withrow
Younger

NAYS—211

Abernethy
Albert
Alexander
Andersen, Minn.
Anderson, Mont.
Andrews
Ashley
Ashmore
Aspinall
Avery
Bailey
Baring
Barr
Bass, Tenn.
Baumhart
Beckworth
Bennett, Fla.
Berry
Blatnik
Blitch
Boggs
Bolling
Bonner
Bowles
Boykin
Brademas
Breeding
Brock
Brooks, Tex.
Brown, Ga.
Brown, Mo.
Burdick
Burke, Ky.
Burke, Mass.
Burleson
Cannon
Carnahan
Casey
Celler
Chelf
Coad
Coffin
Cohelan
Cook
Cooley
Dawson
Dent
Denton
Diggs
Dingell
Donohue
Doyle
Elliott
Everett
Evins
Fascell
Feighan
Fisher
Flood
Flynn
Foley
Forrester
Fountain
Gathings
George
Grant
Gray
Green, Oreg.
Griffiths
Gross
Haley
Hargis
Harmon
Harris
Hébert
Hemphill
Hogan
Holland
Horan
Huddleston
Hull
Ikard
Inouye
Jarman
Jennings
Jensen
Johnson, Calif.
Johnson, Colo.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kasem
Kastenmeier
Kee
Kilday
Kilgore
King, Calif.
King, Utah
Kitchin
Kyl
Lane
Langen
Latta
Lennon
Lesinski
Levering
Libonati
McCormack
McDowell
McFall
McGinley
McGovern
Machrowicz
Mack
Madden
Magnuson
Mahon
Marshall
Matthews
May
Miller, Clem
Miller, George P.
Mills
Mitchell
Moeller
Montoya
Morgan
Morris, N. Mex.
Morrison
Moss
Moulder
Murphy
Natcher
Norrell
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
O'Neill
Oliver
Passman
Patman
Perkins
Pfost
Philbin
Pilcher
Poage
Porter
Preston
Price
Prokop
Pucinski
Rabaut
Rains
Randall
Rees, Kans.
Reuss
Riley
Rivers, Alaska
Roberts
Rogers, Colo.
Rogers, Tex.
Rooney
Roosevelt
Rostenkowski
Roush
Rutherford
Santangelo
Saund
Scott
Selden
Shelley
Sheppard
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Kans.
Smith, Miss.
Spence
Stubblefield
Sullivan
Teague, Tex.
Teller
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Trimble
Udall
Ullman
Vinson
Walter
Wampler
Watts
Weaver
Whitener
Whitten
Wier
Willis
Winstead
Wolf
Wright
Yates
Young
Zablocki
Zelenko

NOT VOTING—25

Alford
Anfuso
Barden
Buckley
Durham
Edmondson
Frazier
Healey
Hess
Holifield
Irwin
Kelly
Keogh
McMillan
McSween
Merrow
Metcalf
Miller N.Y.
Morris, Okla.
Multer
Mumma
Steed
Taylor
Thompson, La.
Wainwright

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Miller of New York for, with Mr. Alford against.

Mr. Merrow for, with Mr. Keogh against.

Mr. Wainwright for, with Mr. Anfuso against.

Mr. Taylor for, with Mr. Buckley against.

Mr. Hess for, with Mr. Multer against.

Mrs. Kelly for, with Mr. Durham against.

Mr. Mumma for, with Mr. Holifield against.

Mr. BYRNE of Pennsylvania, Mrs. GRANAHAN, and Mr. BRAY changed their votes from "nay" to "yea."

Mr. ZELENKO and Mr. CASEY changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

Mr. ARENDS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 236, not voting 24, as follows:

[Roll No. 145]

YEAS—170

Abernethy
Albert
Alexander
Andersen, Minn.
Anderson, Mont.
Andrews
Ashmore
Aspinall
Avery
Bailey
Baring
Barr
Bass, Tenn.
Beckworth
Berry
Blatnik
Blitch
Boggs
Bolling
Bonner
Bowles
Boykin
Brademas
Breeding
Brock
Brooks, Tex.
Brown, Mo.
Burdick
Burke, Ky.
Cannon
Carnahan
Chelf
Coad
Cook
Cooley
Dawson
Denton
Diggs
Dingell
Doyle
Elliott
Evins
Fascell
Fisher
Flood
Flynn
Foley
Fountain
Gathings
George
Grant
Gray
Griffiths
Gross
Hargis
Harmon
Harris
Hébert
Hogan
Holifield
Holland
Huddleston
Hull
Ikard
Inouye
Jarman
Jennings
Jensen
Johnson, Calif.
Johnson, Colo.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kasem
Kastenmeier
Kee
Kilday
Kilgore
King, Calif.
King, Utah
Kitchin
Kyl
Langen
Lennon
Lesinski
Levering
Libonati
McCormack
McFall
McGinley
McGovern
Machrowicz
Mack
Madden
Magnuson
Mahon
Marshall
Matthews
Miller, George P.
Mills
Mitchell
Montoya
Moorhead
Morgan
Morris, N. Mex.
Morrison
Moss
Moulder
Natcher
Norrell
O'Brien, Ill.
O'Hara, Ill.
O'Konski
Oliver
Passman
Patman
Perkins
Pfost
Pilcher
Poage
Porter
Preston
Price
Rabaut
Rains
Randall
Reuss
Riley
Rivers, Alaska
Roberts
Rogers, Colo.
Rogers, Tex.
Roosevelt
Roush
Rutherford
Santangelo
Saund
Scott
Selden
Sheppard
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Miss.
Spence
Stubblefield
Sullivan
Teague, Tex.
Teller
Thompson, Tex.
Thornberry
Trimble
Ullman
Vinson
Walter
Wampler
Watts
Weaver

Whitener	Willis	Wright
Whitten	Winstead	Young
Wier	Wolf	Zablocki

NAYS—236

Abbitt	Farbstein	Milliken
Adair	Feighan	Minshall
Addonizio	Fenton	Moeller
Alger	Fino	Monagan
Allen	Flynt	Moore
Arends	Fogarty	Murphy
Ashley	Forand	Murray
Auchincloss	Ford	Nelsen
Ayres	Forrester	Nix
Baker	Frelinghuysen	Norblad
Baldwin	Friedel	O'Brien, N.Y.
Barrett	Fulton	O'Hara, Mich.
Barry	Gallagher	O'Neill
Bass, N.H.	Garmatz	Osmers
Bates	Gary	Ostertag
Baumhart	Gavin	Pelly
Becker	Giaimo	Philbin
Belcher	Gilbert	Pillion
Bennett, Fla.	Glenn	Pirnie
Bennett, Mich.	Goodell	Poff
Bentley	Granahan	Powell
Betts	Green, Oreg.	Prokop
Boland	Green, Pa.	Pucinski
Bolton	Griffin	Quie
Bosch	Gubser	Quigley
Bow	Hagen	Ray
Bray	Haley	Reece, Tenn.
Brewster	Halleck	Rees, Kans.
Brooks, La.	Halpern	Rhodes, Ariz.
Broomfield	Hardy	Rhodes, Pa.
Brown, Ga.	Harrison	Riehlman
Brown, Ohio	Hays	Rivers, S.C.
Budge	Hechler	Robison
Burke, Mass.	Hemphill	Rodino
Burleson	Henderson	Rogers, Fla.
Byrne, Pa.	Herlong	Rogers, Mass.
Byrnes, Wis.	Hiestand	Rooney
Cahill	Hoeven	Rostenkowski
Canfield	Hoffman, Ill.	St. George
Casey	Hoffman, Mich.	Saylor
Cederberg	Holt	Schenck
Celler	Holtzman	Scherer
Chamberlain	Horan	Schneebeli
Chenoweth	Hosmer	Schwengel
Chiperfield	Irwin	Shelley
Church	Jackson	Short
Clark	Johansen	Siler
Coffin	Johnson, Md.	Simpson
Cohelan	Jonas	Smith, Calif.
Collier	Judd	Smith, Kans.
Colmer	Kearns	Smith, Va.
Conte	Keith	Springer
Corbett	Kilburn	Staggers
Cramer	Kirwan	Stratton
Cunningham	Kluczynski	Taber
Curtin	Knox	Teague, Calif.
Curtis, Mass.	Kowalski	Thomas
Curtis Mo.	Lafore	Thompson, N.J.
Daddario	Laird	Thomson, Wyo.
Dague	Landrum	Toll
Daniels	Lane	Tollefson
Davis, Ga.	Lankford	Tuck
Davis, Tenn.	Latta	Udall
Delaney	Lindsay	Utt
Dent	Lipscomb	Vanik
Derounian	Loser	Van Pelt
Derwinski	McCulloch	Van Zandt
Devine	McDonough	Wallhauser
Dixon	McDowell	Weis
Donohue	McIntire	Westland
Dooley	Macdonald	Wharton
Dorn, N.Y.	Mailliard	Widnall
Dorn, S.C.	Martin	Williams
Dowdy	Mason	Wilson
Downing	May	Withrow
Dulski	Meader	Yates
Dwyer	Meyer	Younger
Everett	Michel	Zelenko
Fallon	Miller, Clem	

NOT VOTING—24

Alford	Healey	Miller, N.Y.
Anfuso	Hess	Morris, Okla.
Barden	Kelly	Multer
Broyhill	Keogh	Mumma
Buckley	McMillan	Steed
Durham	McSween	Taylor
Edmondson	Merrow	Thompson, La.
Frazier	Metcalf	Wainwright

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Durham for, with Mrs. Kelly against.

Mr. Keogh for, with Mr. Miller of New York against.

Mr. Buckley for, with Mr. Merrow against.

Mr. Anfuso for, with Mr. Wainwright against.

Mr. Healey for, with Mr. Hess against.

Mr. Multer for, with Mr. Taylor against.

Mr. Alford for, with Mr. Mumma against.

Mr. Edmondson for, with Mr. Broyhill against.

Mr. KITCHIN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. HOEVEN. Mr. Speaker, I move to reconsider the vote by which the bill failed of passage and lay that motion on the table.

The motion was agreed to.

CALL OF THE PRIVATE CALENDAR ON THURSDAY, JUNE 30

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Thursday of next week under the rule the call of the Private Calendar may take place.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TREASURY-POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1961

Mr. GARY. Mr. Speaker, I call up the bill (H.R. 10569) making appropriations for the Treasury and Post Office Departments, and the Tax Court of the United States for the fiscal year ending June 30, 1961, and for other purposes, with a Senate amendment thereto.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment No. 6: Page 12, line 18, strike out all after "$3,100,000,000" down to and including "law" in line 20.

Mr. GARY. Mr. Speaker, I send a motion to the desk.

The Clerk read as follows:

Mr. GARY moves that the House adhere to its disagreement to the amendment of the Senate numbered 6.

Mr. HOFFMAN of Michigan. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. HOFFMAN of Michigan moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein.

Mr. GARY. Mr. Speaker, I ask for a division of the motion.

The SPEAKER pro tempore. The gentleman may have a division of the motion. Does the gentleman wish to debate the motion?

Mr. GARY. Yes.

Mr. HOFFMAN of Michigan. Yes; I would like to explain what the motion is.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. GARY] is entitled to be recognized for 1 hour on the motion.

Mr. HOFFMAN of Michigan. How about my 5 minutes? Will I be recognized for 5 minutes to explain the motion?

The SPEAKER pro tempore. The time is under the control of the gentleman from Virginia.

Mr. GARY. Mr. Speaker, I yield 10 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, as a member of the Treasury-Post Office Appropriations Subcommittee I have asked for time to discuss this amendment very briefly. I am quite sure the membership would like to hear a review of the history of Senate amendment No. 6.

On February 23, 1960, at page 3283 of the CONGRESSIONAL RECORD, the gentlewoman from Illinois [Mrs. CHURCH] offered an amendment to strike out. On a division this proposal was rejected by a vote of 26 ayes and 80 noes.

The bill was passed without a record vote.

The Senate Committee on Appropriations accepted the language when reporting the bill.

On April 25, 1960, CONGRESSIONAL RECORD, page 8617, in the other body Mr. WILLIAMS offered an amendment to strike out. The amendment was agreed to without a record vote.

The bill was passed on a rollcall vote of yeas 75, nays 0, not voting 25.

June 1, 1960, CONGRESSIONAL RECORD, page 11571, the committee on conference reported in disagreement amendment No. 6.

June 1, 1960, page 11573 of the CONGRESSIONAL RECORD, the conference report was agreed to.

Mr. GARY offered a motion that the House insist on its disagreement to the Senate amendment. The motion was agreed to without a record vote.

On June 6, at page 11884 of the CONGRESSIONAL RECORD, the conference report was agreed to.

Mr. ROBERTSON offered a motion that the Senate recede from its amendment. The motion was rejected on rollcall, yeas 25, nays 49, not voting 26.

Mr. WILLIAMS offered a motion that the Senate insist upon its amendment and ask for a further conference. That motion was agreed to.

On two previous occasions this body has supported the committee in its recommendation.

Mr. Speaker, the right of the use of the franking privilege is not involved here; the question is how the frank is to be used.

When mailing important documents or Government publications, those going to rural boxholders are addressed to boxholders, but if the same type of mail goes into a city it must be addressed individually, to an individual address. This makes it more expensive for the Department to handle because it requires a longer time to sort and deliver the mail. The Post Office officials state that when such mail is addressed to "Occupant" or "Boxholder" it costs less to handle and deliver than if individually addressed.

Why should we permit the letter service agencies to profit at the expense of the Members of Congress for providing mailing lists and addressing envelopes for this official mail? Furthermore, for the service bureaus or the Department

to dictate to the Members of Congress how our frank should be used in getting official documents into the hands of constituents is, in my opinion, unjustified. Then, there is this question: Why should those of us who represent rural districts have an advantage in this respect over those who represent city districts?

The House has voted on this matter twice before, and I hope that we shall again support the committee's position.

Postmaster General Summerfield came before our committee and stated that the salary increase which we voted last week, if it went into effect, would increase the Post Office Department deficit by $248 million, and that in the fiscal year 1961 we would have a postal deficit in excess of $850 million.

When the Assistant Postmaster General was before our committee, Mr. GARY asked him this question: "Is it any cheaper, so far as the Post Office Department is concerned, to handle the mail in this manner?"

Mr. Sessions said, "Yes, I think there is no question about that."

If you are mailing out 5,000 letters with official documents to rural people, that mail goes to "Boxholder." If you mail the same 5,000 to constituents residing in the city you have to address them individually and deliver them individually. This latter procedure certainly costs you more money, and it costs the Post Office Department more money.

Let us reason the matter out. The use of the frank is not involved, but how you shall use the frank. If you have 5,000 letters you must mail, why should you not use the lowest cost way, and send them to "Boxholder" or "Occupant," rather than to have to address them individually, and put the Post Office Department to the task and expense of having to select the letters individually? In many cases up to 20 to 25 percent of the addressed letters are returned, and they have to be returned at the expense of the Post Office Department to Washington or to your home address if you should be mailing them from the home district.

We supported this provision 3 to 1 earlier in the year, and at a subsequent date we supported it again. Why, now, should we retreat from our position and abide by the wishes of one man in the other body who has raised a lot of fuss about this? I say we should support the committee, as you have done in the past.

I am willing to trust Members of Congress. I do not think that you should be deprived of the right to use your mailing frank. If you do not use it intelligently, you are not going to be here to use it very long anyway.

Now, I want to repeat that it is not a question of the use of the franking privilege. It is a question of how you shall use it. Under the law today you actually have the right to use your frank and mail official material to "Occupant" or to "Boxholder," and it is only by the directive of Mr. Summerfield that you are being deprived of using that right.

We are not changing the law. I think our distinguished chairman will tell you that we are not attempting to amend the law by this language, but merely to restate the law. We are just indicating to Mr. Summerfield that the Congress should have a word in this matter. So, I hope that you will support the committee at this time, as you have done in the past.

There are Members who feel that inasmuch as this is an election year, maybe we should go along, and let the service bureaus and the Department dictate to us how we should address our mail. I think I have stated it very simply. I think I have given it to you factually.

And, our distinguished chairman did not have the hearings printed, but the transcript will be on the floor and available. Mr. Sessions, the Assistant Postmaster General, stated that the use of occupant mail is cheaper than if the letters are addressed and delivered individually. And, I am sure our distinguished chairman would not mind you having a look at the original transcript, and you will know that the committee is justified in its stand and that the House has been justified in supporting it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Will this permit every citizen of the country to use this system of addressing mail to "Occupants"?

Mr. PASSMAN. Not any more than it would permit every citizen of this country to use the franking privilege. If you want to make that point an issue, let us just state that if it is wrong for the 537 Members of Congress to use the frank, we should withdraw it. But, we should not state that I could use it to send my mail to the rural constituents and not to the city constituents.

Mr. GROSS. The gentleman said the frank is not in issue, but what is in issue, it seems to me, is this special privilege to Members of the Congress and Members of the Congress only. If I have the wrong impression, the gentleman should tell me so.

Mr. PASSMAN. Let me answer the distinguished gentleman by saying this involves only the right of Members of Congress to use the frank in cities as well as in rural communities.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. Let me say to the gentleman that this is not a special privilege for anybody. And, it has been the most misrepresented piece of legislation that has ever been on the floor of this House. It does not give anybody a special privilege. It does not change the law. It does not give any privilege that is not already in the law. The fact is that the Postmaster General has restricted by bureaucratic fiat the privilege already granted to Members of Congress by law.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from New York.

Mr. PILLION. Is it the position of the gentleman that you are advocating an equalization of the franking privilege rather than a new privilege; sort of an equalization of the franking privilege? Is that the position of the gentleman?

Mr. PASSMAN. It is my understanding that we are merely complying with the law but that we may in the future, as we have in the past, be privileged to address our mail to "Boxholder" or "Occupant."

Mr. GARY. Mr. Speaker, if the gentleman will yield further, the gentleman is absolutely correct. It is merely extending to the Members of Congress, who represent city or urban districts, the same privilege that is now enjoyed by Members of Congress who represent rural districts.

Mr. PILLION. And it gives full protection to the franking privilege so far as Members of the Congress are concerned?

Mr. GARY. That is the point exactly.

Mr. PASSMAN. Now, I want to state further that if it costs less for us to use the frank and address the letters to "Occupant" or "Boxholder" rather than to address them individually, then I think we should have and use that privilege. I would not have asked for this time if it had not been that Mr. Sessions of the Post Office Department came before our committee and testified that it would be more economical to send it out to "Boxholder" rather than to address and deliver it individually.

As we are facing a $750 million postal deficit next year I do not see why we should not use the lowest cost means of mailing. I do not believe any Member of Congress will send out any more documents because he would be allowed to address it to "Occupant" than if he had to address the mail to the individual. A Member has just so many documents going out and he is going to have to get them out whether he addresses them to the individual or to a boxholder.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. YOUNGER. If it is cheaper, then why do we not grant the same privilege to all of the second- and third-class mailers?

Mr. PASSMAN. I suppose we could argue, why not give the franking privilege to all people who use the mails? We are merely trying to protect the rights of Members of Congress to send out public documents to their constituents.

Mr. YOUNGER. The gentleman is just begging the question.

Mr. PASSMAN. I am not begging the question.

Mr. YOUNGER. If it is cheaper for the Congressman to send his franked mail out to "Occupant", why is it not cheaper to permit third-class mailers to do the same thing?

Mr. PASSMAN. I am sure we could establish that it would be more economical.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. GARY. It has been testified to before our committee and is beyond question that it would be cheaper. The

facts are that when the privilege was extended generally the post offices were flooded with junk mail, to the extent that they could not handle it and consequently they had to abandon the practice. They admitted, however, that it was a cheaper method of handling it.

Mr. YOUNGER. That is correct.

Mr. GARY. But I do not believe that Members of Congress would flood the Post Office Department to the point where it could not handle the mail.

Mr. PASSMAN. That is the statement that I made, that I do not think Members of Congress would increase the volume of their mail by as much as 1 percent. A Member has to get these official documents out. If he is sending out an important speech made, perhaps, by the distinguished gentleman from New York, Mr. TABER, or the distinguished gentleman from Indiana, Mr. HALLECK, or any other distinguished Member, he wants to get that mail out. I do not see why he should be put to the additional expense of employing a letter service agency to address the letters, just because it means business and profit to them. I do not think the Post Office Department would testify before our committee that the "Boxholder" or "Occupant" mailing is more economical unless they had the facts. But in addition to that fact, I do not see why I, representing largely a rural section, should be given a special mailing privilege over those Members who represent largely city districts. As it stands today, I am privileged to address all of my mail going to rural districts to the boxholder or occupant.

I will ask my chairman whether I am not making a statement of fact.

Mr. GARY. Yes.

Mr. PASSMAN. If I have that privilege today, I am going to continue to use that privilege. I do not see why those representing city districts should not have the same privilege, especially since it is the more economical method, according to the testimony of the Assistant Postmaster General.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. The gentleman was good enough to remember that I introduced the amendment some time ago to strike out this preposterous proposal to extend the congressional franking privilege to include sending mail addressed just to "Occupant" into urban areas.

Mr. PASSMAN. Yes, I certainly do.

Mrs. CHURCH. On the day that that worthy amendment was defeated in committee, I would have included the prohibition in a motion to recommit, had it not been for the fact that there was an agreement that there would be no rollcall votes on that day. I have regretted ever since that I observed that restriction.

May I say to the gentleman, however, that if he thinks there is no discrimination in offering this privilege to the Congress as against the refusal to offer it to the individual citizen, the public not only sees the discrimination but actually questions our integrity. The individual citizen is certainly opposed to the granting of this privilege, because he does feel himself to be discriminated against. Furthermore, he would prefer further, rather than less protection from the indiscriminate flood of "Occupant" mail against which there has been so much protest.

My attempt to remove from the original appropriation bill this exclusive and expensive privilege for Congressmen apparently met a responsive chord throughout the country. On no other subject have I received as much mail congratulating me on making the attempt, even if it was at that time unsuccessful, to strike out this privilege. I should like to say, as a Member from a district which has some rural mail, but which largely has delivered mail, that I would not use this special privilege if it were accorded to Members of this body.

I am sure that this responsible body, on sound second thought, will uphold my effort to strike out the provision by voting to recede from its disagreement with the other House, which has been firm in refusing to accept this proposal in the bill.

The SPEAKER pro tempore. The time of the gentleman from Louisiana [Mr. PASSMAN] has again expired.

Mr. GARY. Mr. Speaker, I yield the gentleman 2 additional minutes, and ask him if he will yield to me.

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. Mr. Speaker, I should like to say to the gentlewoman from Illinois that if the individual citizen feels that he is being discriminated against, it is because of the regulations of the Post Office Department and not the law, because at the present time this is permitted by law, and is restricted by departmental regulation.

Mr. PASSMAN. If the gentlewoman will take the transcript and read the Assistant Postmaster General's statement in reply to questions, he indicates, and I think the gentlewoman will agree and she may change her position, that this was brought about not because we informed our constituents but because they were misinformed, and because many of the newspapers had brought on unreasonable pressure. If you will take the transcript and read it yourself you will find that the Department indicated the newspapers had brought on much of this opposition.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from New York.

Mr. SANTANGELO. Is it correct that if this amendment is agreed to the Congressmen representing the rural areas will have the right to send mail to the occupants or boxes or post offices but the Congressmen representing the city districts will not have that privilege?

Mr. PASSMAN. Congressmen from rural districts already have that right for rural route mailing. If this amendment is rejected or approved we still have the right.

Mr. SANTANGELO. If the amendment is agreed to, the Congressmen from the rural areas will still have that right but the city Congressmen will not.

Mr. PASSMAN. We are trying to protect those in the city areas and give them the same privileges as those in the rural areas, such as I represent. It is that simple.

Mr. GARY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

Mr. SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, presumably this franking privilege, though I do not know for certain, was given us so we could answer our constituents, which of course we could not possibly do if we had to pay regular postage.

It seems to me, as I read the old books, the stability of any government depends on the confidence the people have in their officials. Reading the papers and listening to the radio recently, I discovered—and it is a discovery—that we as a Congress are in disrepute at the present time. There always are those who, for personal reasons, seek to discredit the Congress and its Members. If or when a few do some discreditable act all, by association, are castigated.

Here is another one. I know Members of Congress, I say, I know Members of Congress who in the past have abused the franking privilege. We did not get much credit for doing that. We will not get any more by now asking the privilege of franking out our campaign mail—this is a campaign year, an election year—to every resident of every city in our districts, and I do not know personally of anyone who does not have cities in his district—then we have recent disclosures in the press which reflect on the Congress as a whole though only a few are mentioned.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I am going along with the gentleman from Louisiana [Mr. PASSMAN] all the way on foreign aid. It is all right now to try to give our own people something. I would say to the gentleman from Louisiana, it is all right, but why limit the aid to Congressmen? Why ask for something additional and special in an election year?

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I cannot. I might be overpersuaded.

I cannot understand why—talking about Americans—I cannot understand why he does not want to give this privilege, which is a very valuable one, to everybody in the country. If we did, the post offices would be so cluttered up they could not do business. We just passed a civil rights bill which was supposed to do away with discrimination in all fields.

We just increased the pay of postal employees. Are we now to give them additional work so as to be sure they earn the increase?

We get counterpart funds if we are fortunate enough to belong to a junketing committee. Many of them are absolutely essential and do a wonderful job. If we belong to one operating here at home we can get funds to spend here in America to pay our expenses but rightfully under the law, no more. I will not name any names, but go back over the record and see where Members of Congress have used the taxpayers' money for almost every conceivable private purpose on some of these junkets.

Mr. PASSMAN. Mr. Speaker, will my friend yield?

Mr. HOFFMAN of Michigan. I have only a few minutes. I am afraid I will be overpersuaded. I cannot yield. To go back to what was said a moment ago, why do they not grant the franking privilege to everybody? Because the Department could not operate at all if we did. Do Congressmen want a campaign contribution? For our own interest and for protecting our own integrity and just out of common decency, should we not just forget this special privilege for ourselves for this year? Do it next year, when a campaign is not on. I think that would be fair.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to my colleague, I know he wants to be reelected and wants to make use of every possible legitimate and decent use of the franking privilege in order to serve his people.

Mr. SCHERER. I just want to know whether or not we should take steps to eliminate the privilege that rural Congressmen have to send their mail to occupants or to box holders.

Mr. HOFFMAN of Michigan. We cannot answer their many requests—sometimes demands—if we did that. I claim that the misuse of that privilege is something too many of us, including your humble servant, indulge in and we should not extend it. If anything, we should begin to cut it. What we are doing here is trying to protect our good name.

Mr. SCHERER. I agree with you.

Mr. BROOMFIELD. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. Mr. Speaker, I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I wish to commend the gentleman from Michigan. I think, possibly, the Congress should go another step farther and eliminate the privilege we are giving to this rural box holder and occupant mail.

Mr. HOFFMAN of Michigan. I would like to go along with that if our constituents did not ask so many questions which must be answered and which cannot be answered if the privilege is taken away.

But some people are sending everything under heaven through the Post Office Department, and we should not open ourselves to criticism and this is the real issue, we should not open ourselves to further charges of voting for legislation which helps us personally in a campaign year or of obtaining Government funds to which we are not entitled. That destroys the confidence of our people in their Representatives.

Mr. GARY. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I want to make it clear to the House that I oppose my committee chairman very reluctantly. I have never found a finer gentleman and finer Congressman to work with than VAUGHAN GARY of Virginia.

Mr. Speaker, I opposed this amendment originally and I oppose it again today. I hope the House will go along with the motion offered by the gentleman from Michigan [Mr. HOFFMAN].

To explain to the House what is before us—an amendment was inserted by the Subcommittee on the Post Office and Treasury Appropriations Subcommittee and accepted by the full committee and accepted by the House, which would allow the Congress, the U.S. House of Representatives and the U.S. Senate to mail out letters merely by marking "Occupant" on the envelope. They could take this mail and bundle it up in a huge bundle and bring it down to the Post Office and the Post Office would be obligated to deliver this mail to every constituent in their congressional district. There would be nothing to prevent me from flooding the entire Commonwealth of Massachusetts merely by taking 5 million envelopes marked "Occupant" and bringing them down to the local post office and they, in turn, would have to deliver them to every resident in the Commonwealth of Massachusetts. The same thing holds true for the States of New York, California, or any one of the States of the Union.

Now cut this as you may. Cut it as thin as you want to or as thick as you want—this is giving a special privilege to the Congress, which the ordinary citizen does not have.

Mr. Speaker, in regard to rural mail—yes, a Congressman has that privilege but the citizen also has that equal privilege. Here you are going to give something extra to the Congressmen that the ordinary taxpayers do not have. Mr. Speaker, I am proud of my frank, and when I send a letter marked "Official Business" I feel it at least should have the name and address of the person to whom I am sending that mail.

Of all the complaints that we receive in the Congress on the many bills before the Congress, I think the one that I receive more complaints about is the question of junk mail.

CALL OF THE HOUSE

Mr. YOUNGER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. MILLS). The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. CHELF. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 146]

Adair	Gathings	Multer
Alford	Gavin	Mumma
Anfuso	Healey	Powell
Avery	Hess	Reece, Tenn.
Bailey	Kasem	Smith, Calif.
Barden	Kearns	Smith, Miss.
Bennett, Mich.	Kelly	Spence
Bowles	Keogh	Steed
Broyhill	McMillan	Taylor
Buckley	McSween	Thompson, La.
Burdick	Macdonald	Thompson, Tex.
Cooley	Magnuson	Udall
Daddario	Merrow	Ullman
Durham	Metcalf	Wainwright
Edmondson	Miller of N.Y.	Willis
Evins	Mitchell	
Frazier	Morris, Okla.	

The SPEAKER pro tempore. On this rollcall, 382 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

TREASURY AND POST OFFICE APPROPRIATIONS, 1961

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts [Mr. CONTE].

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. PILLION. Will the gentleman state, whether or not, to his knowledge, there was any showing or any proof of any great abuse of this franking privilege on the part of Members of this House who come from rural areas?

Mr. CONTE. No; this was never discussed in the committee. There were no hearings on this particular amendment.

Mr. PILLION. If there has been no showing of any great abuses of this privilege on the part of the Members in the rural areas, is there any reason to believe that the Members from the cities would abuse this privilege and not use it reasonably?

Mr. CONTE. As I say, there were no hearings held. But let us not lose sight of one point, that the ordinary taxpayers in the rural areas have the same privilege as Congressmen. By this amendment you are giving the Congressmen a privilege that the city taxpayer does not have because now, under the ruling, and since the last pay increase, the Postmaster said that city mail would have to be addressed, that the person's name would have to be on the envelope and that they could not send "Occupant" mail to city people. This would give an added privilege to the Congressmen from city areas.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. GARY. Is it not a fact that the Congressmen representing the rural areas and people in the rural areas have a privilege that is not now enjoyed by the Congressmen representing the city areas?

Mr. CONTE. That is exactly right. But in that case, as I have stated three times, the taxpayer living in the rural area has the same privilege as the Congressman. He can send "occupant" mail to rural areas; it is not only the person living in the rural area, but anyone in the United States can send "occupant" mail to people living in the rural areas.

Mr. GARY. They can now. And they can also to people living in city areas, if the Postmaster General would permit it. This is not a matter of law. It is simply a matter of postal regulations.

Mr. CONTE. If he would permit it, but he does not permit it.

Mr. GARY. Exactly. We are trying to say here that insofar as the Congress is concerned, those representing the city areas shall have the same privilege and be on an equal basis with those representing the rural areas. That is all we are asking in this amendment.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. COLLIER. When the ban on the use of occupant-addressed mail was invoked some 3½ years ago it became necessary for the church folks in all of our metropolitan districts to change their method of addressing their church bulletins and mail that they sent out in connection with special religious events. Personally I do not know how I could go along with this as long as this privilege is denied the church people in my district, as enlightening and as informative as I think all the mail is that I send out.

Mr. CONTE. Mr. Speaker, may I make this last point? What we are doing here today, if we go along with this amendment, is to make a mockery of our frank which is a mark of distinction. Also, some mention has been made about the huge deficit of the Post Office Department. Mr. Speaker, this is going to add to the deficit of the Post Office Department because it is going to bring new details which will mean that the postmaster and his workers will have to monitor all the mail and make sure that the mail that is marked "occupant" comes from Congressmen.

Mr. GARY. If the gentleman will yield, is it not true that in the first place the Post Office Department has said it is cheaper to handle the mail in this manner, and in the second place, the Congress makes an appropriation for the mail that is handled for both the Senate and the House, therefore, it will not affect the Post Office deficit one penny?

Mr. CONTE. Someone will have to pay for this. The chairman will have to agree with me that the postmaster or someone under him will have to monitor all the mail to make sure that the mail was mailed by a Congressman, because the ordinary taxpayer does not have this privilege.

Mr. GARY. They have to do that now. They have to keep an account of the franked mail and charge it to the Congress.

Mr. CONTE. That is true, but this creates an added burden.

Mr. GARY. It is no burden at all. They testified before our committee that it will be cheaper.

Mr. CONTE. They will have to monitor the mail to make sure it was a Congressman who sent it out, because the ordinary taxpayer does not have that privilege.

Mr. GARY. Mr. Speaker, I yield to the gentlewoman from New Jersey [Mrs. DWYER] such time as she may desire.

Mrs. DWYER. Mr. Speaker, I support the preferential motion offered by the gentleman from Michigan [Mr. HOFFMAN] and oppose any further extension of the franking privileges for Members.

This motion, if it is adopted by the House, will uphold the Senate and reverse the recommendation of the House Appropriations Committee which seeks to extend Members' franking privileges to include the use of mail addressed simply to "Occupant" and delivered to every household in every community to which it is sent.

This would be, in my view, a thoroughly unjustified privilege and would understandably call upon Congress the great displeasure of the people we represent. Congress has more important things to do, especially in an election year, than to find ways and means of perpetuating itself in office at the public's expense.

The use of the frank is an old, honorable and absolutely essential privilege. If the frank did not exist, something like it would have to be invented in order to facilitate communication between the people and their elected representatives. The volume of congressional mail has grown heavier in recent years largely because people are better informed and are taking a more active interest in the conduct of their Government. The responsibility of Members of Congress to answer this mail, to help keep their constituents informed, and to help make possible a freer and franker exchange of views between constituent and representative could not be fulfilled without the frank.

Like all other privileges and rights, however, the frank can be abused. While the law clearly limits the use of the frank to matters of official business, the line between official and political is sometimes difficult to draw. In addition, the availability of the frank may tend at times to encourage excessive use of the mails.

For these and other reasons, I believe it would be unwise to extend the franking privilege to include so-called "junk mail." Mail addressed simply to "Occupant" is clearly "junk mail." It seems to me that if mail is sufficiently important to qualify for the frank as official business it should be individually addressed. The added time and expense of individual addresses would be a healthy deterrent to the overly generous use of the frank.

There are other good reasons, Mr. Speaker, for opposing the extension of the franking privilege. Unless it can clearly be shown to be necessary for the proper conduct of Congress, we should not be placed in the position of voting for special benefits for ourselves. It is a matter of poor taste, as well as of questionable ethics, for Congress to award itself special privileges unavailable to ordinary citizens—unless those privileges are essential for the performance of official, public responsibilities. This calls for restraint, good judgment, and a concern to protect the integrity of Congress as the cornerstone of free, responsible, and representative government.

Those who urge the extension of the franking privilege, Mr. Speaker, do so on grounds that representatives of urban areas should have the same privileges now available to representatives of rural areas. Speaking for myself, as a representative of a distinctly urban area, I cannot accept this argument, nor do I believe the people I represent would accept it.

It is time, Mr. Speaker, to call a halt to unwarranted special privilege, and the House of Representatives is a good place to stop it.

Mr. GARY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Speaker, I am opposed to any extension of the franking privilege to "occupant mail" in this manner. The only justification that has been voiced on the floor of the House in support of this extension is to equalize the difference between rural and urban areas. It is supposed to give city Congressmen the same privilege now enjoyed by Congressmen from rural areas to send out mail addressed "occupant." I represent a solidly urban area. I cannot speak for districts other than my own, but I assure the Members of the House that the people of my district are not interested in receiving occupant mail, and I am not interested in sending it out. I support the motion that the House recede from its previous position in the matter.

Mr. GARY. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I have 5 minutes. I hope to take only 3 minutes or less.

Mr. Speaker, this institution was established by Benjamin Franklin, Thomas Jefferson, John Adams, and their immediate associates.

It was not established for the benefit of Congressmen. It is not intended to be used today for the benefit of Congressmen. The purpose for which it was established and the sole purpose for which it was instituted was that the citizens of the United States should have an opportunity to receive from their Congressmen an accounting of that Congressman's stewardship. That is the purpose for which it was instituted and that is the purpose for which the committee proposes it shall continue to be used.

When the Constitution was first promulgated there was general agreement abroad that democracy was an impracticable dream. No government by the common people had ever been tried. It could not work.

Most of the people were backwoodsmen. They could not understand civic problems. As soon as Washington died a man on horseback would move in with firing squads and that would be the end of democracy.

The Founding Fathers themselves were apprehensive. They realized the soundness of that argument.

They approached it, as you know, in three ways.

In the first place they established the little red schoolhouse.

In the second place they gave the local newspapers free postage.

And in the third place they instituted the frank.

That was more than 150 years ago. It has been all these years a part of our American system of government. It is one of the means by which our democratic form of government survived.

Our form of government could not have lived without the school, without the newspaper, and without the frank. The voters must know what the issues are. They must know the position of their Representative in order to know whether they should vote for or against him. And whether they should vote to support the administration or oppose it.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. TABER. Is it not true there is an appropriation made every year to the Post Office Department to pay for the use of the frank by the Congressmen?

Mr. CANNON. Oh, yes, we could not keep in touch with our constituents. We could not answer our congressional mail, if we did not have the frank. This bill does not expand it. This merely preserves the frank as we have preserved the schools and free distribution of newspapers. I am certain the gentleman is not opposed to any of the three.

For more than 150 years Congressmen have had this right. They were supposed to report to their constituents, and this is why it should be continued—in the city as well as in the country.

The essential thing here—and the thing so many seem to misunderstand is that the frank is for the benefit of the constituent and not for the benefit of the Congressman.

It is solely for the benefit of the constituent. It is to enable the voter to exercise his right of citizenship—to enable the American citizen to intelligently exercise the right of suffrage. Many are today just as lacking in knowledge of what is going on in Congress as were the citizens of 1789. They are the people benefited by the frank rather than the Congressman. They are the people for whom it was first established by the fathers of the Republic.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Virginia.

Mr. GARY. May I say to the gentleman, we appropriated this year $3,269,000 to pay for the mail of both the House and the Senate. So by this legislation, we are not contributing one penny to the deficit.

Mr. CANNON. That is correct. Furthermore, it should be remembered that the Post Office Department still gives the local newspapers free postage. We still have free schools. It is only the frank the lobbyists are trying to prostitute to their own private gain.

This is the only one of these three items they have attempted to circumscribe. A department seeks to arbitrarily dictate a new and alien policy from that established by the men who wrote the Constitution and then used the frank to make it work.

It seeks to deny the use of a right the Congress has exercised for more than 150 years. And while it seeks to prevent you from writing in this manner to your city constituents, it is strange that it does not place the same inhibition on our country constituents. The thing is utterly illogical and unreasonable.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from California.

Mr. YOUNGER. I would like to ask the gentleman one question. If this is so important, why was it not put in the bill last year in the Post Office appropriation? Why do you pick out an election year?

Mr. CANNON. I will explain to the gentleman how this originated. I send out to all of my constituents a list of farm bulletins. In order to comply with this absurd order by the Department I had to hire three additional clerks and yet, after all this useless and unnecessary trouble and expense, hundreds of them came back. Under the old system—under the original use of the frank—every family would have received one. It was a pure economic waste.

The Government has spent vast sums of money to provide these bulletins.

They are prepared after exhaustive research by some of the most eminent scientists of the day. All this is wasted—and all the money used in printing them is wasted if they cannot be delivered.

I also discovered to my astonishment, that it places an additional burden on the carrier and is more expensive to the Government.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Iowa.

Mr. GROSS. If this is so economical and if it is not going to cost anything, and it is so economical——

Mr. CANNON. More economical than the method they now have.

Mr. GROSS. All right, if it is more economical, why not extend it to all third-class mail?

Mr. CANNON. Yes. Something has been said about junk mail. But this has nothing to do with junk mail. I have never considered the speech of any Congressman as junk.

Mr. GARY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Speaker, the census last week indicated 676,000 people in my district, all in one county, a majority of which is the capital city of Ohio, Columbus. Obviously this is primarily a metropolitan area. The people in my district do not want to be bothered with having their mail boxes loaded with "occupant" mail, from Congress or otherwise, and I intend to vote for the motion of the gentleman from Michigan, and I think the House should recede from its previous position.

Mr. GARY. Mr. Speaker, I yield myself the remainder of the time.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from California.

Mr. GUBSER. The gentleman has stated previously that the Congress annually, in the legislative appropriation bill, appropriates in excess of $3 million to cover the cost of the so-called franking privilege. In order that this may be clear to the public, if we might rephrase this in another way, we know that in private business the employees of that business are furnished postage in the form of postage stamps. Suppose that Congress, instead of using the franking privilege, were to give each Member as an office expense an allotment for the purchase of postage stamps, and then place each Member to the trouble of affixing a stamp to each letter, would that cause any difference at all in the so-called postal deficit or in the cost of running the Congress?

Mr. GARY. None whatever, except the cost of printing the stamps and the administrative cost of processing the mail. We do not have to use stamps now. That, however, is a matter that would have to be handled in a legislative bill. We are considering an appropriation bill, and we cannot include legislation of that kind in an appropriation bill. It would be subject to a point of order.

Mr. GUBSER. In other words, it is an office expense of Congress which we now authorize by law.

Mr. GARY. That is true.

I promise you I will not take all the time, but there are one or two points that I want to bring out about this amendment. I have never heard anything more misrepresented. I have never seen such a tempest in a teapot.

This amendment does not do a thing. Just let me read it to you. The figure immediately preceding it is $3,125 million for the operation of the Post Office. This amendment simply says, "including expenses of delivery to postal patrons of mail matter under congressional frank as now authorized by law."

It does not change the law. It simply indicates to the Postmaster General that we do not want him as an executive officer to impose restrictions upon the manner in which we as Congressmen shall mail our letters.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Massachusetts.

Mr. CONTE. If there is no need for it, are we not opening ourselves to ridicule?

Mr. GARY. I did not say there was no need for it. I simply said it does not change the law. I do say it is our intention to indicate to the Postmaster General that we do not want him circumscribing our rights by a bureaucratic fiat.

Mr. CONTE. Would it not in fact, not this committee, but some subsequent committee who handles the postal budget, force him, through pressure, because he has to go to that committee for his budget, to agree on this mail for Congressmen?

Mr. GARY. I do not think that would be any worse than the Postmaster General forcing us through his bureaucratic fiat to send mail a certain way and telling us how we shall use our franking privilege which is granted to us by law; and that is what is being done now.

We do not seek to change the law; we leave it discretionary with him, but we indicate to him that we want to handle our mail as we see fit and if a Congressman wants to send his mail to his constituents without addressing it, I see no reason why he should not do it. It is done by Congressmen addressing their rural constituents; why should we not be privileged to use it for constituents in city areas? This simply equalizes the matter as between Members of Congress. There is absolutely no question of junk mail involved, as my Chairman has so frankly said. I certainly would not classify as junk mail anything that a Congressman would send out.

There is no question of campaign mail involved because I say to you that if a Member of Congress is sending out campaign material under his franking privilege he is violating the law. We are given the franking privilege for official mail, official mail alone, and not personal mail. So far as I am concerned I have always operated my campaign from a separate office so that accusations of misuse cannot be made against me. I try, in the language of the Scriptures, to avoid even the appearance of evil. But certainly the amendment does not apply to junk mail. It does not apply to campaign mail. I see no reason why we as Members of Congress should permit the executive branch of the Government to dictate to us as to how we shall handle our official mail.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. GROSS. Did a single Member of Congress appear before your committee in support of this proposal?

Mr. GARY. No.

Mr. GROSS. Not a single Member?

Mr. GARY. No.

Mr. GROSS. Then there was no great demand for it.

Mr. GARY. That is a question. A member of the committee sponsored the language and we saw no objection to it. I see no objection to it now, and I ask the Members of the House to sustain the committee on this point.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. PASSMAN. On previous occasions the House did support the committee, did it not?

Mr. GARY. That is correct.

Let me say that this is the only point in the Treasury-Post Office bill that now remains undecided. The conference report has been accepted by both the Senate and the House, and this is the only question in disagreement.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield further?

Mr. GARY. I yield.

Mr. PASSMAN. Is it not true that Members who feel it may be an imposition on their constituents may still address their mail individually if they so desire?

Mr. GARY. That is certainly true. This simply leaves it to the Congressman rather than the Postmaster General as to how he shall send his mail.

Mr. PASSMAN. Did any Member from a rural district appear before your committee and ask to discontinue distributing mail this way?

Mr. GARY. No one did and the Members of Congress from rural districts are employing this method to distribute agricultural bulletins and other official publications.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. HOFFMAN of Michigan. You have been talking about special privileges for Congressmen having rural districts. Do I have a rural district? There is hardly a Member on the floor who does not have a rural district, yet a majority of his votes come from the cities, even though he has farmers. That is my case.

Mr. GARY. Yet he cannot communicate with his constituents in the city in the same manner that he is permitted to communicate with his constituents in the rural districts.

Mr. HOFFMAN of Michigan. And notwithstanding the statement of the gentleman from Missouri [Mr. CANNON], they tell me that it is junk mail—and I do not believe it is.

Mr. GARY. This has no reference to junk mail unless you want to classify the mail sent out by Members of the Congress as junk. I will not do it. I have too high respect for the Members of this body to classify their mail as junk.

Mr. HOFFMAN of Michigan. I do not classify it that way either, but some constituents, even from my district, tell me they get junk mail from Congressmen. They call it junk.

Over and above all that, our reputation being what it is—not our character, our reputation—I am careful to make that distinction—does not the gentleman think we need a little protection now?

Mr. GARY. I do not think this will hurt anybody's reputation. If I thought my reputation depended on this bill I would feel it was very shaky.

Mr. HOFFMAN of Michigan. The reputation of most of us is the highest, but sometimes, mistakenly, they do not judge us quite right.

Mr. GARY. Why?

Mr. HOFFMAN of Michigan. Because we take so many special privileges.

Mr. GARY. It is because the people are misinformed by the press, as they have been in this particular case.

Mr. HOFFMAN of Michigan. Maybe but what about the newspaper reports about expenses abroad and the use of counterpart funds? Has the gentleman read about that?

Mr. GARY. I have read about that, and I think it has been greatly exaggerated. Perhaps there have been instances of impropriety on the part of Members of Congress and I condemn that as much as anybody in this House. So far as my own traveling expenses are concerned, anybody can look at them at any time they want to, but I am not going to set myself up as a judge and attempt to regulate the morals of the other Members of Congress. They are responsible to their constituents as I am to mine.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I do not think we have any testimony to indicate that there would be any more handling by this system?

Mr. GARY. None whatever.

Mr. PASSMAN. Is it not true that the average Member of Congress would use just as many letters whether they are addressed individually and delivered individually, and is it not true that the Assistant Postmaster General appeared before our committee and on page 8 of the transcript the chairman asked this question:

> Is it not cheaper as far as the Post Office Department is concerned to have mail in this manner?
>
> Mr. SESSIONS. Yes. I think there is no question about that.

If we want to face it squarely and take the word of the Assistant Postmaster General we will save money to the taxpayers by permitting them to use "occupant" rather than address it.

Mr. GARY. The gentleman is correct.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. ROONEY. Mr. Speaker, I shall vote "no" on the motion offered by the gentleman from Michigan. How can we expect the public to have respect for us when we do not have respect for ourselves? This is a privilege that Members of the House have had since Benjamin Franklin's time, and I am not going to stand by and permit either the Postmaster General or any Member of the other body deprive me of this privilege, even though I have never used it in my years here in the House of Representatives.

Mr. GARY. I thank the gentleman for his contribution.

Mr. Speaker, I move the previous question.

Mr. MICHEL. Mr. Speaker, when this matter came up during general debate

of the Treasury-Post Office appropriation bill I spoke in support of the amendment offered by the gentlewoman from Illinois [Mrs. CHURCH]. I made the observation at the time that the division vote was strictly on party lines with Republicans favoring the amendment and Democrats opposing it. Today we find the same situation developing.

Mr. Speaker, I was somewhat intrigued with the suggestion of the gentleman from California [Mr. GUBSER]. In a quick computation I have broken down some illuminating figures. If we take the full amount of $3,269,000 for postage for the legislative branch and break it down in equal shares for every House Member and five times as much for each Senator we would find each of us in the House getting $3,488 and each Senator getting $17,440. If we divide this further into 4-cent first-class stamps we find each House Member could mail 87,200 pieces each year and our brethren of the other body could mail 436,000 pieces a year.

You may want to refer to these figures to determine whether your mailings are below or above the average and how much.

The previous question was ordered.

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore [Mr. WALTER]. The gentleman will state it.

Mr. TABER. Is not the parliamentary situation this: The gentleman from Michigan [Mr. HOFFMAN] has offered a motion to recede and concur. The gentleman from Virginia asked for a division of the question. The parliamentary situation is this: We first vote on the question of receding, and if that carries we can vote on the other part of the motion?

The SPEAKER pro tempore. On the question of concurrence?

Mr. TABER. Yes.

The SPEAKER pro tempore. That is correct.

Mr. TABER. If the motion to recede is not agreed to, then that is the end of it?

The SPEAKER pro tempore. No. The vote then would be on the motion to adhere.

Mr. TABER. To adhere, that is right.

The SPEAKER pro tempore. The gentleman is correct.

Mr. GARY. Mr. Speaker, the question at the present time is on the motion offered by the gentleman from Michigan [Mr. HOFFMAN].

The SPEAKER pro tempore. The question is, will the House recede from its disagreement with the Senate amendment.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 90, noes 112.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and sixty-one Members are present, a quorum.

Mr. CONTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 235, nays 164, not voting 32, as follows:

[Roll No. 147]

YEAS—235

Abbitt	Fisher	Monagan
Abernethy	Flynn	Moore
Adair	Foley	Morris, N.Mex.
Addonizio	Ford	Morrison
Albert	Frelinghuysen	Moulder
Alger	Fulton	Murray
Allen	Gavin	Nelsen
Andersen, Minn.	George	Norblad
Anderson, Mont.	Giaimo	O'Brien, N.Y.
Arends	Gilbert	O'Konski
Ashmore	Glenn	Oliver
Auchincloss	Goodell	Osmers
Avery	Green, Oreg.	Ostertag
Ayres	Griffin	Pelly
Baker	Gross	Pfost
Baldwin	Gubser	Pirnie
Baring	Hagen	Poage
Barry	Haley	Poff
Bass, N.H.	Halleck	Preston
Bates	Halpern	Pucinski
Baumhart	Harmon	Quie
Becker	Harris	Randall
Belcher	Harrison	Ray
Bennett, Fla.	Hébert	Reece, Tenn.
Bennett, Mich.	Hechler	Rees, Kans.
Bentley	Henderson	Reuss
Berry	Hiestand	Rhodes, Ariz.
Betts	Hoeven	Rhodes, Pa.
Blatnik	Hoffman, Ill.	Riehlman
Boggs	Hoffman, Mich.	Robison
Bolton	Hogan	Rodino
Bosch	Holt	Rogers, Colo.
Bow	Holtzman	Rogers, Fla.
Bray	Horan	Rogers, Mass.
Breeding	Hosmer	Roush
Brock	Irwin	St. George
Broomfield	Jackson	Saylor
Brown, Ohio	Jensen	Schenck
Broyhill	Johansen	Scherer
Budge	Johnson, Md.	Schneebeli
Burke, Ky.	Johnson, Wis.	Schwengel
Burleson	Jonas	Scott
Byrnes, Wis.	Judd	Short
Cahill	Kastenmeier	Siler
Canfield	Kearns	Simpson
Cederberg	Keith	Slack
Chamberlain	Kilburn	Smith, Calif.
Chenoweth	King, Utah	Smith, Iowa
Chiperfield	Knox	Smith, Kans.
Church	Kowalski	Smith, Miss.
Coad	Kyl	Springer
Coffin	Lafore	Staggers
Collier	Laird	Stratton
Colmer	Langen	Stubblefield
Conte	Latta	Taber
Cook	Lennon	Teague, Calif.
Corbett	Levering	Thomson, Wyo.
Cramer	Lindsay	Tollefson
Cunningham	Lipscomb	Udall
Curtin	McCulloch	Ullman
Curtis, Mass.	McDonough	Utt
Curtis, Mo.	McDowell	Vanik
Dague	McGinley	Van Pelt
Daniels	McGovern	Van Zandt
Derounian	McIntire	Wallhauser
Derwinski	Machrowicz	Wampler
Devine	Mack	Watts
Dixon	Mailliard	Weaver
Dooley	Martin	Weis
Dorn, N.Y.	Mason	Westland
Dorn, S.C.	Matthews	Wharton
Dowdy	Meader	Widnall
Dwyer	Meyer	Williams
Farbstein	Michel	Wilson
Feighan	Miller, Clem	Winstead
Fenton	Milliken	Withrow
Fino	Mills	Wolf
	Minshall	Wright
	Moeller	Younger

NAYS—164

Alexander	Brewster	Daddario
Andrews	Brooks, La.	Davis, Ga.
Ashley	Brooks, Tex.	Davis, Tenn.
Aspinall	Brown, Ga.	Dawson
Bailey	Brown, Mo.	Delaney
Barr	Burke, Mass.	Dent
Barrett	Byrne, Pa.	Denton
Bass, Tenn.	Cannon	Diggs
Beckworth	Carnahan	Dingell
Blitch	Casey	Donohue
Boland	Celler	Doyle
Bolling	Chelf	Dulski
Bonner	Clark	Elliott
Boykin	Cohelan	Everett
Brademas	Cooley	Evins
Fallon	King, Calif.	Prokop
Fascell	Kirwan	Quigley
Flood	Kitchin	Rabaut
Flynt	Kluczynski	Rains
Fogarty	Landrum	Riley
Forand	Lane	Rivers, Alaska
Forrester	Lankford	Rivers, S.C.
Fountain	Lesinski	Roberts
Friedel	Libonati	Rogers, Tex.
Garmatz	Loser	Rooney
Gary	McFall	Roosevelt
Gathings	McMillan	Rostenkowski
Granahan	Macdonald	Rutherford
Grant	Madden	Santangelo
Gray	Mahon	Saund
Green, Pa.	Marshall	Selden
Griffiths	Miller, George, P.	Shelley
Hardy	Mitchell	Sheppard
Hargis	Montoya	Shipley
Hays	Moorhead	Sikes
Hemphill	Morgan	Sisk
Herlong	Moss	Spence
Holifield	Murphy	Sullivan
Holland	Natcher	Teague, Tex.
Huddleston	Nix	Teller
Hull	Norrell	Thomas
Ikard	O'Brien, Ill.	Thompson, N.J.
Inouye	O'Hara, Ill.	Thompson, Tex.
Jarman	O'Hara, Mich.	Thornberry
Jennings	O'Neill	Toll
Johnson, Calif.	Passman	Trimble
Johnson, Colo.	Patman	Vinson
Jones, Ala.	Perkins	Walter
Jones, Mo.	Philbin	Whitener
Karsten	Pilcher	Whitten
Karth	Pillion	Wier
Kasem	Porter	Yates
Kee	Powell	Young
Kilday	Price	Zablocki
Kilgore		Zelenko

NOT VOTING—32

Alford	Healey	Morris, Okla.
Anfuso	Hess	Multer
Barden	Kelly	Mumma
Bowles	Keogh	Smith, Va.
Buckley	McCormack	Steed
Burdick	McSween	Taylor
Downing	Magnuson	Thompson, La.
Durham	May	Tuck
Edmondson	Merrow	Wainwright
Frazier	Metcalf	Willis
Gallagher	Miller, N.Y.	

So the motion to recede was agreed to.

The Clerk announced the following pairs:

Mr. Alford with Mr. Taylor.

Mr. Durham with Mr. Wainwright.

Mr. Frazier with Mrs. May.

Mr. McSween with Mr. Mumma.

Mr. Bowles with Mr. Merrow.

Mr. Thompson of Louisiana with Mr. Miller of New York.

Mr. Willis with Mr. Hess.

Mrs. KEE, Mr. FLOOD, Mr. BECKWORTH, and Mr. DAVIS of Tennessee changed their vote from "yea" to "nay."

Mr. HÉBERT, Mr. POAGE, Mr. HALEY, Mr. BROCK, Mr. RHODES of Pennsylvania, and Mr. JOHNSON of Maryland changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question pending is, Shall the House concur in the Senate amendment?

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATION BILL, 1961

Mr. THOMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12740) making supplemental appropriations for the fiscal year

ending June 30, 1961, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Ohio [Mr. Bow] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12740, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. THOMAS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I have been authorized to announce to the House that this will be the last appropriation bill for this year.

Mr. Chairman, we bring to you today the final supplemental appropriation bill that contains some 30 items, the smallest supplemental bill I have seen in years.

The budget estimate was about $135 million. The committee, after spending some time in studying the matter carefully, recommends for your consideration in round figures a bill of about $50 million. In other words, it has reduced the bill by $85 million below the budget estimates. It has been reduced about two-thirds.

As I say, there are a good many items in here, but I do not think there is too much that would cause trouble. There are some items affecting the District of Columbia. I notice the local press states that the Congress is trying to close down the schools; but about the same time last year we were going to close down the schools, fire the schoolteachers, then fire the policemen, then close down all social security facilities, and so forth. But when the year wound up they had a surplus of around $2 million.

Mr. Chairman, the reason so many reductions have been made in this bill is because we frankly felt that many were not properly supplemental items and they should go over until next year and let the regular subcommittees handle them. The District of Columbia submitted a list of priorities for construction, and the committee suggested they could build anything they want, anything they submit, but just use their own money and do not create any overruns. They wanted an additional $7 million of appropriated funds from the Federal Treasury to bring the payment up to $32 million. We have already given them a contribution of $25 million. They have about $2.5 million of their own, with authority to increase some real estate taxes.

There is another item in here concerning the Chantilly airport sewer, and I must mention that to you. That is for the new airport here that is going to serve the Nation. This item was submitted over a year ago with two or three alternative plans, and the one that makes the most sense, the one that will avoid further pollution of the water supply of the District of Columbia, in round figures is around $44 million. That was the engineering estimate. Our colleague the gentleman from Ohio [Mr. Bow] really took the lead in the matter, and he has worked long and hard on it, and I think after some 8 or 9 months' work he has come up with a plan that has been approved by the Congress. The upshot is that our colleague has saved the taxpayers of the United States a tidy little sum of about $40 million. That is a pretty good day's work. The item here is a $2,700,000 contribution from the taxpayers, the big sewer line will be paid for by the users. I do not think there is any doubt about it that the rate of return from the sewer will pay for itself. The contract will be 40 years, but it will pay for itself easily in 20.

If there are any questions, I am sure Members on both sides of the aisle will be glad to answer them.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand correctly that the State Department, despite the fact that it got $835,000 for liquor and entertainment in the regular appropriation bill, asked for thirty-some thousand dollars in this bill? Did they get the money in any of these lump-sum appropriations?

Mr. ROONEY. Mr. Chairman, will my distinguished chairman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. ROONEY. The answer is a definite "No."

Mr. GROSS. I thank the gentleman.

Mr. THOMAS. Not one penny.

Mr. BOW. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I think this bill that comes before the House today is a good bill. There have been substantial reductions made in most of the items, particularly in the starting of new projects and new employees in the various departments.

Reference has been made by my distinguished colleague, the gentleman from Texas [Mr. THOMAS], relative to the District of Columbia appropriation, and I must admit that this gives me some concern. There are a number of items in here that probably contain things that should be done, and we are going to have to face up to it. Perhaps it is unfortunate that the District of Columbia does not have a representative in this body that could bring these matters to the proper attention of the Congress. Certainly, if they had a representative in Congress, that representative would point out that most of the items in this bill were not proper items for a deficiency bill.

I have before me the justifications. Here is an item for a new junior high school, $2,600,000. There are items for many new buildings, completely new starts that have been justified and which should not come to a deficiency subcommittee without sufficient justification. They should be in the regular bill.

I am hopeful the day will come when these budgets will be presented by someone who perhaps has some standing here in the House of Representatives.

The gentleman from Texas [Mr. THOMAS] also made reference to the settlement of the Dulles Airport sewer question, and the matter of the cleaning up of the Potomac. I appreciate his reference to my part in that. I may say that if it were not for the cooperation of the distinguished gentlemen from Virginia, Mr. SMITH and Mr. BROYHILL, it would not have been easy to work it out; and to those two gentlemen from Virginia much of the credit must go in the working out of this very serious matter of the pollution of the Potomac River.

Mr. Chairman, I reserve the balance of my time.

Mr. THOMAS. Mr. Chairman, I yield 2 minutes to our distinguished colleague from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Chairman, at the appropriate time I intend, very humbly and very prayerfully, to offer an amendment. I hope the gentleman from Texas, my distinguished, intellectual leader, and my athletic leader, will help me a little bit with it; and if he would, I would bestow upon him the highest accolade of all and call him my spiritual leader, if he will help me to correct an injustice that I know he does not want to be meted out upon the gentleman from Florida.

Mr. Chairman, this amendment will not cost any money. It will merely give the Department of Agriculture the opportunity to try to find $500,000 of money that they have not spent this year to build an entomology laboratory, for which there was a budget request. It was in the President's budget, Mr. Chairman. And it was the only request in the President's budget for facilities of this kind. And yet, when we finally passed the original appropriation bills, millions of dollars were appropriated for similar facilities. I know that this Committee will not be unfair to the gentleman from Florida and deny him his laboratory, when some of you have received so much.

Mr. THOMAS. Mr. Chairman, I yield myself 30 seconds to answer a question by my beloved colleague, the gentleman from Maine, to whom I yield now.

Mr. COFFIN. Mr. Chairman, I thank the gentleman from Texas for yielding. I note on page 10 of the committee report, there is an item under the Bureau of the Census of $150,000. I wonder if the gentleman could tell me whether this has reference to a program in the Bureau of the Census seeking to establish more accurate data on the origin of export trade within this country.

Mr. THOMAS. We could very well call that the handiwork of our colleague the gentleman from Maine [Mr. COFFIN]. This deals primarily and exclusively with the export business. It has nothing to do with the processing of census papers. It has to do with exports.

Mr. COFFIN. I thank the gentleman.

Mr. BOW. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I take this time to make a comment with reference to the action of our committee. In an editorial published in the local morning newspaper yesterday, the gentleman from North Carolina now speaking was chastised and accused of "scolding" the representatives of the District of Columbia who came before the committee, and because of that and because of what transpired I have asked for this time in order to set the record straight.

As a matter of fact, as all Members of this Committee know, we have before the Committee this afternoon not a regular appropriation bill but a supplemental bill containing deficiency items.

As the gentleman from Ohio has already well said, we have scrutinized all of these requests from the standpoint of whether they are proper deficiency items that should come before our Committee or if they more properly should be considered by the regular Appropriations Committee of the House.

May I say, Mr. Chairman, that a reading of the interrogation of the witnesses who sought to justify the $100,000 item for the repair of a street did not indicate that the gentleman now speaking undertook to scold them at all. He inquired how long this street had been in need of repair, and the answer was that it had never been repaired since it was originally laid out, and that the Commissioners had known since 1957 that the residents of the area wanted the street paved. All the gentleman from North Carolina did was point out to the witness that our special subcommittee deals with deficiency items and that this particular project should come up in regular order before a regular committee instead of one dealing with emergency matters.

Then further on in the editorial the writer made some caustic comments about other Members of the House, including the Speaker, in referring to an item in this bill on page 10 which provides $5 million for the acquisition of two blocks east of the Old House Office Building here on Capitol Hill. I did not vote to include this item in the bill in the subcommittee. In fact, I opposed it there. I opposed it in the full committee and offered an amendment to strike it.

My purpose now is to state to the Committee that I have an amendment at the desk, and when the bill is read for amendment I shall offer that amendment, which proposes to strike the $5 million item for the acquisition of this property. Under the 5-minute rule I will explain my reasons for offering the amendment.

Mr. BOW. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I agree with the chairman of the subcommittee that dollarwise this is probably one of the smallest supplemental appropriation bills to come before the House in recent years, but that does not mean that it is not rich in a few places. One of them is the item that the gentleman from North Carolina [Mr. JONAS] was just referring to, the land purchase on Capitol Hill, and the other is something that has been rather dear to my heart for a number of years, and that is the Jefferson National Expansion Memorial at St. Louis, Mo., which is in this bill for, as I understand it, an additional $2,953,000. It is my further understanding that there was $1,600,000 for this project in the regular appropriation bill.

My question to someone on the committee is, What emergency has developed at St. Louis to require almost $3 million in addition to the $1,600,000 previously appropriated?

Mr. KIRWAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to my friend from Ohio.

Mr. KIRWAN. In answer to your question, I would say that I see no emergency. I see no emergency whatever. When the Department appeared before the subcommittee on appropriations for the Department of the Interior, the committee granted every dollar that the administration asked for. We were told by the Department that they agreed with that request and we were told that the President needs it. About a month after that, we were accused of being a spending Congress. We were told that we went higher than what the President wanted.

Mr. Chairman, the Congress did not ask for this extra money. The Congress gave them every dime that they asked for in the budget. Then a month or two after that, they came in with the President's request and asked for $2 million and some odd hundred thousand dollars for this emergency or this monument. I say now that when that bill first came to the Congress, it was to build that monument, or whatever you want to call it down there, when they balanced the budget and that is how it was sneaked through the Congress.

Mr. GROSS. That is right.

Mr. KIRWAN. It was on condition that they balance the budget. Now what do we see coming in here? They have this here today as an emergency measure; in fact, this should never be here at all, and if I had my way about it, it would not be here. I agree with the gentleman from Iowa—you are 100 percent correct in asking the question. What is it doing here?

Mr. GROSS. I thank the gentleman from Ohio for his forthright statement. I know how he feels about these matters for time after time he has warned the House not to initiate these costly projects. I will say to the gentleman that at the proper time I will offer an amount of almost $3 million from this amendment to strike this additional bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMAS. Mr. Chairman, I yield myself 2 minutes to answer an inquiry from our distinguished colleague, the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, the question I have is with respect to the item previously mentioned on page 7 of the report, namely, the $5 million for the acquisition of two squares of property located south of Independence Avenue in the vicinity of the Capitol Grounds. I am wondering just what exactly this property is intended to be used for.

Mr. THOMAS. The great probabilities are that it will be used in 2 or 3 years for a new Library building that we have needed desperately for 2 years, and for which in the next 3 to 5 years you will be spending no less than $300,000 to $350,000 a year in rental fees if you do not build the building. You asked me why I say 2 to 3 years. The property is going to have to be condemned. The Department of Justice will do it, and it cannot possibly be done in a shorter time than that, in my humble judgment, and I have seen a lot of property condemned.

Mr. ASHLEY. So that the businessmen who will be affected by this can, on the basis of your best judgment, look forward to a period of time in the neighborhood of 2 years?

Mr. THOMAS. That is not a bad guess and, of course, it is a guess, but I would say from 18 months to maybe 3 years. One cannot tell exactly, but anyway I would say 2 years is a fair guess.

Mr. ASHLEY. There has been some concern on the part of these businessmen as to how long they will be able to continue in business before having to vacate, and I thank the gentleman for his response to these questions.

Mr. THOMAS. I thank my colleague for his interest.

Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. MCMILLAN].

Mr. MCMILLAN. Mr. Chairman, a number of people have called me about this proposed additional appropriation for the District of Columbia. I agree with the chairman that these school buildings are not emergency projects. I wish the Committee on Appropriations and, of course, I do not mean the subcommittee having jurisdiction of this supplemental appropriation bill because you do not handle the appropriations for the District of Columbia, but I wish you would discontinue making appropriations without authorizations. During the past few years, they have appropriated funds amounting to $400,000 and $500,000 for traffic studies and transit studies and for other items of that type including consultants and so on that have not been authorized by our legislative committee. Now it is necessary for us to increase taxes because of that sort of practice. If you people will work with us, we will certainly work with you.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. THOMAS. Mr. Chairman, I yield such time as he may desire to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Chairman, in the appropriation bill which the President signed on May 13, 1960, funds were not included for 10 positions which had been requested by the Weather Bureau

at a total cost of $100,000. The Tri-State Airport at Huntington, W. Va., is just completing a new control tower and administration building which will mean vast improvements in safety and service to the entire area of portions of West Virginia, Ohio, and Kentucky served by the Tri-State Airport. These new positions for the Weather Bureau will enable the establishment of the weather station at the Tri-State Airport, where it will do the most good, instead of keeping it in the Post Office Building in Huntington. The positions will also provide for carrying on the very important radiosonde or upper air station work with weather balloons by the Weather Bureau. I hope that approval of these positions will not be too long delayed, for the future of the economy of this area rests in large part on the expansion of air service and the safety which these measures will produce. West Virginia has been much in the news lately, Mr. Chairman, and I believe there is a new awareness that we are ready, willing and able to exert the local initiative to move forward if we are provided with a fair break when it comes to such facilities as I have described. Therefore, although these 10 positions are not provided in this supplemental appropriations bill I trust that this body may look with favor on retaining these positions for the Weather Bureau if the other body should see fit to include them in the bill.

Mr. BURKE of Massachusetts. Mr. Chairman, with reference to the motion to recommit this bill and to instruct the Committee on Appropriations to strike out that section of the bill under the title of "Legislative Branch" from line 6 to line 13, I was of the opinion that if this section was enacted into law it would work a severe hardship on those who are presently engaged in business in the real estate block it is now proposed to take for expansion of the Congressional Library.

Many of the businessmen in the area affected are alarmed because they felt that they would be evicted by the Government within a very short period of time. If this were the case, I would be compelled to vote to recommit and strike out that particular section.

However, after the assurances given on the floor of Congress by our distinguished Speaker of the House and by the chairman of the Committee on Appropriations that it will probably give the tenants in this business block at least 2 to 3 years or so to relocate, I feel that the Government will give fair opportunity to take care of their affairs and suitably relocate.

The assurances that compassion and justice will be exercised in carrying out the mandate of this legislation will go a long way toward allaying the fears of those small businessmen whose life savings are invested in these businesses and who are naturally anxious about their future prospects. The day will come, it seems assured, when this block, because of its close proximity to the Capitol, will of necessity have to be purchased by the Federal Government.

Due to the rapid rise in real estate prices in this area the U.S. Government can save millions of dollars by making the purchase before new rises occur and it is very reassuring to know that the worthy industrious tenants in this area will be extended fair, reasonable protection.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Supplemental Appropriation Act, 1961") for the fiscal year ending June 30, 1961, and for other purposes, namely:

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Salaries and Expenses

For an additional amount for "Salaries and expenses", for "Research", $1,500,000.

Mr. MATTHEWS. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: On page 2, after line 5, insert the following:

"The Secretary of Agriculture is authorized to use not to exceed $500,000 of any unobligated funds appropriated to the Agricultural Research Service for the fiscal year 1960 for the construction of an Entomology Laboratory."

Mr. THOMAS. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MATTHEWS. Mr. Chairman, I ask unanimous consent to withdraw the amendment and present another one.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Florida.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: On page 2, after line 5, insert the following:

"For construction of an Entomology Laboratory, $500,000."

Mr. THOMAS. Mr. Chairman, may I reserve a point of order against the amendment?

Mr. MATTHEWS. Mr. Chairman, I appreciate the courtesy of my beloved chairman.

Mr. Chairman, the first amendment I offered would be merely to permit the use of $500,000 of any unobligated funds to be used by the Department of Agriculture for the building of an entomology laboratory on the campus of the University of Florida. Fearing that a point of order would be made against that, I had no other course left but to offer a brandnew amendment, which simply says for Agricultural Research Service, instead of $1,500,000 the sum of $2 million. This is done by adding on page 2, after line 5, the following: "For construction of an Entomology Laboratory, $500,000."

I want to apologize to many of my friends because I told you this amendment would not cost you any more money. If my first amendment had been in order it would not have. Please forgive that error.

I would like you to vote against me if you think I have misled you.

This amendment means so much to me. May I remind you that the Department of Agriculture recommended $900,000 in their 1961 budget to provide for the construction of new facilities for an entomology laboratory to replace similar facilities now located at Orlando, Fla.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Texas.

Mr. THOMAS. May I say to the gentleman——

Mr. TABER. Would the gentleman yield to me?

Mr. MATTHEWS. I have yielded to the gentleman from Texas. If he will permit me, I will yield to the gentleman from New York.

Mr. THOMAS. Certainly.

Mr. TABER. The $500,000 you are putting in this amendment to make that $2 million is for operation, salaries and expenses. It does not cover the construction of anything, and your amendment would not accomplish the thing you are driving at.

Mr. MATTHEWS. Is the gentleman making a point of order, or can I have——

Mr. TABER. The language is not broad enough to cover anything else.

Mr. MATTHEWS. I would like to say to my beloved friend that I sincerely believe he is in error. I have checked very carefully on this language and I find that is a very broad item. It covers research and salaries for a variety of things connected with the control of insects. The entomology laboratory is for nothing but control of insects. It is a very important and vital matter. It concerns every State from California to Florida and from Maine to Florida.

I believe, sir, that this language is sufficiently broad to cover the problem that I have in mind. I want to say that although I am not a lawyer, I have obtained the advice of the best lawyers, I think, in this august body, and without exception they have agreed with me.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I would like to yield, sir, but I hope to have at least a limited time to talk about my amendment.

Mr. Chairman, I yield to the gentleman from Texas.

Mr. THOMAS. We want to help our friend here. This item has been suggested, as the gentleman knows, to the regular Agriculture Subcommittee. In an effort to do something for our friend—he is a hard worker, and he does a tremendous job for his district; we are all proud of him for it—I discussed this with the gentleman from Mississippi [Mr. WHITTEN] this morning.

Mr. MATTHEWS. Sir, I would like to say take all the time you would like.

Mr. THOMAS. Of course, this is not properly a supplemental item, but I asked him: "Can you not help Mr.

MATTHEWS with his item?" He said: "Yes, I think we can work it out for him in January." If you will accept that, may I ask the gentleman to withdraw his amendment and let us get it done in January?

Mr. MATTHEWS. Sir, I am put in an embarrassing situation. Mr. Chairman, may I say I would be grateful if I could have action now; and if I am not successful I know my dear friend would not hold it against me for making this attempt. Then if I am not successful in this attempt I can come back in January.

Mr. THOMAS. I hope the gentleman will withdraw his amendment. We will try to work with you and will help you.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. COAD. Mr. Chairman, I ask unanimous consent that the gentleman from Florida [Mr. MATTHEWS] be allowed to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MATTHEWS. I appreciate very much this opportunity. I am a little bit at a loss as to how to proceed. How should I, so undistinguished in comparison with the distinguished gentleman from Texas, insist in persisting in something here that perhaps does not meet with his 100 percent approval? But I know he will forgive me if I do proceed.

Mr. CLEM MILLER. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the distinguished gentleman from California.

Mr. CLEM MILLER. I think the gentleman's request is justified and I shall support his amendment.

Mr. MATTHEWS. I want to thank the gentleman.

Mr. Chairman, before my time runs out let me say again, I am not mad at anybody.

I yield to my beloved friend from the State of Ohio.

Mr. HAYS. Mr. Chairman, as a member of the Jefferson Territorial Expansion Committee which is sponsoring this big monument—I am not a sponsor; I am not too enthusiastic for it—I would like to have this distinguished Committee just take half a million dollars out of that fund and give it to the gentleman from Florida for his insect laboratory, for I am in favor of getting rid of insects.

Mr. MATTHEWS. Thank you, sir. I would be glad to yield to anyone who wants to make a similar observatio .

Mr. COAD. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to my beloved colleague from Iowa.

Mr. COAD. I would like to point out to the gentleman that it appears the Committee wants to get rid of insects but also make sure that you come back next January.

Mr. MATTHEWS. I thank the gentleman for his observation.

Mr. Chairman, I humbly beseech my colleagues to vote for this amendment. It does not amount to much in dollars and cents, but it means a whole lot to me. It involves a little amount of $500,000.

I told you it was not going to cost anything, and I really believed that, but I am keeping faith with you and I earnestly hope I do not lose your votes.

Mr. Chairman, my amendment is as follows: Insert on page 2, after line 5, the following: "For construction of an entomology laboratory, $500,000."

The Department of Agriculture recommended inclusion of an appropriation of $900,000 in their 1961 budget to provide for construction of new facilities for an entomology laboratory to replace similar facilities now located at Orlando, Fla. A recommendation had been made in 1959 that the new laboratory should be located at Gainesville, Fla., site of the State's land-grant university. The appropriation request had Bureau of the Budget approval.

The House Committee on Appropriations disallowed the $900,000 and in lieu thereof approved the following:

> That the Secretary of Agriculture may sell the Entomology Research Laboratory at Orlando, Fla., in such manner and upon such terms and conditions as he deems advantageous and the proceeds of such sale shall remain available until expended for the establishment of an entomology research laboratory: *Provided further*, That in the establishment of such laboratory the Secretary may acquire land therefor by donation or exchange.

This language was approved in both the House and Senate appropriations bills. According to my understanding, a factor motivating the disallowance of the $900,000 was that certain committee members felt that the new laboratory could be undertaken on a gradual basis with the sale of the facility at Orlando, and that any needed appropriations could be sought at a later date. However, a discussion of this possibility with officials of the Department of Agriculture indicated that this would be practically impossible; that such a research facility could not be transferred or built on a gradual basis. The Department, however, indicated that if they could have permission to use $500,000 of unobligated 1960 fiscal funds, coupled with the use of funds which may be derived from the sale of the present land and facilities in Orlando, valued at $400,000, they could proceed with the building of the new laboratory. Land has already been promised, without cost, by the University of Florida for this laboratory.

I want to repeat again that it is my opinion the Appropriations Committee really thought the Department of Agriculture could proceed with this building program on the basis of the action that they reported to the Congress.

On June 13, I submitted a request to the Subcommittee on Deficiencies of the Committee on Appropriations to give the Department of Agriculture permission to use $500,000 of unobligated funds from fiscal year 1960, together with funds realized from the sale of the present Entomology Laboratory at Orlando, Fla., for the Department of Agriculture to build an entomology laboratory at a site that they may determine. This request did not involve any new money. It constituted the necessary supplementary action that was needed to permit the implementation of the authority which had already been granted by both the House and Senate relative to the construction of this entomology laboratory. Regretfully, this was not included in the supplemental appropriation bill, 1961, now under consideration.

I submit to you that even though there were technical reasons why the Subcommittee on Supplemental Appropriations felt they could not report favorably, I feel sure that the denial of this request was not because of its lack of merit, nor because it was not just and proper.

Although the Department of Agriculture did not request a supplemental appropriation directly, may I emphasize that they did give me a letter which I submitted to the Subcommittee on Deficiencies. The more pertinent paragraphs very specifically stated as follows:

> The Department has not received a firm offer for the 19.1 acres of land and the buildings which constitute the present laboratory at Orlando. A letter was received dated March 6, 1959, which implied that an offer of $20,000 per acre might be made for the entire tract. This would indicate a total value for the property of almost $400,000.
>
> Obviously, if the proceeds of sale were around $400,000, the Department would not be able to build the laboratory which had been proposed in the budget estimates. If Congress did provide an authorization as you indicate to use not to exceed $500,000 of any unobligated funds appropriated to the Agricultural Research Service for the fiscal year 1960, together with the proceeds of sale from the present laboratory, then it would be possible to construct the replacement laboratory proposed in the budget estimates.

Mr. Chairman, I think it proper to point out that I represent a district in Florida which, because of its interior location, does not share in the vast expenditures of Federal money which pour into some other areas for super highways, military installations, rivers and harbors projects, and similar Federal-related projects. But, in my home city of Gainesville, we do have a great State university and land grant college, the University of Florida, with one of the major agricultural programs in the Nation. It is the hub for agricultural research for the entire State. The main experiment station, which has supervision over 13 substations and several field laboratories, is located there. The State plant board is located there. The headquarters of the Florida Federal Farm Bureau is located there. Agricultural research which is now contributing approximately a half billion dollars annually to Florida's economy originated there.

It is my understanding that agricultural experts who looked into the question of locating the new entomology laboratory agreed that the logical new location should be at the site of the State's land grant university, which is Gainesville. Additional reasons prompting this decision included the proximity to sources of cobalt; to the teaching program in all fields of agriculture, especially entomology, where future entomologists could be trained; to excellent library facilities for reference and research; to the scientific departments of a

great medical center whose facilities would be available for specialized types of research related to agriculture; to the fact that Gainesville is a delightful community with homes and educational facilities available for the personnel of the laboratory. I am informed that the Gainesville Chamber of Commerce invited approximately 30 families representing personnel employed in the present facility to visit Gainesville, and that without exception these fine people expressed delight with the city.

Few States are growing so rapidly as Florida from a standpoint of population, and Florida agriculture is expanding at a pace commensurate with the population and industrial growth. Unfortunately, our State, though blessed in many ways, is beset with insects during certain seasons, and Florida agriculture has had an uphill fight to reach its present eminence, combating year after year all types of insects and infestations. Entomology research has helped to win the battles in the past. It is vastly more essential now than ever before, for the agricultural programs are immeasurably more extensive. Extended research rather than a diminishing program of research in this field is imperatively necessary to avoid catastrophic infestations, as, for example, the Mediterranean fruit-fly, which nearly ruined our great citrus industry about a quarter of a century ago.

Bearing these facts in mind; namely, the great and growing need for entomology research in a rapidly expanding agricultural State, the desirability of coordinating this research at the seat of other scientific research in the State, which fact has already been confirmed by competent experts, it is most difficult to understand why the relatively small appropriation for the new Entomology Research Laboratory was denied in the first place by the Committee on Appropriations.

I had previously informed the membership by letter that my amendment would not cause any extra money. I have since been informed that such an amendment would be subject to a point of order as it might be construed as legislation on an Appropriations Committee. I have, therefore, drawn the present amendment which represents an increase of $500,000 in the present bill. The amendment that I had planned and that I was told would be subject to a point of order was as follows: "The Secretary of Agriculture is authorized to use not to exceed $500,000 of any unobligated funds appropriated to the Agricultural Research Service for the fiscal year 1960, in addition to any amounts received from the sale of the Entomology Research Laboratory at Orlando, Fla., for the construction of an entomology laboratory at Gainesville, Fla."

I plead for the passage of my amendment.

The CHAIRMAN. Does the gentleman from Texas insist on his point of order?

Mr. THOMAS. No, Mr. Chairman. We ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS].

The amendment was agreed to.

The Clerk read as follows:

DISTRICT OF COLUMBIA FUNDS

Operating expenses

Executive Office

For an additional amount for "Executive Office", including expenses of the District of Columbia Civil War Centennial Commission and the National Capital Downtown Committee, Incorporated, by contract or otherwise, as may be determined by the Commissioners, $47,700.

Mr. GROSS. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Mr. Chairman, I make a point of order against the language appearing on page 3, beginning with line 14 through line 21, as being legislation on an appropriation bill, with particular reference to the language in line 20 which reads as follows: "by contract or otherwise, as may be determined by the Commissioners."

The CHAIRMAN. Does the gentleman from Texas [Mr. THOMAS] care to be heard on the point of order?

Mr. THOMAS. Mr. Chairman, this is in the normal course of their duties, and I doubt if the point of order is good.

The CHAIRMAN (Mr. FORAND). The Chair is prepared to rule.

After examining the language referred to by the gentleman from Iowa, it appears to the Chair that it is legislation on an appropriation bill, subject to a point of order; therefore, the Chair sustains the point of order.

The Clerk read as follows:

CAPITAL OUTLAY, PUBLIC BUILDING CONSTRUCTION AND DEPARTMENT OF SANITARY ENGINEERING

For an additional amount for "Capital outlay, Public Building Construction" and "Capital outlay, Department of Sanitary Engineering", for construction projects as authorized by the Act of April 22, 1904 (33 Stat. 244), the Act of May 18, 1954 (68 Stat. 105), and the Act of June 6, 1958 (72 Stat. 183) and as submitted to the Congress in House Document Numbered 403 of June 1, 1960, such sums as may be necessary, but no obligation shall be incurred for any item or project proposed in said document which will (1) result in a deficit in the general fund of the District of Columbia, or (2) exceed the estimated cost as submitted therein to the Congress.

Mr. GROSS. Mr. Chairman, I make a point of order against the language appearing on page 5, beginning with line 3 and running through line 16. I refer especially to the following language:

But no obligation shall be incurred for any item or project proposed in said document which will (1) result in a deficit in the general fund of the District of Columbia, or (2) exceed the estimated cost as submitted therein to the Congress.

Mr. Chairman, I make the point of order that this is legislation on an appropriation bill and is subject to other considerations.

Mr. THOMAS. Mr. Chairman, it certainly was the intention of the committee, and we think the language is clear, to put a straight limitation on the use of these funds.

The CHAIRMAN (Mr. FORAND). The Chair is prepared to rule.

The gentleman from Iowa makes a point of order against certain language on page 5. The Chair has had an opportunity to study this language, and finds that there is no question but what this is legislation on an appropriation bill. Therefore the Chair sustains the point of order.

The Clerk read as follows:

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

Annual Contributions

For an additional amount, fiscal year 1960, for "Annual contributions", $9 million, and in addition $3 million to be derived from funds collected as fixed fees from local public housing authorities as required by law: *Provided*, That no funds appropriated herein, or funds available for expenditure pursuant to section 10 of the United States Housing Act of 1937, as amended, shall be available for the payment of contributions with respect to any local public agency expenditures for any project year ending after June 30, 1960, which are not made in accordance with a budget approved by the Public Housing Commissioner as reasonable, necessary, and consistent with economical operating policies.

Mr. ASHLEY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. ASHLEY. Mr. Chairman, I make the point of order that the language contained on page 8, lines 7 through 15, is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. THOMAS. We concede the point of order, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order

Mr. THOMAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMAS: On page 8, line 7, after "law", insert: *Provided*, That no part of the foregoing appropriation shall be available for the payment of contributions with respect to any local public agency expenditures which are not consistent with economical operating policies as required by law."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

NATIONAL PARK SERVICE

Construction

For an additional amount for "Construction", $2,953,000, to remain available until expended, which shall be available toward further construction of the Jefferson National Expansion Memorial at a total cost to the United States of not to exceed $17,250,000.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 9, strike out all of lines 12 through 18.

Mr. GROSS. Mr. Chairman, the amendment would strike out the additional $2,953,000 for the Jefferson National Expansion Memorial in St. Louis, Mo.

Let me say for the benefit of those who might not have been on the floor earlier that this memorial was given $1,650,000 through the regular appropriation bill this year. No one on the committee has established that there is an emergency that requires this additional appropriation. The gentleman from Ohio [Mr. KIRWAN], chairman of the appropriations subcommittee on Interior Department affairs, says he knows of no emergency. And, as the gentleman from Ohio said previously, this memorial in St. Louis has a rather weird history.

Some several years ago when I first became acquainted with it, the appropriation for this huge face-lifting job in St. Louis was subject to the proviso that no money could be appropriated unless the Federal budget was in balance. The Federal budget was not in balance and hence no money could be made available. So, an authorization bill was slipped through the House to wipe out that provision.

In reading the hearings it appears that instead of this being a $17,250,000 project, in the end it is likely to cost the taxpayers some $30 million. Let us be reasonable with the people of St. Louis, but let us also be reasonable with the taxpayers of this country. Let us take out the additional $2,953,000 provided in this bill. There is no real justification for what is here being attempted and I urge the adoption of my amendment.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 6 minutes and that the gentleman from Ohio [Mr. KIRWAN] be given permission to make the closing argument.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Chairman, I am in opposition to the amendment, not because I do not agree with the gentleman from Iowa, because I do. But many, many pieces of legislation like this come into the House and are passed. The U.S. Government will spend $3 for every $1 spent by the city of St. Louis. And the project comes in under the name of a great man. Who would vote against anything with the name Jefferson attached to it? There are many activities like that throughout the country.

We are broke, and owe more money than all the rest of the world put together, but we are going into the city of St. Louis to do something that the city ought to be doing for itself. If they want to erect a monument to Thomas Jefferson, I would be one of the first to be in favor of it. They also want to build up the rest of the city, let them do it. And what I say holds for any other city in America. I am not singling out St. Louis. But they should not be in here with legislation like this.

Mr. Chairman, I repeat, when the budget came into the regular committee, the committee approved every dollar they asked for. But they say that was not enough. If this money is needed they should have known it 4 months ago and it should have been in the regular bill, not a supplemental bill. When things like this are not properly planned there is something wrong downtown. We have spent some money on this and we might as well go through with it. That is why I am opposing the amendment of the gentleman from Iowa.

Mr. KARSTEN. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman.

Mr. KARSTEN. I would like to say that I think the Bureau of the Budget made a mistake originally in submitting this low estimate. I think they submitted a request of $1 million which they later indicated to me over the telephone was grossly inadequate. It has also been developed that if these additional funds are provided it will complete the project and they will be able to take advantage of a unit cost, which will save about $500,000, if the money is appropriated.

Mr. KIRWAN. This is the second or third supplemental, is it not?

Mr. KARSTEN. That is correct.

Mr. KIRWAN. Why did they not come in with a full request on the first supplemental or a revised estimate on the regular bill if they had made a mistake?

Mr. KARSTEN. That is an error made in the Bureau of the Budget. I could not answer for them on that, but they indicated to me that they did make a mistake in their original request.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman.

Mr. THOMAS. We do not find any fault with the argument. This is a needed project. I hope we will vote for it and get it behind us. If a mistake has been made it must have been an error of the head and not of the heart.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I rise in opposition to the amendment in order to try to put this in context. This, as the gentleman from Iowa said, has been before us for some time, on many occasions. This is an authorized project. It did not begin just a few years ago. It began in 1936 under President Roosevelt. It has always been a national project. The city of St. Louis was asked if it would be appropriate to put it on the St. Louis riverfront, which was the historic site for the westward expansion of our country.

The city was of course quite interested and the contract was made at that time, the city putting up $1 for the Federal Government's $3. This is a Federal commitment and a matter of the full faith of the Federal Government.

Incidentally, there is also private money in this.

Due to World War II breaking out when it did this project had to be delayed. It was further delayed during the Korean war.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Texas.

Mr. THOMAS. I think I can testify, if my memory serves me correctly, because I served on this Commission 10 years ago, that it had to be laid aside.

Mr. CURTIS of Missouri. That is right. This thing has been right in the heart of St. Louis, destroying land values and the development of the city. This is a national park, not the city of St. Louis. But it has been a great deterrent to the city. I was the one who insisted on the provision being in the authorization bill that no funds would be asked until—not unless—the budget was balanced, because I felt that was necessary at that time. As soon as the budget was balanced back in 1953 this project went ahead. It is a matter of good economics once you start a project to get in and get out, spend your money intelligently and wisely, but do not drag it out.

I want to say something else on the economics. There is about $120 million of private funds that are ready to be spent in the periphery of this area because this has been in the heart of St. Louis and has delayed the progress of the city. These funds will be spent on private developments. We will recoup our Federal tax money and the local money many times over if these projects go ahead. And they will go ahead if the Federal project moves ahead. I was in law school when this was originally started. For decades this riverfront area of St. Louis has been a weed patch awaiting development after the condemnation of the land by the Federal Government and the demolition of the buildings. When I first went to Congress I looked to see if there was any way of going backward. There is no way. The best way is to move ahead, get in and get out, do the job. I think that is good economics.

I think possibly there was a mistake made in this in the amount asked for this year, but I know they can spend this money intelligently. Indeed, if we do not vote for it, it will be costing more money in the long run.

Mr. KIRWAN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Ohio.

Mr. KIRWAN. I am not objecting to the original idea, I am objecting to how they come in with a request for a supplemental appropriation. The need for these funds should have been foreseen when the regular budget estimates came up instead of coming up now on a crash basis at the end of the session.

Mr. CURTIS of Missouri. I do not know whether there was or was not an error. This was in the Senate bill and

the conferees knocked it out. I think it is good economics to leave this in. We are going to have future appropriation bills on this matter and I hope this yearly attacking the project itself will cease, as 1964 is the 200th anniversary of St. Louis, and they are trying to hit that particular date for completion of the project. I hope the amendment is defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

The Clerk read as follows:

LEGISLATIVE BRANCH

Architect of the Capitol

For an amount, additional to amounts heretofore appropriated, for acquisition of property for additions to the United States Capitol Grounds pursuant to section 1202 of Public Law 24, Eighty-fourth Congress, approved April 22, 1955, as approved by the House Office Building Commission, $5,000,000.

Mr. JONAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONAS: Page 10, line 6, strike out line 6 and everything thereafter down through and including line 13.

Mr. JONAS. Mr. Chairman, I opposed this item in the subcommittee and offered an amendment in the full committee to delete it, which was defeated. I offer the amendment today with considerable reluctance because I realize that my views do not coincide with those of many members of the committee and Members of the House who are directly concerned with the Capitol grounds improvements. I have great respect for their views and sincerely regret that I cannot go along with them in this instance. My objection to the inclusion of this item is not based upon any whim but upon what I believe to be sound considerations. I shall discuss them briefly.

It seems to me that until we know what we are going to do with this land, it would be a mistake to tear down 123 structures and dispossess approximately 50 businessmen and approximately 100 residents from their homes. The record made before our committee indicates that the plan is to accomplish this during the next year. It is well to talk about a businessman in this block finding another location to move his business, but as a matter of fact that is going to be impossible on Capitol Hill. There is no other land available. What is planned here is to acquire this property by condemnation and evict these people and the result will be to put 40 or 50 little businessmen out of business. That might become justified if the legislative branch of the Government determines that this land is needed for some specific purpose. I think the owners of the property are not in any better position than the owners of condemned land along the right of way of a highway. But until there is some definite and specific need for this property, I think we would be dealing more fairly with our citizens if we should defer the condemnation of this land until that purpose and that use has been determined.

There is one other point that I should like to advert to. What we will be doing here is taking all of this land off the tax rolls of the District of Columbia at the very time when we are refusing to increase the annual contribution of the Federal Government to the expenses of running the District of Columbia. These actions seem inconsistent to me.

There is another point which should be made and it is that this item, along with a lot of other items, seems to me to be lacking in the emergency character that would make them matters properly coming before a deficiency subcommittee.

Mr. Chairman, I do not have any strong feeling about this, and merely offer the amendment to keep my own position consistent. It is the same position I took in the subcommittee and in the full committee. As to the newspaper publicity about what transpired, that is only an incidental matter. But I did think in fairness to myself and because I have these views that I should offer the amendment and give the Committee of the Whole an opportunity to vote it up or vote it down.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from California.

Mr. GUBSER. I am informed that a great many of the operations of the Library of Congress can be performed on property which is not appurtenant to or adjacent to the present site. I refer to such operations as photostating, for example. I would like to raise the question as long as we are thinking of abandoning the Naval Gun Factory, why could not that property be used for these operations which do not need to be conducted on a site appurtenant to the present site of the Library of Congress.

Mr. JONAS. In response to the gentleman, I will say the testimony before our subcommittee specifically indicated there is no firm purpose to put the extension of the Library of Congress on this particular piece of property. No one today will say what the property is to be used for, and this is my primary reason for feeling that we should defer the condemnation of it with the resultant dispossession of about 50 small businessmen from their stores and about 100 residents from their homes. The Federal Government is powerful and can do it, but I do not believe it is the fair or equitable thing to do until the need for the property has been established and its future use determined.

Mr. BALDWIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of this amendment. In the absence of any other means of representation for the District of Columbia, all of us owe some obligation to those who live in the District and who are affected by this proposal. If you will refer to the committee report, you will not find a single word as to the necessity for this land acquisition. Neither have there been any statements in newspaper reports about this acquisition that indicate definitely the required purpose for this acquisition. The only statements that have been made have been to the effect that there may be a necessity for an additional building for the Library of Congress, but this will not be determined until after plans are drawn. I do not think it is fair to the residents of this area to take this action at this time when we do not know whether we are going to use it. I do not think it is fair to the small businessmen of this area to take this action at this time when we do not know whether we are going to use it. I do not think it is fair to the taxpayers of the District of Columbia to take this action at this time when we do not know whether we are going to use it, and I do not think it is fair to the taxpayers of the country to take it at this time when we do not know if we are going to use it. I do not think it is fair to the employees of our own offices who, when they find an hour at noontime to go out and make some small purchases, can only go to this one block to make those purchases.

I hope this amendment is approved and this $5 million sum is knocked out of the bill.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from California.

Mr. HOSMER. Irrespective of the merits of this thing, as long as sites have been zeroed in on this piece of property, even if the amendment should be agreed to you still have an area where somebody has to be condemned. That makes for a bad situation. Nobody can go ahead and fix up his property. I think irrespective of what happens, particularly if the amendment is agreed to, something should be specified "yes" or "no," so that that property over there will be apprised of what is going on. Otherwise it is a bad situation and one that is easy to make for a bad situation.

The CHAIRMAN. The time of the gentleman from California [Mr. BALDWIN] has expired.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent that all debate on this paragraph close in 15 minutes, 8 minutes to be reserved to the House Building Commission and the last 3 minutes to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Chairman, can we not have a little time? I object.

Mr. THOMAS. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 20 minutes, 8 minutes to be given to the House Building Commission and the last 3 minutes reserved for the committee.

The CHAIRMAN. There can be no reservations under a motion.

The question is on the motion.

The motion was agreed to.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Does this motion include the reservations?

The CHAIRMAN. Yes.

Mr. GROSS. Well, I make a point of order against it.

The CHAIRMAN. The point of order comes too late.

Mr. GROSS. Did not the Chairman rule that under a motion the reservations could not be made?

The CHAIRMAN. The Chair inquired. The Chair did not rule. And then put the question the way it was agreed to.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that there is no quorum present. I would like to have the Chairman count.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and ninety Members are present, a quorum.

Mr. THOMAS. Mr. Chairman, under my reservation I suggested 8 minutes for the Building Commission, the Speaker, and our beloved friend the gentleman from Georgia [Mr. VINSON], and the remaining 3 minutes to the committee.

Mr. GROSS. Mr. Chairman, we cannot hear the gentleman.

The CHAIRMAN. The gentleman from Texas was just telling the Chair that his reservation included 8 minutes for the members of the Building Commission and 3 minutes for the committee. This takes 11 minutes and leaves 9 for other Members who were on their feet. It works out that Members desiring to speak on this amendment will be recognized for about 2 minutes apiece.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HOFFMAN of Michigan moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. HOFFMAN of Michigan. Mr. Chairman, this is reminiscent of when we authorized the building of the new third office building. Those who were here then remember how that thing was jammed through in spite of all the rules of the House. There is no question about it. It is in the RECORD just as plain as the noon-day sun in a sky without a cloud.

There is no reason for this taking of land except that those in charge want to take over those blocks now. They are maybe right in the assertion that the price will be more hereafter; but, after all, why should we continually be expanding the Capitol buildings? Are we real estate operators? We recall when they built the Pentagon over there in Virginia that some time after that there was a hue and cry about dispersing governmental agencies so that they would not all go up with one bomb.

Last spring we heard on the Hill—and I have lived on the Hill for some 20 years—that the Government was going to take all of the land between the Capitol clear over east to the Anacostia River. That was not a wild rumor, because you remember all through the Northeast they were going to take down those buildings, and you remember in the Southwest what happened there, and they tore down the waterfront. Why? Clean out the slums. That was the slogan. Or did or will some slick smooth operator pull a fast one?

It is not only unfair to the people of Washington but it is unfair to the people outside to continue to expand. How much government do we really want? How much government do we really need and how many buildings in Washington? Where are those who are on Federal payroll to live and shop? Private enterprise knows enough to keep a shopping center when it expands.

Does the Library of Congress really need that area? Members of Congress have had rooms over in the Library of Congress to transact their own private—not public—private business. Some of us know about it and some of us know it was going on. Whether it is today or not, I do not know.

What is the reason for taking this land? Do we need it? I am sure we do not.

It is the old, old question. You know very well that our employees, Government officials, have all kinds of trouble and difficulty day after day in getting down here to and from their work. Washington has never had—does not now have adequate transportation. Where are the people going to live after we take this property? Must we spend one-third of our time going back and forth to our work? It is not efficient to do this; it is not needed. Let the people who live there stay there. We are putting up this third House Office Building. I could use the whole thing myself if I were to stay here 10 years and try to take on all of the things the people want me to do; I could use the whole building for myself and my staff, if I could get enough staff members to do for some people all they would like done.

You are tired of hearing me talk about this question of expansion of the Capitol area and taxes, just as tired of hearing me as you may have been of our friend from Mississippi, John Rankin, who used to talk so much about the Tombigbee River; you are as tired of it as you are of hearing me talk about Walter Reuther and Jimmy Hoffa. We have not yet caught up with them.

What are we doing? I say once more to the very estimable, wonderfully fine gentleman who asks you to do this, what are we doing? We are doing what I have said so many times, the very disreputable thing of spending money we do not have and passing on to unborn generations the task of paying the debts we create.

Yes, Mr. Chairman, we are putting the job of paying the debt which we are creating over to new generations. You are tired of hearing that, and I am ashamed of it, of course. But I will continue to remind the House of what we are doing.

Yes, the people who pay us have "the right to know" and some day they will catch up with us.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I do not believe the proper way to legislate is to strike the enacting clause; therefore, I rise in opposition to the pro forma amendment.

I have a personal concern in the acquisition of this land. I own a home in this particular block. Therefore, when the vote is taken I intend to vote "present."

I do want to ask a few questions of the chairman of the subcommittee. I have had conversations with some of the men who have small businesses over there. I had a conversation with a man who has a little delicatessen and grocery store. He put in several thousand dollars' worth of new equipment and he needs about 5 years to pay it off. I had a conversation with a man who has a cleaning establishment over there who recently renovated his place. There are other businessmen in the same position. I was a small businessman myself, and I know what a burden it is for these small businessmen to take their chances against the ordinary vicissitudes of business, and then have something like this hit them suddenly.

It has been stated here by the gentleman from North Carolina [Mr. JONAS] that there are no firm plans in regard to the disposition of this property. A Library Commission has been established, a Joint Commission of the House and Senate, and I understand that Commission has not made a report as yet.

I rise at this time to question the gentleman from Texas [Mr. THOMAS]. I heard the colloquy that it will be possibly 18 months or 2 years before the people are evicted and their business houses destroyed and their homes confiscated. In view of the fact there is no appropriation for a third Library building, I wonder if we cannot temper the strong arm of Government with mercy and give to these small businessmen, many of whom have contractual obligations for equipment, a little more time than 18 months, 2 years or 3 years. Would it be possible before we take them out of their businesses to give them 3 to 5 years to discharge their obligations and find a place where they can go to? Would that be an unreasonable request?

Mr. THOMAS. I do not know what to say to the gentleman. I know he is speaking from the bottom of his heart. I would not want to do anybody any harm, and that is the sentiment of every person in this body.

We are dealing with the problem from the legislative point of view. We are not going to do anything to help ourselves; we are not going to do anything for our convenience. We are doing this for the people of the United States.

Mr. Chairman, we have to acquire this property. It should have been acquired 20 years ago, but our hindsight is always better than our foresight. You will never, if you live to be a hundred years of age, be able to buy this property any cheaper than you can this day. Every year this goes up 15, 25, or 100 percent. What happened to the hotel property over there?

As a matter of law, the gentleman knows and every lawyer knows that you cannot take the property without due process. You cannot take it without paying the value of it. If a property owner has a certain amount of money invested in the property over there you cannot take his property without due process. When this goes to the Justice

Department the Justice Department is going to recognize that and the Justice Department will offer the owner of property X, say, $5,000 for his property. If he does not think that is fair compensation all he has to do is to say, "No, I am going down here and let a jury pass on the value of it."

Has anybody ever heard of any cases recently where juries passed on the condemnation of property in which the Federal Government was a party that they were not more than generous? That is about the way it should be. So the people over here will not be dispossessed for some time.

The CHAIRMAN. The time of the gentleman from California has expired.

The question is on the preferential motion offered by the gentleman from Michigan [Mr. HOFFMAN].

The motion was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. As I said when I took the well of the House, I make no plea for myself. I have a home investment in the acquisition plot, and I shall vote "present" on this bill. But, I do feel that in talking to these small businessmen that I should make, because they cannot appear here in the well of the House, a plea for a temperate period of time in the eviction of these people so that they can at least have a reasonable time to discharge their pressing obligations.

Mr. THOMAS. I will say to my friend, the way things happen in everyday business transactions of this nature, by no stretch of the imagination are those people going to be put out under a year or a year and a half. If I were going to make a guess, I would say 2 years.

Mr. HOLIFIELD. Most of the equipment purchasers are under 5-year contracts, I will say to my friend.

Mr. THOMAS. They will have more than ample time to relocate. And, whatever the value of this property is, you can bet your bottom dollar that the Justice Department will see to it that they are protected.

Mr. HOLIFIELD. On the assurance that mercy will be tempered when the strong arm of the Government takes this property, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, the gentleman from Georgia [Mr. VINSON], the gentleman from New Jersey [Mr. AUCHINCLOSS], and I constitute the House Office Building Commission. Now, we took blocks and blocks of property down here for expansion far beyond what the New House Office Building required. When you ride throughout the Southwest down here, you see block after block, where property of private individuals was taken. Stores, restaurants, homes, everything else was taken. This property is so situated that if we are ever going to expand the Capitol grounds, this is the place where that expansion must take place. Speaking to the gentleman from California who spoke to me earlier about this matter, I think that this matter will be tempered with mercy. I do not think that those people are going to be driven out before they have time to relocate. It may take 3 years, or in some cases of condemnation, it might take 5 years. But, I know this, we need this property for expansion. The Library of Congress—I will not say they will be located here—say they need more space, and big space. They may go there, but, if not the Library of Congress, something else. And, I know this, as the gentleman from Texas [Mr. THOMAS], so well said, this property next year will increase in value by 10 to 15 percent, and the following year it will go up more and more, because the question has been raised of the taking. And, if we are ever going to take this property at a reasonable price, I think now is the time to do it, because it will ultimately be taken. And, if you wait 5 years from now, I think it will triple in price. And, as has also been said, I do not know of any property that has been taken for any purpose, to expand the Capitol grounds or for Capitol buildings, where a satisfactory price has not been paid for that property.

After we are finished with this matter here, it goes to the Department of Justice. And in the acquisition of all this other property, nobody complained about the price that was paid for the property. If anyone did, I have not heard anything about it, and I think my colleagues on the House Office Building Commission will agree with me.

The appraisal of this property, made by good appraisers, was something in the neighborhood of $5 million. I thought it would be much more than that. But it is about that now. In 2 or 3 or 5 years from now it will be $10 million or maybe $15 million. I know that for the purpose of Capitol grounds and those things we are going to need it for, it ought to be done now.

Mr. HOLIFIELD. Mr. Chairman, will the distinguished Speaker yield?

Mr. RAYBURN. I yield.

Mr. HOLIFIELD. I want to say that I thank the Speaker for his assurance. I know it will be appreciated by the merchants who have so much at stake in this area.

Mr. RAYBURN. Every one of them, I think, will be given time to relocate, probably at a better place than where they are located now.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I know that anything I say at this point, following the beloved and distinguished Speaker of the House, will be mere surplusage. But I would like to point out in just a sentence or two the situation that existed with respect to the acquisition of the Congressional Hotel property which is now owned by the legislative branch of the Government. In 1945 that property, here at the corner of New Jersey Avenue and C Street could have been acquired for the American taxpayers at a cost of $200,000. But the Congress sat by and saw a building erected. Then when it became necessary to purchase the property the taxpayers had to pay $1,800,000 and in addition will have to pay the cost of tearing the building down.

If we stand by and do nothing with regard to these two blocks, one of which fronts on Independence Avenue, right across the way from the Library of Congress, owners there will make substantial improvements and erect new buildings the costs of which will, at some future date, if we do not take this action today, have to be paid by the taxpayers of the United States. I urge defeat of the pending amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I did not know until this afternoon that the Federal Government was in the real estate business as such. It seems to me we ought to know where we are going before we buy a piece of real estate, irrespective of price.

Let me quote from the hearings held on June 17, 1960, which was only a few days ago.

Mr. THOMAS, chairman of Appropriations Subcommittee, said this to members of the Building Commission:

> The amount of money needed is in the neighborhood of $5 million. I hope that you (referring to the Speaker) and Mr. VINSON and Mr. Stewart can give us some reasonable amount of detail, and give us a little quick overall look at the plans for the future.

And what was the response from the distinguished Speaker of the House to that request for information as to plans?

> What will be decided to be done with this ground, I do not know.

Now, as to the taking over of this property and the time element involved, I refer to page 437 of the hearings of June 17 when the Speaker said this:

> We feel like everybody in that neighborhood within a year could relocate themselves.

Today we are told that property owners and residents might have 3 to 5 years in which to relocate. What is the time element? How urgent is this deal, anyway? I say to you this is no time, and this is not the way to be spending $5 million of the taxpayers' money without a semblance of plans and without the justification that we require of others. I have heard, I do not know how true it is, that there has not been a genuine appraisal made of the property sought to be purchased, and that rather than $5 million it will likely cost $8 to $10 million.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. GROSS. I yield.

Mr. ROONEY. I might inform the gentleman that the committee was advised that these appraisals have been made through the regular procedures of the Department of Justice.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, I will not repeat what was said before except that we have altogether too much government, more than we can afford. I will read what the witness, Mr. RAYBURN, the Speaker, said as

a witness. There are only 8 pages of testimony. The Speaker was a witness. He ought to know more than anyone else about it. He has been here longer than anybody else unless it is the gentleman from Georgia [Mr. VINSON]. Here it is.

What will be decided to be done with this ground, I do not know.

Then I skip a few words. He then testified:

But we think that this ground should be purchased and those buildings should be taken off for the looks of things around here.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I do not want to talk anymore about it. Members can get all of the Speaker's testimony out of the hearings. Two or three pages. How many freeriders can taxpayers have? How big a debt can we carry? Why borrow and spend for tomorrow when there is no present need?

Mr. VINSON. Mr. Chairman, in view of the statement of the Speaker, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, I feel compelled to make this statement. We appropriate this year $265,000 for rental of urgently needed space for the Library of Congress. You know you have to have an addition to the Library of Congress. Do you want to put it here on the Capitol Grounds or do you want to put it 4 or 5 miles away from the other buildings of the Library of Congress? If I could guess with any degree of accuracy where it will be put, I would say it would be right here.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if anybody knows where this addition to the Library of Congress Building is going to be located.

Mr. THOMAS. I could not say yes or no about it, but I have a pretty good guess. If we are going to buy this property we must buy it now. In half a dozen years from now we will be paying half a million dollars a year in rent. We can pay for a building and have the title to it.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Iowa.

Mr. JENSEN. I rise to support the gentleman from Texas, our good chairman, Mr. THOMAS. After all is said and done, this is a business matter that we must consider on a business principle. We know that sooner or later we are going to need that property. This is the American people's Capital. They are proud of it. I must say they cannot be very proud of the appearance of that block. In fact, I have had people say to me, "How does it come that we have such terrible looking buildings on this beautiful Capitol Hill?" I am sure that if the American people would take a vote on this proposition it would be overwhelmingly in favor of buying that property.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. JONAS].

The amendment was rejected.

The Clerk read as follows:

TREASURY DEPARTMENT

Bureau of the Public Debt

Administering the Public Debt

Not to exceed $375,000 of the unobligated balance of the appropriation for "Administering the public debt", fiscal year 1960, shall remain available during the current fiscal year for expenses of advance refunding of the public debt.

Mr. GROSS. Mr. Chairman, I make a point of order against the language on page 10, beginning with line 22 and extending through line 2, on page 11, as being in violation of rule 21, clause V, in that it provides for reappropriation on an appropriation bill.

Mr. THOMAS. Mr. Chairman, may I respectfully request our friend not to press his point of order. Our Secretary of the Treasury, our beloved Bob Anderson, is one of the fine, careful and responsible officers of our Government. He says, "I am not sure we are going to need this money, but let us keep it here and if we do not need it, we will not spend it." Your point of order is good—it is a violation of that particular rule. Will the gentleman reconsider? If Secretary Anderson does not need that money, I am just positive he would not spend a nickel of it. Would my distinguished friend reconsider?

Mr. GROSS. No, I will not reconsider.

Mr. Chairman, I insist on the point of order.

Mr. THOMAS. Mr. Chairman, the point of order is good.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk concluded the reading of the bill.

Mr. THOMAS. Mr. Chairman, by direction of the committee, I have two committee amendments—one is to pay the widow of our late and beloved colleague, Congressman Elliott, the $22,500 and the other amendment is a little amendment which does not involve any money, but involves some bookkeeping in the House of Representatives. It makes some of next year's funds available right now. It seems they need the money now.

The Clerk read as follows:

Committee amendment offered by Mr. THOMAS: On page 10, after line 6, insert "House of Representatives for payment to Rachel P. Elliott, widow of Douglas H. Elliott, late a Representative from the State of Pennsylvania, $22,500."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment offered by Mr. THOMAS: On page 10, after line 6, insert "Contingent expenses of the House special and select committees of the amount made available under this heading in the Legislative Branch Appropriations Act, 1961, such amount as may be necessary may be transferred to the appropriation under such heading for the fiscal year 1960."

The amendment was agreed to.

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the Chair, the gentleman from Rhode Island [Mr. FORAND], Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12740) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill, as amended, be passed.

Mr. THOMAS. Mr. Speaker, I move the previous question on the bill, and all amendments thereto, to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BALDWIN. Mr. Speaker, I have a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BALDWIN. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. BALDWIN moves to recommit the bill H.R. 12740 to the Committee on Appropriations, with instructions to report the bill back forthwith, with the following amendment: "On page 10, strike the words from lines 6 to 13, inclusive."

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced the noes to have it.

Mr. BALDWIN. Mr. Speaker, I object to the vote on the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. Evidently no quorum is present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 141, nays 252, answered "present" 3, not voting 35, as follows:

[Roll No. 148]

YEAS—141

Abbitt	Arends	Berry
Abernethy	Ashmore	Betts
Adair	Baldwin	Bosch
Alexander	Bass, N.H.	Bray
Alger	Bates	Broomfield
Allen	Becker	Brown, Ohio
Andersen, Minn.	Belcher	Budge
	Bentley	Byrnes, Wis.

Cahill	Hoffman, Mich.	Pirnie
Canfield	Holt	Poff
Cederberg	Hosmer	Quie
Chenoweth	Jackson	Ray
Chiperfield	Johansen	Rees, Kans.
Church	Jonas	Rhodes, Ariz.
Collier	Judd	Riehlman
Colmer	Kearns	Robison
Conte	Keith	St. George
Cramer	Kilburn	Saylor
Cunningham	King, Utah	Schenck
Curtin	Kitchin	Scherer
Curtis, Mass.	Knox	Short
Curtis, Mo.	Ky!	Siler
Dague	Lafore	S mpson
Davis, Ga.	Laird	Slack
Derounian	Langen	Smith, Calif.
Derwinski	Lankford	Smith, Kans.
Devine	Latta	Smith, Va.
Dixon	Lennon	Springer
Dorn, N.Y	Labonati	Stratton
Dorn, S.C.	Lindsay	Taber
Dowdy	Lipscomb	Teague, Calif.
Dwyer	McDonough	Thomson, Wyo.
Fino	McIntire	Tollefson
Flynn	McMillan	Utt
Flynt	Mailliard	Van Pelt
Ford	Martin	V n Zandt
Glenn	May	Wallhauser
Goodell	Minshall	Weis
Gross	Mitchell	Westland
Gubser	Moore	Wharton
Halpern	Murray	Whitten
Hargis	Nelsen	Widnall
Harmon	Norblad	Wier
Henderson	O'Konski	Williams
Herlong	Osmers	Winstead
Hiestand	Ostertag	Younger
Hoeven	Pelly	
Hoffman, Ill.	Pillion	

NAYS—252

Addonizio	Byrne, Pa.	Friedel
Albert	Cannon	Fulton
Anderson, Mont.	Carnahan	Gallagher
	Casey	Garmatz
Andrews	Chamberlain	Gary
Ashley	Chelf	Gathings
Aspinall	Clark	Gavin
Avery	Coad	George
Ayers	Coffin	Giaimo
Baker	Cohelan	Gilbert
Baring	Cook	Granahan
Barr	Cooley	Grant
Barrett	Corbett	Gray
Barry	Daddario	Green, Oreg.
Bass, Tenn.	Daniels	Green, Pa.
Baumhart	Davis, Tenn.	Griffin
Beckworth	Dawson	Griffiths
Bennett, Fla.	Delaney	Hagen
Bennett, Mich.	Dent	Haley
Blatnik	Denton	Hardy
Blitch	Diggs	Harris
Boggs	Dingell	Harrison
Boland	Donohue	Hays
Bolling	Dooley	Hébert
Bolton	Doyle	Hechler
Bonner	Dulski	Hemphill
Bow	Elliott	Hogan
Bowles	Everett	Holland
Boykin	Evins	Holtzman
Brademas	Fallon	Horan
Breeding	Farbstein	Huddleston
Brewster	Fascell	Hull
Brock	Feighan	Ikard
Brooks, La.	Fenton	Inouye
Brooks, Tex.	Fisher	Irwin
Brown, Ga.	Flood	Jarman
Brown, Mo.	Fogarty	Jennings
Broyhill	Foley	Jensen
Burke, Ky.	Forand	Johnson, Calif.
Burke, Mass.	Forrester	Johnson, Colo.
Burleson	Fountain	Johnson, Md.
Johnson, Wis.	Morris, N. Mex.	Roush
Jones, Ala.	Moss	Rutherford
Jones, Mo.	Moulder	Santangelo
Karsten	Murphy	Saund
Karth	Natcher	Schneebeli
Kasem	Nix	Schwengel
Kastenmeier	Norrell	Scott
Kilday	O'Brien, Ill.	Selden
Kilgore	O'Brien, N.Y.	Shelley
King, Calif.	O'Hara, Ill.	Sheppard
Kirwan	O'Hara, Mich.	Shipley
Kluczynski	O'Neill	Sikes
Kowalski	Oliver	Sisk
Landrum	Passman	Smith, Iowa
Lane	Patman	Smith, Miss.
Lesinski	Perkins	Staggers
Levering	Pfost	Stubblefield
Loser	Philbin	Sullivan
McCormack	Pilcher	Teague, Tex.
McCulloch	Poage	Teller
McDowell	Porter	Thomas
McFall	Powell	Thompson, N.J.
McGinley	Preston	Thompson, Tex.
McGovern	Price	Thornberry
Macdonald	Prokop	Toll
Machrowicz	Pucinski	Trimble
Mack	Quigley	Ullman
Madden	Rabaut	Vanik
Mahon	Rains	Vinson
Marshall	Randall	Walter
Matthews	Reuss	Wampler
Meader	Rhodes, Pa.	Watts
Meyer	Riley	Weaver
Michel	Rivers, Alaska	Whitener
Miller, Clem	Rivers, S. C.	Willis
Miller, George, P.	Roberts	W lson
	Rodino	Withrow
Milliken	Rogers, Colo.	Wolf
Mills	Rogers, Fla.	Wright
Moeller	Rogers, Mass.	Yates
Monagan	Rogers, Tex.	Young
Montoya	Rooney	Zablocki
Moorhead	Roosevelt	Zelenko
Morgan	Rostenkowski	

ANSWERED "PRESENT"—3

Frelinghuysen	Holifield	Reece, Tenn.

NOT VOTING—35

Alford	Halleck	Morris, Okla.
Anfuso	Healey	Morrison
Auchincloss	Hess	Multer
Bailey	Kee	Mumma
Barden	Kelly	Spence
Buckley	Keogh	Steed
Burdick	McSween	Taylor
Celler	Magnuson	Thompson, La.
Downing	Mason	Tuck
Durham	Merrow	Udall
Edmondson	Metcalf	Wainwright
Frazier	Miller N.Y.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Frelinghuysen for, with Mr. Wainwright against.

Until further notice:

Mr. Frazier with Mr. Halleck.
Mr. Burdick with Mr. Taylor.
Mr. Alford with Mr. Mason.
Mr. Multer with Mr. Mumma.
Mr. Healey with Mr. Merrow.
Mr. Celler with Mr. Miller of New York.
Mr. Durham with Mr. Hess.
Mr. Morrison with Mr. Auchincloss.

Mr. MITCHELL changed his vote from "nay" to "yea."

Mr. FRELINGHUYSEN. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. WAINWRIGHT]. Had he been present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

COMPARATIVE STATUS OF APPROPRIATION BILLS AND BUDGET ESTIMATES, 86TH CONGRESS, 2D SESSION

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and include a tabulation.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, with the passage today of H.R. 12740, the customary closing supplemental bill, the Committee on Appropriations has reported and the House has initially processed all of the 18 appropriation measures contemplated for the session. The Senate has passed 13 of those bills, and on eight of them congressional action has been completed.

The Senate has yet to report and pass five bills. And five bills are in conference.

The House has reduced the budget estimates of appropriations in the 18 bills by $2,290,340,908.

The Senate, in the 13 bills it has thus far passed, has exceeded the budget estimates by $1,479,744,108; and it has exceeded the House in those 13 bills by $2,718,225,962.

In the eight bills finally disposed of, the Congress has cut the budget estimates of appropriations by $331,892,800.

In the five bills pending in conference, the Senate has exceeded the budget estimates by $1,683,981,775, and has exceeded the House totals for those bills by $1,786,579,450.

For the information of the Members and others, I include a tabulation showing the several amounts for the individual bills:

Table of appropriation bills, 86th Cong., 2d sess., as of June 23, 1960

[Does not include any "back door" appropriation bills]

Title	House			
	Budget estimates to House	Amount as reported	Amount as passed	House action compared with budget estimates
1960 APPROPRIATIONS				
NASA supplemental	$23,000,000	$23,000,000	$23,000,000	
2d supplemental	1,008,398,264	229,175,864	237,505,864	−$770,892,400
Labor supplemental	8,000,000	6,000,000	6,000,000	−2,000,000
1961 APPROPRIATIONS				
District of Columbia	(242,403,000)	(237,118,276)	(237,118,276)	(−5,284,724
Loan authorization	(18,700,000)	(18,700,000)	(18,700,000)	(.....)
Federal payment	34,533,000	27,533,000	27,533,00	−7,000,000

Table of appropriation bills, 86th Cong., 2d sess., as of June 23, 1960—Continued

[Does not include any "back door" appropriation bills]

Title	House			
	Budget estimates to House	Amount as reported	Amount as passed	House action compared with budget estimates
Commerce	$799, 615, 000	$760, 522, 235	$760, 522, 235	−$39, 092, 765
Interior	550, 330, 300	543, 375, 600	543, 375, 600	−6, 954, 700
Treasury-Post Office	4, 897, 853, 000	4, 795, 414, 000	4, 795, 414, 000	−102, 439, 000
General government	14, 302, 500	13, 787, 500	13, 787, 500	−515, 000
Labor-HEW	4, 000, 083, 981	4, 184, 022, 731	4, 184, 022, 731	+183, 938, 750
State-Justice-Judiciary	713, 803, 755	676, 579, 807	676, 564, 807	−37, 238, 948
Independent offices	8, 416, 897, 000	8, 146, 167, 400	8, 182, 067, 400	−234, 829, 600
Defense	39, 335, 000, 000	39, 337, 867, 000	39, 337, 867, 000	+2, 867, 000
Agriculture	4, 135, 263, 190	3, 964, 781, 500	3, 937, 943, 500	−197, 319, 690
Loan authorizations	(367, 000, 000)	(557, 000, 000)	(557, 000, 000)	(+190, 000, 000)
Military construction	1, 188, 000, 000	885, 168, 000	876, 145, 000	−311, 855, 000
Legislative	104, 072, 020	100, 317, 660	100, 317, 660	−3, 754, 360
Public works	4, 001, 016, 180	3, 914, 798, 985	3, 914, 798, 985	−86, 217, 195
Mutual security	4, 181, 704, 000	3, 389, 750, 000	3, 589, 750, 000	−591, 954, 000
Supplemental	134, 822, 200	49, 215, 700	49, 738, 200	−85, 084, 000
Total, 1961	72, 507, 296, 126	70, 789, 301, 118	70, 989, 847, 618	−1, 517, 448, 508
Total, all bills	73, 546, 694, 300	71, 047, 476, 982	71, 256, 353, 482	−2, 290, 340, 908
Total, loan authorizations	(385, 700, 000)	(575, 700, 000)	(575, 700, 000)	(+190, 000, 000)

NOTE.—Indefinite appropriations are included in this table.

[Does not include any "back door" appropriation bills]

Title	Senate					Final action—Amount as approved	Increase or decrease compared to budget estimates to date
	Budget estimates to Senate	Amount as reported	Amount as passed	Senate action compared with—			
				Budget estimates	House action		
1960 APPROPRIATIONS							
NASA supplemental	$23, 079, 000	$23, 079, 000	$23, 079, 000		+$79, 000	$23, 079, 000	
2d supplemental	1, 018, 504, 888	979, 908, 103	995, 491, 103	−$23, 013, 785	+757, 985, 239	955, 370, 003	−$63, 134, 885
Labor supplemental	8, 000, 000	6, 000, 000	6, 000, 000	−2, 000, 000		6, 000, 000	−2, 000, 000
1961 APPROPRIATIONS							
District of Columbia	(242, 403, 000)	(240, 089, 152)	(240, 089, 152)	(−2, 313, 848)	(+2, 970, 876)	(239, 470, 433)	(−2, 932, 567)
Loan authorization	(18, 700, 000)	(20, 100, 000)	(20, 100, 000)	(+1, 400, 000)	(+1, 400, 000)	(20, 100, 000)	(+1, 400, 000)
Federal payment	34, 533, 000	28, 533, 000	28, 533, 000	−6, 000, 000	+1, 000, 000	27, 533, 000	−7, 000, 000
Commerce	799, 615, 000	738, 388, 300	738, 388, 300	−61, 226, 700	−22, 133, 935	729, 624, 375	−69, 990, 625
Interior	550, 330, 300	586, 259, 500	589, 212, 625	+38, 882, 325	−45, 837, 025	557, 667, 600	+7, 337, 300
Treasury-Post Office	4, 897, 853, 000	4, 877, 014, 000	4, 877, 014, 000	−20, 839, 000	+81, 600, 000	4, 841, 914, 000	−55, 939, 000
General government	14, 627, 500	14, 397, 500	14, 572, 500	−55, 000	+785, 000		
Labor-HEW	4, 020, 221, 981	4, 484, 088, 931	4, 485, 788, 931	+465, 566, 950	+301, 766, 200		
State-Justice-Judiciary							
Independent offices	8, 417, 397, 000	8, 414, 412, 900	8, 459, 412, 900	+42, 015, 900	+277, 345, 500		
Defense	39, 335, 000, 000	40, 384, 897, 000	40, 514, 997, 000	+1, 179, 997, 000	+1, 177, 130, 000		
Agriculture	4, 135, 263, 190	4, 000, 222, 683	4, 005, 222, 683	−130, 040, 507	+67, 279, 183	3, 994, 097, 600	−141, 165, 590
Loan authorizations	(367, 000, 000)	(577, 000, 000)	(577, 000, 000)	(+210, 000, 000)	(+20, 000, 000)	(577, 000, 000)	(+210, 000, 000)
Military construction							
Legislative	133, 413, 485	129, 719, 510	129, 870, 410	−3, 543, 075	+29, 552, 750		
Public works							
Mutual security							
Supplemental							
Total, 1961	62, 338, 254, 456	63, 657, 933, 324	63, 843, 012, 349	+1, 504, 757, 893	+1, 960, 161, 723	10, 150, 836, 575	−266, 757, 915
Total, all bills	63, 387, 838, 344	64, 666, 920, 427	64, 867, 582, 452	+1, 479, 744, 108	+2, 718, 225, 962	11, 135, 285, 578	−331, 892, 800
Total, loan authorizations	(385, 700, 000)	(597, 100, 000)	(597, 100, 000)	(+211, 400, 000)	(+21, 400, 000)	(597, 100, 000)	(+211, 400, 000)

APPROPRIATIONS, EXECUTIVE OFFICE OF THE PRESIDENT AND SUNDRY GOVERNMENT AGENCIES, 1961

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11389) making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1961, and for other purposes, with amendments of the Senate thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. ANDREWS]? (After a pause.) The Chair hears none and appoints the following conferees: Messrs. ANDREWS, SHEPPARD, CANNON, FENTON, and TABER.

GENERAL LEAVE TO EXTEND

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 12740) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMMUNICATIONS ACT AMENDMENTS, 1960

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 563) providing for the consideration of S. 1898, a bill to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such Act. After general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature

of a substitute recommended by the Committee on Interstate and Foreign Commerce now in the bill, and such amendment, for the purpose of amendment, shall be considered under the five-minute rule as an original bill. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. O'NEILL. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, House Resolution 563 provides for the consideration of S. 1898, a bill to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act. The resolution provides for an open rule with 3 hours of general debate.

The hearings of the Special Subcommittee on Legislative Oversight with respect to television quiz programs were held on 11 days. The subcommittee heard a total of 51 witnesses: network executives, producers, sponsors, advertising agency representatives, quiz show contestants, and the Chairmen of the Federal Communications Commission and the Federal Trade Commission.

The hearings disclosed a complex pattern of calculated deception of the listening and viewing audience. Contests of skill and knowledge whose widespread audience appeal rested on the carefully nurtured illusion that they were honestly conducted were revealed as crass frauds.

Sponsors, advertising agency representatives, and network officers conceded that they, too, had been kept in ignorance of the frauds by the independent producers of the shows. In order to obtain interesting and entertaining shows, the producers resorted to tactics ranging from selecting questions from a contestant's known field of knowledge to handing out questions and answers to a contestant in advance of the program.

It became clear that the Communications Act of 1934, in placing responsibility solely on licensees, was inadequate. Since all the popular big-money programs were broadcast via national hookups, the individual licensees had no practical control over the shows or their production. Thus, the law presently places responsibility where it cannot practicably be exercised.

After conducting the extensive hearings and investigation, the Committee on Interstate and Foreign Commerce reported out S. 1898, amended, so as to make it a criminal offense for any person, with intent to deceive viewers or listeners, to broadcast or participate in the broadcasting, or to produce or participate in the production for broadcasting of any such program, or to conspire with others to do any act so prohibited.

Mr. Speaker, I urge the adoption of House Resolution 563.

Mr. Speaker, I yield 30 minutes to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Speaker, I know of no opposition to the adoption of the rule, and yield back the balance of my time.

Mr. O'NEILL. Mr. Speaker, I yield such time as he may require to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Speaker, I take this time to address the Members of the House of Representatives because of the many bills that are now pending before us for consideration which, in my opinion, are not only unnecessary but many of which, if enacted into law, will lead us further down the road to deficit spending, increase inflation, and bring us nearer to all-out welfare statism.

We had hope that at least we would be operating this year in the black with the Government taking in more money than it was paying out. However, it now develops that this is not going to be true because of the increases in appropriations that the Congress has made over and above the budget request.

I am alarmed at the many, many welfare programs that are being proposed, seriously considered by the majority of the Members and being enacted into law. To list just a few is to demonstrate the thought I have in mind: Federal aid to education; area redevelopment loans; urban renewal; medical aid for the aged; Federal aid for sewage disposal; public housing; youth conservation corps; and extensive public works.

We are rapidly moving into welfare statism, with our young people being taught to look to the Government to supply their needs from the cradle to the grave. The spirit of paternalism will eventually destroy the private enterprise system in America unless we call a halt and change the trend which is so rapidly taking us down the road to socialism.

Our people are constantly requesting Federal aid or, to put it bluntly, Federal handouts. There is no such thing as a Federal handout. The Federal Government can give us nothing that it has not first extracted from the people at a tremendous service charge. Every $100 sent back to the States and localities by way of Federal handouts costs the taxpayers an additional $50 for handling charges by the Federal Government. The more the Government provides, the more it impoverishes the people through increased taxation. Those who contend that the Government of the United States owes a living to any citizen or group of citizens or that it should provide special privileges and benefits to various communities are contributing to the destruction of freedom of action and opportunity. Our Government cannot make people rich but it can make the rich poor by taxing away their substance and by stifling their initiative to work, to produce, and to save. The only thing the Government can distribute evenly is poverty and slavery which is achieved through excessive taxation and regimentation. What alarms me tremendously is the fact that our people are turning more and more from the principles of self-reliance to that of dependency upon the Government.

We are raising up a generation and instilling in their minds the false concept that the Government or someone owes them a living. They are being misled into seeing a mirage of easy money and easy living which actually leads to an ever-increasing measure of taxation, regimentation, and controls.

We must realize that where Federal funds flow into a project just as sure will there follow an increasing measure of Federal control. The greatest control available to the Federal Government is in its allocation of Federal funds. Federal aid means Federal control. Federal control follows Federal aid as inevitably as night follows day.

These are trying times from the international as well as the domestic standpoint. We have had severe setbacks on the diplomatic front. Our friends are few. It is necessary that we keep a strong defensive machine second to none. This means for the foreseeable future we must continue to build up our military might which, of course, means tremendous appropriations. This we can do without hurting our economy if, at one and the same time, we will cut out all unnecessary paternalistic civilian-domestic programs.

It is shocking to me to realize that in the past few years the big buildup in expenditures has not resulted from our military defense effort but has resulted from the ever-expanding civilian-domestic programs. Since 1954, these welfare domestic programs have increased from $19.1 billion to nearly $40 billion. There is even now tremendous pressure in this election year for the enactment of more nonessential programs, many of which start out on a small scale and gradually expand to permanent, ever-increasing, enormous expenditures. The Federal aid-to-education bill is a good example as is the stupendous highway program which has resulted in a national scancal because of the extravagant waste of the taxpayers' money.

Because of these nonessential programs—programs that were never contemplated by the Founding Fathers to be a responsibility or function of the Federal Government—it has become necessary for the Congress to increase the national debt limit at a time in which we should be cutting down on our debt. It is a national disgrace and I call upon the Members of this House who believe in the private enterprise system that has made America so great, who believe in fiscal responsibility, who desire to preserve our way of life and to retain for oncoming generations the freedoms and liberties that were handed down to us by those who have gone on before, to come down to earth, to reappraise their thinking and to stop this all-out rush toward statism, toward paternalistic government, toward fiscal irresponsibility and national bankruptcy.

I have hopes that the rank and file of our people will realize what is happening in this country before it is too late and demand of their elected representatives fiscal responsibility and adherence to the constitutional precepts laid down by their Founding Fathers and the great fundamental principle that the people must support the Government and not the Government support the people.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license for rehearings under such act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1898, with Mr. ELLIOTT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. HARRIS] will be recognized for 1½ hours and the gentleman from Michigan [Mr. BENNETT] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I yield myself such time as I may consume.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. BENNETT of Michigan. Will the gentleman give us some idea of how long he intends to have the Committee consider the bill tonight?

Mr. HARRIS. Of course that is not within my prerogative, as the gentleman knows. I might say for the information of the Members there are 3 hours of general debate. I doubt very seriously if we will use all of it, but we will use a substantial part of it. I have no information as to just how long we will sit.

Mr. BENNETT of Michigan. Does the gentleman think we will finish the bill today?

Mr. HARRIS. I doubt very seriously whether we can finish the bill tonight, because I understand there is one amendment at least which the gentleman from Michigan will propose.

Mr. Chairman, the Committee on Interstate and Foreign Commerce has considered and reported S. 1898, which we bring to your attention at this time.

I might say, Mr. Chairman, it will be my purpose to explain the provisions of this bill, and then have something to say about recent articles about Members of Congress that have appeared in certain papers and magazines, and then give you some background as to what I think has motivated such attacks at this time on the Congress and Members of the Congress.

In the first place, this bill that we bring to you is one of three bills which our Committee on Interstate and Foreign Commerce has pending, which was recommended by the Special Subcommittee on Legislative Oversight, as a result of its investigations during the last 2½ years. This is the first of these three major proposals, and it is a most important bill, if we are going to maintain healthy conditions in the field of communications and operations in the public interest as the Communications Act of 1934 requires.

In addition, the committee on yesterday reported a second major bill for the consideration of this House, which is referred to as the ethics bill, and which deals, among other things, with so-called ex parte communications in on-the-record proceedings.

I do not know whether we will have time to get to that second major bill that we are recommending during this session. We intend to file the report as soon as it can be prepared.

The third major bill which is the result of the investigation of the Oversight Subcommittee has to do with transfers of these valuable radio and television licenses to which I will refer in my statement this afternoon. The bill further provides for a procedure to license national networks and to bring them under the regulatory jurisdiction of the Federal Communications Commission. That is the third bill which is pending before the committee on which we have not as yet had an opportunity to hold hearings and to give it further consideration.

That gives you briefly the background of the work of our committee and the legislation which we have under consideration. The Committee on Interstate and Foreign Commerce brings to you today S. 1898. If you will get a copy of the bill and follow me I think I can explain very clearly just what is contained in it.

Section 3 rewrites section 309 of the Communications Act of 1934.

Prior to 1952, this section of the act provided that if the Commission, upon the examination of an application, was able to find that the public interest, convenience, or necessity would be served thereby, it should grant such application. If, however, the Commission could not make such a finding, it was required to give notice to the applicant and afford him an opportunity for hearing.

In 1952 the Congress amended section 309 to include two new concepts. The first is contained in section 309(b) and requires the Commission, in all situations where it is unable to make the public interest findings based on an examination of the application alone, to notify the applicant and other parties in interest of the grounds and reasons why it cannot find that the public interest, convenience, or necessity will be served by granting the application prior to designating such application for hearing. Furthermore, this section requires the Commission to provide an opportunity to the applicant to reply to the objections raised in the above-described notice. This procedural step required in all instances has proved to be cumbersome, time consuming, and in many instances of no value whatsoever.

The second procedural concept added by the Communications Act amendments, 1952, is the so-called protest procedure contained in section 309(c). This section was amended in 1956. It provides that in any case where the Commission grants an application without a hearing, any party in interest may within 30 days after said grant without a hearing, protest the Commission's action. Morever, it requires that this protest should be served upon the grantee and should contain such allegations of fact as will show the protestant to be a party in interest and should specify with particularity the facts relied upon by the protestant as showing that the grant was improperly made. The Commission is required to rule upon this protest within a 30-day period, making findings as to sufficiency of the protest and, where it finds that the protest is sufficient, designating the matter for hearing upon issues relating to all of the matters specified in the protest as grounds for setting aside the grant, except in cases where after oral argument the Commission finds that even if the facts were as alleged, no grounds exist for setting aside the grant. The provisions of this subsection have been broadly interpreted by the courts and have proved to be a most effective device for delaying the disposition of Commission business.

The FCC, the Federal Communications Bar Association, and the American Bar Association have been seriously concerned by the procedural abuses which have arisen out of this subsection of the act. Accordingly, these organizations submitted legislative proposals designed to remedy these difficulties. S. 1898 was introduced upon request of the Federal Communications Bar Association and supported by the American Bar Association. After hearings on that proposal and a proposal submitted by the FCC, the bar associations and the FCC held a series of discussions and agreed upon amendments to S. 1898. As amended, and passed by the other body, S. 1898 represented the views of both the FCC and the Federal Communications Bar Association, and the American Bar Association.

In the committee substitute section 3 relates to the subject matter of S. 1898 as it passed the other body. Section 3 is not different in substance from the bill approved by the other body. The provisions of section 3 have, however, been rearranged and revised in a manner which achieves greater clarity.

Section 3 of the committee substitute would delete the mandatory notice prior to designation for hearing now included in 309(b) of the act and would also substitute for the provisions of present section 309(c) a procedure which would authorize a petition to deny to be filed prior to action on the application by the Commission. This would be accomplished by requiring the Commission in substantially all broadcast and common carrier cases and certain other cases to hold applications for not less than 30 days after notice of acceptance for filing of the application by the Commission has been published.

This new "pre-grant" procedure would require the Commission to consider such petitions to deny in connection with its consideration of these applications and, where upon an examination of the application and the petition to deny or any

other pleadings before it, the Commission is not able to make the public interest findings required, it would designate such application for hearing. I believe that these procedural safeguards will provide an adequate opportunity for proper parties to protect their interests in an orderly and logical manner without subjecting the Commission procedures to the abuses which are inherent in the present protest procedure.

It is my sincere hope that this new procedure will expedite proceedings before the Commission. They have a backlog of work which piles up on them down there, partly because of the procedure that is now required by law permitting "protests" and thereby causing more and more delays.

One of the difficulties we have found in connection with the FCC has been that the delays over a long period of time have contributed to the grave problems and difficulties which we have exposed in the Oversight Subcommittee in the last 2½ years.

We took the bill S. 1898 as a vehicle to work with. The reason for it is obvious. We are getting along in the session and there are many provisions in this bill that are needed and needed badly.

By adding these provisions to S. 1898 we can work out something in conference with the other body and therefore very likely get something through during this session of Congress that is needed.

If you will turn to page 8, we struck out all after the enacting clause.

The purpose of section 2 is to amend the Communications Act of 1934 to counteract the effect of a rule adopted by the FCC.

Section 307(d) of the act provides that no broadcast license shall be granted for a longer term than 3 years, and the FCC can, of course, fix a shorter period. The Commission, however, has adopted a rule that all broadcast licenses shall be granted for a term of 3 years.

Thus, it has placed itself in a position where it could not, without formally changing its rule, grant a broadcast license for a term shorter than 3 years.

The public interest may require the granting of shorter-term licenses in order to afford the FCC a more frequent review of the licensees' performance.

This section of the committee substitute will insure that the Commission, without the necessity for conducting a rulemaking proceeding, will in the future be able to grant shorter term licenses in individual cases.

If you will turn to page 11:

Section 4(a) of the committee substitute would amend section 311 so as to authorize the Commission to hold hearings at a place in, or in the vicinity of, the principal area to be served by the station involved in such hearing if the Commission determines that the public interest, convenience, or necessity would be served by conducting such local hearing.

The amendment would also require applicants for most instruments of authorization in the broadcasting service to give local notice of the filing of their applications, and, if any such application is designated for hearing, to give local notice of such hearing. Each such notice would be given in the principal area which is served or is to be served by the broadcast station with respect to which such application is filed. The Commission would prescribe by rule the form and content of such notices and the manner and frequency with which they are given.

In other words, if there is an application for a facility in Boston, or wherever it may be, they must give notice in the locality of this hearing.

The question then arises why should we not have hearings in that locality? There are 5,300 broadcasting facilities operating in the United States, there are as many as 800 renewals that must be considered a month. If we were to require the Federal Communications Commission to go into the locality and hold hearings in every case it would bog the Commission down and it could not possibly do the job we are requiring of it. So we have provided for the local notice to be given and the Commission may, if it so determines, go into that locality for the hearing; otherwise, it can hold hearings, if necessary, in some other locality, generally here in Washington.

The second part of this section 4 has to do with "payoffs." By "payoff," we mean this: If there are four or five applicants for a particular facility, they have to go through long and expensive hearings. They get down to a point where maybe a couple of those applicants, or three of them, decide that their chances are not so good, they will negotiate with the other applicant and that applicant will pay them to get out.

In some of the cases we found situations that are very, very bad.

We had many cases—as a matter of fact, about 23 of them in all—that we dealt with in these investigations, and several of them were of this particular kind. We had one case that I can give you very briefly as an example.

There were four applicants for this particular television facility. Two of the applicants agreed to get out for $150,000 each. They were paid off. The Commission had nothing to do with it. It had no say in the matter whatsover. But, in doing so, they left the other two applicants. And then there were maneuvers and pressures and everything that was brought to bear on them to get together and merge and become 50 percent owners in order to get that particular grant or award.

In other words, there were these exparte contacts and pressures that were brought to bear, and the payoff to two of the applicants to get out of the way.

That is simply no way to find out who are the better applicants to serve the public with a television facility. We say here that that is prohibited in the future.

Section 4(a) of the committee substitute would amend section 311 of the act so as to make it unlawful, without approval of the Commission, in any case where two or more applications for a construction permit for a broadcasting station are pending and only one application can be granted, for the applicants to effectuate an agreement whereby one or more of such applicants withdraws his or their application or applications. The agreeing parties would be required to submit to the Commission full information with respect to the agreement which would have to be set forth in such detail, form, and manner as the Commission shall by rule require.

The Commission may approve such agreement only if it determines that it is consistent with the public interest, convenience, or necessity.

If any such agreement, other than one contemplating a bona fide merger, contemplates the making of any direct or indirect payment to any party thereto in consideration of his withdrawal of his application, the Commission may determine the agreement to be consistent with the public interest, convenience, or necessity only if the amount or value of such payment, as determined by the Commission, is not in excess of the aggregate amount determined by the Commission to have been and to be legitimately and prudently expended in connection with the prosecution of such application.

As indicated above, the provision prohibiting approval of agreements calling for payments in excess of expenditures would be inapplicable in cases of bona fide mergers and the Commission, thus, would have to determine in each instance whether a proposed merger is a bona fide merger of competing interests or whether it is merely a device to evade the prohibition applicable to nonmerger agreements.

And, that merger problem is somewhat of a controversial issue. Some of the members of the committee did not want it, but the committee adopted it, and it gives the Commission the authority to approve bona fide mergers.

We think the payoff prohibition is a highly important provision that should be in the law and that will contribute to orderly procedure and consideration of licence applications in the future.

Now I would like to direct you to page 20, suspensions, revocation, and cease and desist orders. This is the one controversial section in the bill. We continue revocation as in the present law except we add one other paragraph in order that the Commission may revoke, if it finds it necessary, for violations of the provisions of sections 1304, 1343, or 1464 of title 18 of the United States Code. That is the criminal code. Otherwise the law with respect to revocation is maintained as it has been all the years.

Since revocation is a death sentence for a station, it has never been used since the 1934 act.

Section 5(a) of the committee substitute would amend section 312 of the act to empower the Commission to suspend station licenses for a period of not more than 10 consecutive days for the same acts that station licences could be revoked for. However, the provisions relating to revocation are different from those relating to suspension in that the

latter do not require that any such act must have been done knowingly, willfully, or repeatedly.

As is now provided in section 312 in the case of issuance of an order of revocation or a cease and desist order, this amendment granting suspension power provides that before suspending a license the FCC shall serve upon the licensee, permittee, or other person involved in an order to show cause why an order of suspension should not be issued. Irrespective of which of these administrative sanctions (i.e., revocation, suspension, or cease and desist order) the FCC may contemplate using when it issues the order to show cause, nothing in section 312 as so amended is intended to prevent the FCC from imposing, on the basis of the evidence adduced at the hearing, whichever sanction it deems appropriate.

Now, the industry does not like this suspension provision. I feel and the members of the committee feel that this is the heart of the bill because it gives the Commission authority to deal with questionable acts and violations by a licensee without imposing the death sentence.

If you strike this out and there is no penalty, then the industry is free to continue to do those things that we have uncovered and which have been going on now for the last several years. But we go further. We provide in the following section, on page 24, a forfeiture provision.

It is, of course, obvious that if a facility rendering a public service in the community is suspended, the public may be deprived of that service. We think the Commission should have authority to impose where desirable a forfeiture so that they do not take away the service from the public.

Section 6 of the committee substitute would amend the act to authorize the Commission to impose forfeitures on licensees and permittees of broadcast stations of up to $1,000 a day for certain violations.

The amendment contains a sentence providing that forfeiture so imposed shall be in addition to any other penalty provided by the act. This is intended to mean only that the FCC will not be precluded from ordering a forfeiture merely because another type of sanction or penalty has been or may be applied to the licensee or permittee.

Some say that the power to suspend is entirely too punitive: that it gives too much authority to the Commission. But if you turn to page 22 you will see provisions which protect the licensee. Before revoking or suspending or issuing a cease-and-desist order there must be an order to show cause why an order of suspension or revocation or a cease-and-desist order should not be issued. Then a hearing must be held on that show-cause order.

The Commission must prove that the licensee has violated one of these four or five provisions of the law. In other words, they are amply protected, because the Commission has got to set forth in writing the violations which they are alleged to have committed. Then it must show that they actually were committed. They must have a hearing and give them an opportunity to state the facts. We feel that the industry is amply protected by this requirement in the law.

Now, skipping over to page 25, section 317 has been one of the most difficult problems because it has not been very clear throughout the entire history of this act what this provision means. This is the section which relates to the so-called "payola." This section requires announcement of any payments that have been made by anyone for the broadcasting of any matter. Some of this developed in the course of our inquiry into the so-called quiz shows.

A man by the name of Hess of the Hess Department Stores in Allentown, Pa., testified before the committee that he paid a total of $15,000 in order to get one of his employees as a contestant on one of the national quiz shows so that his department store could be nationally advertised.

Following that we went into a lot of this business having to do with disk-jockeys and all kinds of operations. We developed all sort of facts with respect to this payola practice.

Section 7 of the committee substitute would rewrite section 317 by adding a proviso and would add to the act, as section 508 thereof, new "disclosure" provisions, applicable to persons other than licensees.

The proviso would establish a general rule that an announcement shall not be required under section 317 with respect to any service or property furnished "without charge or at a nominal charge" to a broadcast licensee for use on or in connection with a broadcast, but this is subject to the exception that an announcement will be required if the service or property is furnished "in consideration for an identification in a broadcast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast."

The effect of the proviso would be to exempt from the announcement requirement some of the situations, involving the furnishing of services or property to licensees without charge or at a nominal charge for use on or in connection with broadcasts, in the case of which the interpretation placed on section 317 of present law by the Commission in its public notice of March 16, 1960, would require such an announcement.

The intended effect of this proviso is illustrated in examples set forth in the report dealing with different situations which commonly occur in the broadcasting of different types of programs.

This report, with its examples, is for the Commission to follow. This is the book for the industry to follow.

It does not prevent some of the industry practices that are acceptable and necessary. It permits them to continue to use free records under certain circumstances. It permits them to continue to use property that is necessary in programing their shows. It permits them to continue to operate their station facilities in the public interest. That is the reason that we have approached this particular subject.

Subsection (a)(2) makes it clear that the instant legislation is not intended to change the Commission's present requirement that an announcement be made in the case of any political program or any program involving the discussion of any controversial issue even where the program matter is furnished without charge or at a nominal charge as an inducement to the broadcast of the program. Thus, an announcement in these circumstances may be required even though, in fact, the matter broadcast is not "paid" matter.

Subsection (b) places on licensees a new duty to make announcements regarding paid-for matter. As I have already stated, this bill proposes to add a new section 508 to the act, pursuant to which information will be transmitted to licensees with respect to payments, made to persons other than licensees, for the broadcast of matter over the stations of such licensees. Subsection (b) requires that when information of this kind is reported to a licensee it shall be the duty of the licensee to make an appropriate announcement.

As a further means of insuring that licensees will be in a position to make the announcement referred to in subsection (b), subsection (c) provides that every broadcast licensee shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals, information to enable such licensee to make the announcements required by section 317.

Subsection (d) is a new provision authorizing the Commission to waive the requirement of an announcement under section 317 in any case or class of cases if it determines that this would be consistent with the public interest, convenience, and necessity.

Subsection (e) authorizes the Commission to prescribe rules and regulations for carrying out the provisions of section 317.

The committee substitute amends title V of the act by adding a new section 508 at the end thereof which is intended to require the disclosure of station licensees of payments made to persons other than such licensees for the broadcasting of any matter by such licensees. A person who violates this proposed section would be subject to criminal penalties.

Through this disclosure section together with section 317 we get at the problem of payola which the Commission cannot adequately deal with.

Finally, we come to deceptive practices.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. BENNETT of Michigan. Before the gentleman leaves that section, under present law under section 317 if a radio station accepts money or other consideration for exposing a product or advertising it over a station it must announce that fact. We have amended that section to require also that the station make some kind of announcement if

information comes to its attention that one of its employees or officers has received money from some other person who exposes or advertises a product over the air. They come about as the result of the diskjockey's testimony. But in reading this, I note today that we have failed to cover a situation where the diskjockey, for example, owns an interest say in a record company or any other corporation whose product is being advertised and receives his consideration as a result of the profit of the corporation which owns the thing that is being advertised. He is exempt. We have apparently left him out. I wonder if the gentleman would comment on that.

Mr. HARRIS. I am not sure just what the gentleman has in mind.

Mr. BENNETT of Michigan. I am thinking of the situation of Dick Clark. He did not accept any money from anyone directly for playing or plugging a particular record but he did plug his own records, and made money because he owned the company that made the records, so he came out as well if not better than the diskjockeys we are penalizing here. Apparently, however, as I read this section, we would not require any announcement by the station in his classification. I was just wondering if we should not amend the bill to cover that situation.

Mr. HARRIS. I think it is adequately covered. If the gentleman will refer to page 19 of the committee report he will find this language:

> Indirect benefits which may accrue to station licensees and their employees or other persons concerned with the selection of programs or program matter for broadcasting by reason of ownership of stock or other interests in companies engaged in the preparation or production of programs or program matter are not covered by section 317, as it is being amended, or by the proposed disclosure provisions. Disclosure of such benefits may be required by the Commission under its general rulemaking powers.

Mr. BENNETT of Michigan. That is true. Of course, this type of situation I have just discussed is not covered in the amendment we have adopted, but they say the commission can make rules and regulations and, of course, the same thing would apply to the other type of situation.

Mr. HARRIS. Yes, where indirect benefits are involved that was intended.

Section 8 deals with the deceptive contests. We found these deceptive practices were rather widely engaged in throughout the country. Some said that that was not so. We do know that they were broadcast by the networks, and the networks cover practically all the stations in the United States. The people all over the United States, I might say, received a lot of pleasure from these programs.

Our committee was not too popular at first when we started investigating this. But this did not last long. When the facts came out and when they began to admit these practices that we found out to be a part of the programing, then the American people began to react differently. To me, it was one of the most amazing things.

The thing we are trying to get at and we are going to discuss here today, and it is also contained in the "ethics" legislation which we have already reported out, is the use of public resources, natural resources, that belong to the public for the purpose of deceiving the American people to the point where the moral structure of this country is being undermined. This provision gets at these practices. I do not think we are going to see any more of them soon, even without this provision, in your time and mine. But in time somebody will try to develop a scheme where that same thing will be done.

Mr. Chairman, we have come to the point that where anyone who gets control of the communications and broadcasting media of this country becomes the most powerful element in this great Nation of ours. Therefore, this medium has to be protected from deceptive practices. These people have to realize their responsibilities. They are given this valuable privilege and franchise and they must realize their responsibility to operate in the public interest. Therefore, we make it unlawful for any such deceptive practices.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from New York.

Mr. SANTANGELO. The language of the bill refers to "radio stations." Does the term "radio stations" contemplate a television station?

Mr. HARRIS. Yes, under the Communications Act "radio" includes all types of broadcasting facilities.

Mr. SANTANGELO. So that when we read the word "radio" it means "radio and television" and the general public can so understand it?

Mr. HARRIS. That is true.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Under the deceptive contest here, you are limiting that to intellectual knowledge or intellectual skill. Would a fixed prize fight which was telecast come within this provision as to deceptive contests?

Mr. HARRIS. We do not attempt to deal with that kind or type of program.

The report specifically mentions wrestling; and as the term is generally known and accepted throughout the country, wrestling is not subject to this section.

Mr. ROGERS of Colorado. Would section 7 reply to the reporting on television of a prize fight, a wrestling match, football game, baseball game, or is it related entirely to the intellectual scale?

Mr. HARRIS. That is what the bill says. We were getting at a particular problem, one we had uncovered. That is the problem we tried to reach and we think we have reached it very successfully.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. For the benefit of the gentleman from Colorado let me say this, the particular situation we were dealing with concerning intellectual contests was not covered by any law. The fixing of a prizefight is controlled by criminal statute in most States. That is one reason. We are dealing with something here to which criminal law is not applicable.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. HARRIS. I yield.

Mr. ROGERS of Colorado. My only question is: Would this proposed legislation make it a crime subject to penalty as provided ordinarily?

Mr. HARRIS. There is nothing in the record or the legislation here that would include boxing.

Mr. ROGERS of Colorado. Under section 7 you deal with the question of giving information, as to where you may have received it. If a television station, a radio station gets a free record they are required to say, "This record was given as a service to us." Would this continue that operation under section 7?

Mr. HARRIS. No, it would not; it would permit that practice, as I stated a moment ago, to continue. In other words, if they receive a free record, under that provision they can play it without making the announcement.

Mr. ROGERS of Colorado. Without making the announcement.

Mr. HARRIS. Yes.

Mr. ROGERS of Colorado. I have been contacted by a radio-television station complaining that if they send their newsman to a press conference, for example, down to the chamber of commerce, and the chamber of commerce hands out a long press release telling how great the organization is and what all it has done for the community, that if their man uses that press release it is necessary for the radio-television station to say that it was received from the public relations officer of the chamber of commerce.

Under the interpretation we now have will the gentleman explain whether it is required that they give credit to the source from which they received it? On the other hand, if they use information that comes over the ticker or the wire from one of the press services, AP, UP, or UPI, and broadcast it as news they do not have to say where they received it. Does section 7 touch that in any manner whatsoever?

Mr. HARRIS. If the gentleman will look at item 11 on page 22 of the committee report. No announcement is required.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. HARRIS. I yield.

Mr. ROGERS of Colorado. Under the rule of the FCC it was required that they must give credit to the source whether it was a press release or whatever it might be.

Mr. HARRIS. Under the amendment the station would have no announcement to make. I do not think the station would have any problem at all with that.

Mr. ROGERS of Colorado. I thank the gentleman.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. FARBSTEIN. Just one word, at the top of page 30, to obviate the possibility of criticism insofar as physical contests of any kind are concerned, would it not be wise under the circumstances to insert the words "or physical" in the second line after the word "intellectual"?

That would cover any known contest. So there would be no possibility of any fixed fight or any other physical contest, of which there are many.

Mr. HARRIS. We purposely limited it to "intellectual contests." In regard to other contests State laws are involved. We did not think that, not having a peculiar problem in connection with these other contests we should not invade that field. I would not want to do so here.

Mr. FARBSTEIN. This deals with national legislation. This deals with broadcasts under the Federal communications law, hence it would be outside the State rules or the State criminal laws.

Mr. HARRIS. It has been said by the gentleman from Texas the States have certainly made it clear they have adequate laws dealing with these problems and we hope they can.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Has the gentleman given consideration to the policy recently developed of television stations making editorial comment?

Mr. HARRIS. Yes, we have considered that and discussed it a great deal. We have not come to any resolution on it. There are differences of opinion. Some even contend that the constitutional prohibitions would become involved here and, therefore, it would be unconstitutional to prohibit editorials. We have not been able to clear up as to whether or not that is the fact, but I think it is a very important consideration. We also have a policy—of course, I know it is not effective, just like a lot of other things—if an editorial is broadcast by a station, the station must be fair with respect to giving time to opposing views.

Mr. McCORMACK. That is so?

Mr. HARRIS. That is true.

Mr. McCORMACK. If some station were to broadcast an oral editorial about any Member of Congress or anybody in public life, they would have an opportunity to have equal time?

Mr. HARRIS. Not necessarily equal time. But the rule of fairness would apply.

Mr. McCORMACK. Those who represent the truth would have an opportunity. These stations have licenses. I am not passing on the basic question but referring to the constitutional right of freedom of speech. Where their existence is dependent on a license, we know they are liable to become partisan. We do know that 85 percent of the press of the country is Republican. I hope that a majority of the television stations may be Democratic.

Mr. HARRIS. That is a very important question that the gentleman raises, even his last statement, but I personally think under the licensing provision and authority we have, since it is a natural resource and it belongs to the public, there is a way to reach it. But we have never yet invaded that field. As a matter of fact, we have never yet invaded the field of programing. I for one am opposed to invading the field of programing because I do not think the Government of our country—I do not believe any government—should have authority to control the programing over these facilities. I think it is entirely out of line under our system of government to give such authority to any Government agency.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Kansas.

Mr. AVERY. In further reference to the editorial matter, is it not a fact it has never come to the attention of either the Legislative Committee or the Select Committee on Legislative Oversight an instance where a licensee has taken a position on an editorial proposition and not permitted those of opposing views to have equal time?

Mr. HARRIS. The gentleman is correct.

Mr. AVERY. It has not come to the attention of the committee that equal time has been denied those of a different view from the editorial position taken by the licensee.

Mr. HARRIS. No. On the other hand, I have had some investigated, and we have reports from others where they pursued the policy of offering equal time for opposing views.

Now, Mr. Chairman, I want to proceed with some other thoughts and give you the benefit of some information which I think will interest the members of this committee. There has been a lot of interest in our committee work, particularly in the study and investigation of the regulatory agencies as to the administration of the laws and as to the adequacy or inadequacy of the laws, especially in the recommendations that we have made and the proposed amendments such as we have here today.

Now, it is one thing to study and investigate, but it is entirely a different matter when it comes to legislating and doing something about it. In some of the inadequacies we found some admitted these practices were true, that during the investigation as we were exposing these things they would not dare to raise their heads; when we were showing the fraud, the corruption, and the deceptive practices which were deceiving the American public, "living the lie," as one put it, using this great natural resource, the spectrum, regardless of the moral effect. They would not dare raise their heads in objection. Yet, they lay back under the log and waited. Now we come to the crux of it. These powerful interests—and there are some who own and control these facilities, the media—would not even attempt to justify their acts. They would not even attempt to justify closing their eyes and turning their backs. But, to do something about it, as we are trying to do here, becomes an entirely different problem.

Now, admitting that these were acts of fraud and corruption and deceptive practices, degrading the moral character and the decency of the American public, when the committee started to do something about it, the pressures began to move in. We could feel it all around. The very moment that we moved and started doing something about it, we really felt the pressure. Now, let me say something else. If we, as legislative officials of this Government, can be subjected to pressures on legislation, how do you think an independent regulatory commission, when the pressures move all around them and envelops them, can withstand it? Immediately after we filed our report, Mr. Chairman, on February 9 of this year, immediately after we filed the report, we felt it moving in on all sides, because what we proposed would interfere with them. Immediately thereafter there was a bevy of newspaper reporters turned loose on the committee. I received the information—and I believe it was reliable information—that Life, Time, and Fortune turned six of them loose. One of them came to me and to my committee. Here is a wire from him, because I had not talked to him on the phone, in which he urged that I permit him to talk to the staff. I gave him permission. The wire and my reply reads:

NEW YORK, N.Y.,
February 17, 1960.

Hon. OREN HARRIS,
Chairman, Legislative Oversight Subcommittee, House of Representatives, Washington, D.C.:

Pursuant to a message from Representative JOHN MOSS' office, I have been trying to get you on the telephone since last Friday but have had no luck, largely due to the hearings, I presume. This morning I left a message for you but since I haven't heard from you I take the liberty of sending this telegram.

I am writing an article on some aspects of Federal legislative operations, including those of your subcommittee, and want eventually to talk with you. First, however, I would like to interview Mr. Lishman on historical aspects of broadcasting inquiries during his term as counsel. I will not seek to anticipate future moves via leaks or anything of that sort as IA: I understand it, Mr. Lishman may not talk to the press but I hope you will, in view of my particular purpose, change the rule. Will you please let me know? I can be called through our Washington tieline, Republic 7-6059.

Many thanks.

HERBERT SOLOW,
Time, Inc.

Mr. HERBERT SOLOW,
Time, Inc.,
New York, N.Y.:

Retel pursuant to our telephone conversation, I have arranged for Mr. Lishman to

see you at some convenient time during the coming week. If there are specific matters about which you wish to discuss, which Mr. Lishman is not authorized to discuss with you, I shall be glad to talk with you about it.

OREN HARRIS,
Member of Congress.

He did talk to the staff. He talked at length one afternoon, and then the chief counsel came to me and said, "They are not after anything constructive. They are after the committee."

The chief counsel, Mr. Lishman, said he was coming back tomorrow morning. I said, "Don't talk to him any further, tell him to come to see me." What did the wire say when I received it? It said, "I will want to talk to you later, but I want to talk to the staff right now."

One of the magazines had already carried an article against our subcommittee, about a year or more ago, and it certainly was not complimentary. I told the chief counsel not to engage in further conversation with him. He did not come to see me. I have not seen or heard from him since. I do not know what happened.

I was advised by a member of the other body, and I think he had correct information, of the same operation moving in with reference to these proposals. That was the last time I heard of that particular effort until Time came out.

In my judgment, Mr. Speaker, these recent attacks on Members of the Congress are conspiracies of the Knight newspapers and Life magazine. Let me read you the box in the Washington Post:

Material for this article was originated by Don Oberdorfer and Walter Pincus and is being published with further details in the issue of Life magazine appearing today and in the Knight newspapers. The Washington Post is publishing this article with their permission.

That was their announcement. Both of these organizations own substantial broadcasting facilities, valuable broadcasting facilities. TLF is the group that owns the broadcasting facilities of Time, Inc.

TLF has never been in competitive hearings for a television channel, but has purchased six television stations.

TLF presently owns four television stations as follows: WTCN, Minneapolis; KLZ, Denver; WFBM, Indianapolis; WOOD, Grand Rapids.

TLF has sold its interests in KTVT, Salt Lake City, and KOB, Albuquerque.

The purchase of WTCN, WFBM, and WOOD was approved by the FCC on April 17,1957, while the purchase of KLZ was approved by the FCC on June 23, 1954.

TLF's sale of KOB was approved by the FCC on March 13, 1957, while the sale of KTVT was approved on November 5, 1959.

Yes, these organizations own valuable broadcasting facilities and I shall talk about how they got them a little later on.

Knight Newspapers own two radio stations in Ohio and the Knight interests own 40 percent of an $8½ million facility at Miami, Fla. And I want to tell you a little bit more about that later on, about what happened when they obtained it and what is about to happen to them now. But these are the facts and in my judgment are the reasons why the Members of Congress have been suffering these attacks in the last few days.

Now before I refer more to these articles let me say this: I know I am not infallible. I do not claim to be. I know that I make mistakes, and I want to know about them when I make them. But I do not like the nasty innuendoes, the implications and smear attack, virtually accusing me of impropriety, dishonesty, and misappropriating funds.

Let me say another thing, Mr. Chairman. I welcome public inspection of any of the accounts that I am responsible for, that I have expended personally as a Member of Congress or as chairman of the Committee on Interstate and Foreign Commerce have approved in the last 4 years. In the 85th Congress I approved a total of $389,508.81. Thus far in the 86th Congress I have given my approval to $388,635. I welcome anybody, the public, the press, I welcome an inspection of any voucher that I have signed and that I approved.

Mr. Oberdorfer did not come to see me. I did not know anything about this kind of article until the day before it was published. It had already been filed. Mr. Pincus, who was loaned, as I told you, Mr. Pincus and a Mr. Kraslow came to see me the day before, and that was the first information I had about it. The story was already written, it was already filed, it was already printed in Life magazine. I was called that afternoon by a reporter who read to me the report already printed in Life magazine. So the conference that they sought with me after it had already been filed meant nothing whatsoever.

It hit me cold completely. Three years had passed, and a little old tinky bill for a stopover, 1 full day and 2 nights, spent on the way home from Antarctica, a little old tinky bill is the thing that was played up. It was rather interesting. Mine was the one they sought out and took a picture of. Mr. FLYNT's was on top of mine, and they took a picture of his, too.

But I want to give credit to one reporter, Julius Duscha, I believe is his name, of the Washington Post.

Mr. DEROUNIAN, a member of the committee, who was on the trip, and I, after we found out that he was trying to run some of this information down, I am sure they must have felt that it was an attack that would be questionable; he did come out that afternoon and had a conference with Mr. DEROUNIAN and me in my committee room. I will say this, he did try to get something in about it. But the attack on the Congress itself, which is what I consider this to be, because it starts out with headlines, "Expense Account Bills of Congress Altered" and the article refers to "expense account bills for dozens of Members of the House of Representatives" and, they go on, on the first page they take out after me. Well, I think my hide is tough enough to take some of these things and it does not worry me personally at all.

The CHAIRMAN. The gentleman from Arkansas [Mr. HARRIS] has consumed 1 hour.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent to proceed for an additional 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BENNETT of Michigan. Mr. Chairman, I will yield 20 minutes to the gentleman from Arkansas.

Mr. HARRIS. I thank the gentleman from Michigan. Mr. Chairman, I regret to take so much time, but I had to explain the bill. I think this is very important to us not because I am OREN HARRIS but because we are the Members of the Congress. I want to show you what is behind all of this and what brought on these attacks to take the spotlight off of the pressures and improper actions in dealing with these valuable properties that mean so much.

We went to the Antarctica. We did it at the request of Admiral Dufek. He came out to our committee and pleaded for somebody to help them. Five other members of the committee made the trip. The National Science Foundation and the National Academy of Sciences all said that the International Geophysical Year was so important and that Antarctica itself was so important and they could not get off the ground with it. We were reluctant to assume such a responsibility, but we did assume it. I am glad now we did. It is an amazing thing this kind of information that appeared in the magazine and by Knight newspaper sponsorship. They did not say anything about the letter that we put on the President's desk when we came back which, in my humble judgment had not happened, we would have given up the most valuable point in this whole world and that is the South Pole itself. That is the only station on earth where 24 hours a day satellites in space can be detected. We filed a letter on January 17 as to the importance of this program. We filed that letter with the President and it went on the desk of the National Security Council and we got action. We got action immediately because only seven days later, they came to our committee and we got the message of what they had done, and we were going to stay there, as the following statement shows:

EXCERPTS FROM STATEMENTS MADE BY DR. ALAN T. WATERMAN, DIRECTOR, NATIONAL SCIENCE FOUNDATION, BEFORE THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, WASHINGTON, D.C., JANUARY 24, 1958

The United States plans to continue scientific operations in the Antarctic beyond the International Geophysical Year which ends next December, according to an announcement made today by Alan T. Waterman, Director, National Science Foundation. Scientific research programs will be formulated under the auspices of the National Science Foundation, the Department of Commerce, the Department of the Interior, and other agencies having scientific interests in the region.

Planning for the scientific programs to be continued in the Antarctic is in the formative stage. Detlev W. Bronk, president of the National Academy of Sciences, is appointing a special committee to serve in an advisory capacity to the Government on the scientific planning. The International Council of Scientific Unions (ICSU) has already appointed a special committee, including an American representative designated by the National Academy of Sciences, to prepare suggestions for suitable cooperative scientific programs in the region after the close of the IGY. The recommendations of these committees will be carefully considered by the United States in formulating its plans for scientific research in the Antarctic after next December.

The logistics support provided for IGY scientific activities in the region has been a major contributory factor to the success of the program. The Deep Freeze operation conducted by the Navy with assistance from the Air Force and Army made possible the establishment of IGY stations in the region. The U.S. Navy, which has conducted systematic operations in the Antarctic since the late Rear Adm. Richard E. Byrd's first expedition in 1928, is issuing instructions to Rear Adm. George J. Dufek, Commander of the Antarctic Task Force and U.S. Antarctic Projects Officer, to make the necessary preparations for continued support of the scientific program beyond the IGY period.

In anticipation of these plans, the United States intends to continue operations at the Amundsen-Scott IGY Station at the South Pole. Certain other United States IGY scientific stations in the region will also be included in the coordinated scientific activities to follow the end of IGY operations. The choice of other stations depends on scientific, logistic, and geographic considerations, which are now under study.

Russia was ready to take over and they told us they were going to move in. But, they did not say anything about that in writing all these stories. They did not say anything about the report we filed on February 17, 1958, on this entire subject.

Mr. Chairman, this report is in the library of every major university in the United States. We have had more compliments as to the value of this report itself on this subject than on any other one report that we have ever filed. I commend it to you. But they did mention that? No, that is not mentioned at all. Admiral Dufek wrote to us, or rather that he wrote to me, for the committee. In this letter he said, had it not been for this action, they did not know what they would have done and that they were out.

The following letters describe the result:

JANUARY 25, 1958.

Adm. GEORGE J. DUFEK,
Commander, Naval Support Forces, Antarctica, Fleet Post Office, No. 20, San Francisco, Calif.

MY DEAR ADMIRAL: The various press stores of late from the Antarctic indicate that you have been extremely busy, in part in greeting some of the visitors who reached the South Pole both from Scott Base and from the Weddell Sea. Those also were splendid accomplishments.

We also have been active on the matters which you and I discussed before we left, particularly in the effort of getting an early decision as to the continuation of logistic support there for operations next year. Yesterday the committee received a reply to the letter I sent to the President last week (copy of which we gave Paul Frazier to forward to you), through the Academy and Foundation spokesmen for the administration position. I am enclosing a copy herewith.

Naturally, I am tremendously pleased at this decision to continue the activities in Antarctica, and the direction being given by the Navy for you to make preparations accordingly. It is my understanding from the conversations which Frazier and Stevenson here have had this week, that this decision gives you what you needed to have at this time. I trust, however, that if there is anything further in this particular matter that needs to be done where I may be of help, that you will not hesitate to call upon me. Naturally, I appreciate that there are other items requiring attention, and these we are pursuing, but it was my impression they did not have quite the urgency of the immediate logistic supply preparation problem.

The very best of good wishes to Mrs. Dufek and yourself.

Sincerely,

OREN HARRIS,
Member of Congress, Chairman.

SAN FRANCISCO, CALIF,
February 11, 1958.

Hon. OREN HARRIS,
House of Representatives,
Washington, D.C.

MY DEAR MR. HARRIS: I was most pleased to find your letter of January 25, 1958, awaiting my recent return to Christchurch from Antarctica.

Judging from the news from Washington, you and your committee have been eminently successful in obtaining a positive declaration of intentions with regards to continuing the U.S. program in the Antarctic. This has been most gratifying since it permits me and my staff to commence immediately the logistic planning required to execute the proposed post-IGY program.

I have read your letter to the President and I must compliment you on the clear presentation of our views on this important subject. The letter embodies all the features which I consider to be of primary concern to our scientific effort in addition to the national interest of our country.

The alacrity with which a reply was received by you clearly indicates that the sense of immediacy you portrayed was instantly recognized. I shall be ever grateful for your thoughtfulness and kindness in this matter. The prompt action of your committee shall always serve as a reminder to me that the men responsible for the operation of the American Government are dedicated individuals. Moreover, the thoroughness with which you and the committee conducted your affairs in Antarctica under trying conditions involving personal discomforts were most impressive. It was a rare privilege having you with us and we shall be honored to have you visit us again.

The operation in the Antarctic is rapidly drawing to a close. We are resuming our air operations to the Antarctic as the ice runway has been repaired after 6 weeks of disuse due to melting. With the completion of approximately three air drops at the South Pole and two at Byrd Base, the resupply of the U.S. stations in Antarctic will have been completed for Deep Freeze III.

My plans are to return to Washington sometime in early April. I shall be most pleased to visit you and your committee to provide additional details of what has transpired subsequent to your visit to the Antarctic.

Please accept my deepest thanks for your active interest and my warmest regards to yourself and the members of your committee.

Sincerely yours,

GEORGE DUFEK,
Rear Admiral, U.S. Navy, Commander, U.S. Naval Support Force, Antarctica.

MARCH 4, 1958.

Rear Adm. GEORGE DUFEK,
Commander, U.S. Naval Support Force, Antarctica,
San Francisco, Calif.

DEAR ADMIRAL DUFEK: It was most thoughtful of you to write me as you have done under date of February 11, concerning our efforts to obtain a positive declaration of intention regarding the continuance of the U.S. program in the Antarctica, an early decision on which you informed us was imperative for your planning.

Naturally, we share your pleasure that the Government has decided to continue the program and has given you the go-ahead which is necessary now for planning for next year. Your comments concerning our participation in this are very gratifying inasmuch as we could not but be fully impressed in our visit in Antarctica with you of the need for this early action. I think, however, that you have been over-gracious in your expression, for without contradiction yours has been the significant job in supplying the logistics for the scientific program which has resulted in the IGY operations in Antarctica being so successful. Indeed, we all are most hopeful that the continuation of this effort will be under your command.

Inasmuch as I am informed that the ice runway has just gone out, an event you anticipated might occur, I more than ever appreciate your foresightedness in initiating the studies for a permanent airstrip at Marble Point.

Certainly when you return to Washington later in the Spring, we shall look forward to having a renewed visit with you.

Sincerely yours,

OREN HARRIS,
Member of Congress, Chairman.

CARLETON COLLEGE,
Northfield, Minn., September 18, 1958.

Hon. OREN HARRIS,
House Office Building,
Washington, D.C.

DEAR OREN: Thank you very much for having sent to me your remarks concerning the International Geophysical Year meetings in Moscow.

I believe that you are in a position to continue to be most helpful as we strive to secure added support for our program in Antarctica. It is embarrassing to me to realize that the Russians are not only going ahead with their program but plan to extend it. We must awaken our people to a realization of the fundamental issues involved. I think you have done more than any other person since your visit to Antarctica to help in the places where help is most needed.

I am sorry not to have been in Washington more frequently recently. I had double pneumonia in May and have been out of circulation until lately. I feel quite myself again, and I hope very much that I can have a visit with you about matters of mutual concern when I am in Washington again.

With great appreciation and no end of good wishes.

Sincerely yours,

LAURENCE M. GOULD.

Now let me get to Mr. Knight. I do not know how many of you have seen the Detroit Free Press, the issue of June 1. Here it is: "Congressmen Abuse Fund; Alter Junket Bills."

Then they have my hotel account which I was not sure of, and I told them when they came to me that I had nothing to apologize for, that the funds I had approved were proper and that I would stand on it; and I will until this day.

Yes, there are three items on here—the hotel bill—where the word "food" is written by the side of each. Why was that? I do not know who put it there, but I do know that when we got these accounts in I held them up, because we have a policy of the committee that we will not pay for anything that is not allowed, anything that is personal, and there was some question about it. I held them up, sent them back and told them that I would not approve anything that was of a personal nature, that they must describe what it was.

I do not know who did this, that is write in the word "food." But it was done for the purpose of showing honestly what it was, or else it would not have been approved. And I said to the reporters when they came to me that I did not remember anything about it. It had been 3 years, but I have no apology to make. I think it was proper and I stand on it, and I still feel that it was.

With all of this and the article—incidentally, Mr. BURLESON, you come in for front-page publicity, on this along with me—but in connection with this article, here is my picture. I know the picture could not have been made in Hawaii because I did not have a black tie with me on the trip to the Antarctic. Then I raised the question, Where could this have come from? Because it says, after showing the bill and all the article here it says underneath the picture:

> Representative HARRIS drank well at taxpayers' expense.

There you are, but you see this picture has me in a black tie, and in the left-hand corner there is a hand just barely inside the picture with a glass in the hand. Any observer, of course, would say that was my hand and that was my drink.

That is the kind of reporting that goes along with this story. Now let me tell you what the facts are.

On June 3 I wrote a letter to the editor of the paper. This was carried not only in this Knight paper but I understood in same of the other Knight papers which I have not seen. Mr. Knight told me over the telephone he would send it to me, but he has not as yet.

I directed a letter to the editor of the Detroit Free Press in which I said: "I want a copy of the picture. I want to know who made it. I want to know where it was made and when."

I got a letter from his secretary acknowledging receipt of the letter to Mr. Hill, but stating that he was off on an extended business trip:

> My inquiries have so far failed to locate the original picture that you refer to, but in any case the enclosures contain clear copies of the picture.

I already had a copy of the paper.

When I received the brushoff, it needled me a little bit, I must confess.

I learned that Mr. Knight was in Washington. I tried to contact him without success. I found out he was in Philadelphia the next day. Do you know what for? I shall mention it briefly now and explain a little later. Because of the work of our committee, a case involving an $8.5 million facility of which his group owns 40 percent, had been to the circuit court of appeals and had been kicked back. It was on its way again. We exposed some of the ex parte activities connected with license grant and, as a result, the Commission itself ordered another hearing. Mr. Knight was in Philadelphia where Judge Stern on that day was starting the hearing as a special hearing examiner of the Federal Communications Commisison.

In the meantime, I had written Mr. Knight in Akron, Ohio. I received a very short reply from his secretary:

> Referring to your letter of June 8, Mr. Knight is out of the city and will not return for some time. I have, however, located Mr. Hill. I am forwarding your letter to him today.

I had also written to Mr. Hill. A reply from his secretary stated that he too was out of town and that he too could not be located.

Then I discovered that Mr. Knight was in Philadelphia. I sent him a telegram and asked Western Union to give me a reply as to whether or not the wire was received in person. The next morning Western Union delivered to me a notice that the wire had been received by Mr. Knight that evening at 10:35.

Now, Mr. Knight tried to call me the next day, but I was in committee. He said he would call back. I did not hear from him any more.

The following day I had a call from his secretary and then, when I finally got to it, Mr. Knight came on the phone. I told Mr. Knight what I wanted. Well, he said "How can it be corrected?" I said, "Mr. Knight, I did not call you, I have not contacted you, asking for any correction. I want the picture. I want to know who made it, where it was made and when, and I want that information."

He said he would try to see if he could get it.

I received then a couple of days later, on June 24, a letter from Mr. Dale Davis, feature editor, Detroit Free Press. They apparently started out trying to get the picture. The amazing thing to me was it was already in the file in the Detroit office, that is, my picture, until after they had run it. After they had run it no one seemed to be able to find it. But they were making attempts. They sent out to about 4 different places trying to find and locate the picture. I had made it clear. They wanted me to say to them that it should be corrected in a certain way. I was not looking for that, Mr. Chairman. What I was looking for was to find out what it was all about, because I knew the picture was not in Hawaii, and I wanted to see. So I finally got the picture.

Let me show you the picture. Here is a picture with the other man's arm at the corner with the glass in it, standing off to the left of me, and with another man's hand partially right behind it. I am gesturing. There was a gentleman there who works for the Securities and Exchange Commission. I did not know before the term, but what they did was "cropped" it. They "cropped" it off at the left to leave barely two-thirds of the glass and the hand. They "cropped" it off at the right so it would leave only me and the longtime staff member of the Securities and Exchange Commission who came from Denmark about 34 years ago. That is the picture.

Now, let me tell you what the occasion was. The occasion was the 25th anniversary of the Securities and Exchange Commission at the Sheraton-Park Hotel. I had been invited, along with other appropriate parties, to participate. That was on October 8, 1959. I asked for a copy of the program, and I have it here. Of course, when I found out what the occasion was, it all came back to me.

Mr. Gadsby, the chairman of the Commission, was on the program. The Honorable James M. Landis, I think an early Chairman of the Commission, was on the program. I was honored by being invited to participate. The Honorable William O. Douglas, Associate Justice of the U.S. Supreme Court, who at one time was Chairman of the Commission, was another on the program. Hon. William P. Rogers, the Attorney General of the United States, was on the program. Mr. Rogers was ill that night and he had one of his assistants read his speech.

I asked the Commission to advise me how this 25th anniversary party was financed. I have a letter in which they said it was financed by a $10 per plate charge. They sold 837 tickets and issued 20 complimentary tickets. In establishing the ticket price of $10 per person, the committee, that is, the arrangements committee, was governed by the principle that no Federal funds were to be used in this event. That is the reception where the Knight papers say "Representative HARRIS drank well at taxpayers' expense."

Now, another thing about it. I arrived at that party late. My wife met me out there. I got there just about the time that they were going in to the dinner. They did have a reception, as you know they do on all such occasions here in Washington, but I did not participate in the reception at all; not even to the extent of a ginger ale. And, that is the kind of reporting that this group has done. That is the kind of attack that has been made.

Now let me give you the message from Mr. Hill:

> Your letter indicates—

That is when the picture was sent to me—

> Your letter indicates that you may feel this picture of you taken at a Washington party was inappropriate in connection with the article. There certainly was no intended implication that this photograph pictured you in Hawaii, and I feel sure our readers did not get that impression.

Now, I wish I had some of the messages with me, one wire particularly that I got from Detroit. You ought to read that one. Reading further, he says:

> It is always our policy to be completely fair and objective in the treatment of any news story. If you still feel there may have

been some possible misinterpretation in connection with this picture, please advise me.

We shall be happy to clarify the original presentation to make certain our readers understand that the picture was not taken in Hawaii.

Can you imagine that?

Now, Mr. Chairman, what is the story? During the course of our investigation there were some 23 important TV broadcast facilities in this Nation that we looked into. One of them was Miami channel 7. You have heard about Miami channel 10 so much that Miami channel 7 never did get into the headlines or the spotlight. Mr. Knight, whose group owns 40 percent of Miami channel 7, came before our committee in connection with information he had regarding channel 10. Unfortunately, he had just lost his son. It was a rather tragic incident. The committee treated him with the courtesy that was due him. I, as chairman, asked the necessary questions regarding what knowledge he had. We made it very brief and we expressed to him our deepest sympathy and let him go.

Miami channel 7 came into it. The Knight newspaper interests own about 40 percent of channel 7. The Cox newspaper interests also own about 40 percent. And Mr. Niles Trammell, who used to be the president of the National Broadcasting Co., is the swing man and owns the other 15 percent.

But the Circuit Court of Appeals reviewed the case on the basis that Mr. Trammell, having a contract with NBC, now in retirement, and owning 20 percent, had a conflict of interest.

It came to the Commission and there were two members of the Commission that were adamant, saying that it was a flagrant disregard of Commission policies and they filed their dissent, that the only two newspapers in Miami, joining together with a man who had a life history with the networks, a monopoly—and that is something else I think we should go into one of these days; these news media having a monopoly of these facilities. But that was the setup. And when you read the dissent you will find that these members dissented on the basis that it completely ignored and made a shambles of the commission's policy to grant such an application.

During the course of the subcommittee's 1958 hearings, a great volume of testimony and evidence was taken, relating to the problem of ex parte influence as practiced upon the members and staff of the Federal Communications Commission, by or on behalf of parties to adjudicatory proceedings pending before the Commission. A portion of the testimony related to ex parte influence, in the matter known as the Miami channel 7 case, which involved the grant of an extremely valuable construction permit for a new television station to operate on channel 7, Miami, Fla. There were 4 applicants for the construction permit. Following a comparative hearing to determine which applicant was the best qualified, the Commission early in 1956 issued its decision awarding the permit to Biscayne Television Corp. Forty-two and one-half percent of the stock of Biscayne is owned by the so-called Knight newspaper interests, Mr. John S. Knight owning 17½ percent, Mr. James L. Knight owning 10 percent, the remainder being held by persons closely associated with them. Likewise, 42½ percent of the stock is held by the Cox newspaper interests. The remaining 15 percent is owned by Mr. Niles Trammell, who is the president, a director and general manager of Biscayne.

It is of course well known that the Knight and Cox interests have controlling interests in Miami's only two daily newspapers and in two Miami radio stations, as well as in numerous mass media elsewhere.

The Commission's action in granting the application of Biscayne Television Corp. was appealed to the U.S. Court of Appeals for the District of Columbia Circuit which reversed and remanded it to the Commission for further hearings, on the ground that the Commission had erred in failing to give any adverse effect to the fact that Biscayne's president and general manager, Mr. Niles Trammell, had a long-term consultant contract with the National Broadcasting Company, a nation-wide network organization. The Court of Appeals stated that the failure of the Commission to so view this financial relationship, in considering the comparative qualifications of Biscayne, was "a departure from the Commission's established policy that it is desirable for local television stations and network organizations to be independent of each other . . ." and stated that this factor might well change the outcome of the case since the "comparative qualifications of the competing applicants made the choice between them a close one" particularly so because Biscayne's superior qualifications arose in large part from the control of its owners (the Knight and Cox interests) over a great number of other media of mass communications, which is in itself an adverse factor. As the Court of Appeals recognized, it has long been considered important to the public interest to avoid concentration of control over the media of mass communication—newspapers, television, radio—in a given area.

Nevertheless, on remand to the Commission, the agency again held in favor of Biscayne Television Corp. An appeal from the Commission's second decision was again taken by one of the unsuccessful applicants. However, the disclosures before the Subcommittee on Legislative Oversight of improper ex parte practices in connection with the Miami channel 7 case led the Commission to decide that the case should be reopened for the purpose of determining whether any of the Commissioners who participated in the final decision should have disqualified himself and whether any of the parties to the original proceeding should be disqualified or otherwise be reconsidered for comparative purposes in the event of a showing of misconduct or improper activities on their part.

In this connection the Commission filed, on April 24, 1959, a pleading requesting the court of appeals to hold in abeyance the proceedings on appeal in view of the Commission's order reopening the channel 7 case for the purpose of holding additional hearings on the issues set forth above. The court of appeals granted the Commission's request. On June 13, 1960 special hearings on these issues commenced in Philadelphia before Judge Horace Stern, who had also served as examiner in the channel 10, Miami and channel 5, Boston, special hearings.

During the subcommittee's hearings, Mr. John S. Knight, who is the publisher of the Detroit Free Press, the Chicago Daily News, the Akron Beacon-Journal, and the Miami Herald, and who—as previously noted—is also one of the principal stockholders of Biscayne Television Corp., was invited to testify before the subcommittee regarding an applicant in another case, the so-called Miami channel 10 case, in which to the best of our knowledge neither Mr. Knight nor any of his companies have any financial interest. Having been advised of the recent death of a member of Mr. Knight's family, the subcommittee accorded him special consideration; his testimony is very brief—1958 hearings, part 5, pages 1741–1747—and he was not requested to testify concerning his role in the Miami channel 7 case, although the subcommittee was well aware, even then, of its significance.

I want to digress for a moment from the Miami channel 7 matter to discuss another important TV case in which testimony before the Oversight Subcommittee played a crucial part.

The best recent illustration of how the Federal courts regard ex parte visits by industry members to FCC Commissioners is found in the now famous Sangamon Valley case. Unlike the Miami channel 7 and other cases on which the subcommittee has heard testimony, the Sangamon Valley case involved a rulemaking proceeding, not a comparative application for a television license or construction permit.

Rulemaking proceedings in the FCC have ordinarily been likened to legislative proceedings; that is, the stricter rules governing ex parte presentations in a judicial proceeding are relaxed in the interests of obtaining full information from whatever sources. What made the Sangamon Valley case unusual was that it took place in the context of license awards. The rulemaking proceedings involved the reallocation of channels from one community to another. By the time the Commission passed on the matter, a license for VHF channel 2 in Springfield, Ill., had been granted to WMAY-TV, Inc., and a license for UHF channel 36 in St. Louis, Mo., had been granted to Signal Hill Television Corp. What the Commission proposed was to move channel 2 to St. Louis and channel 36 to Springfield. Thus the result of this so-called deintermixture proceeding would be that existing licensees would be deprived of their licenses and that others might have a chance to obtain licenses for the reallocated channels. As the U.S. Court of Appeals for the District of

Columbia put it in its opinion of May 8, 1959—*Sangamon Valley Television Corp.* v. *FCC* (269 F. 2d 221)—the effect of the proceeding was to resolve conflicting private claims to a valuable privilege. What the Commission did was not only to switch channel 2 and channel 36 around, but to give Signal Hill Television Corp., the former licensee of channel 36 in St. Louis, a license to operate channel 2 in St. Louis. We are thus presented with a situation in which the Communications Commission used a rulemaking proceeding to grant a valuable television license where under ordinary circumstances a licensee would be obliged to survive a comparative hearing. No one but Signal Hill got a chance at channel 2 when it was moved to St. Louis.

This astounding result was upheld in 1958 by the Court of Appeals of the District of Columbia.

When Sangamon Valley Television Corp., which had competed against WMAY-TV for channel 2 in Springfield, sought a writ of certiorari from the U.S. Supreme Court, an unusual thing happened. The Solicitor General, joined by FCC attorneys, while opposing review by the Supreme Court, included in its brief the following passage:

> We believe it proper, however, to call the Court's attention to certain testimony given before the Subcommittee of Legislative Oversight of the House Committee on Interstate and Foreign Commerce on May 22, 26, and 28, 1959, and June 9, 10, and 11, 1958, subsequent to the decision by the court of appeals affirming the Commission's order. The testimony indicates that after the rulemaking proceeding here had been initiated by Notice of Proposed Rulemaking, and while it was under consideration by the Commission, representatives of the St. Louis operator of the UHF station who was interested in having a new VHF channel assigned to St. Louis, and representatives of the petitioner and the other applicant for VHF channel 2 in Springfield, who were interested in retaining that channel in Springfield, made ex parte presentations with respect to merits of the rulemaking proceeding to various members of the Commission.
>
> These matters were not presented to the court below and are not presented by the petition. For this reason, the respondents do not and would not regard denial of certiorari as foreclosing appropriate consideration thereof by the court of appeals.

On the basis of these representations by the Solicitor General, the Supreme Court on October 20, 1958 granted the petition for writ of certiorari, and in doing so, said the following:

> In view of the representations in the Solicitor General's brief on pages 7 and 8, concerning testimony given before the Subcommittee of Legislative Oversight of the House Committee on Interstate and Foreign Commerce subsequent to the decision by the court of appeals in this case, the judgment of the court of appeals is vacated and the case is remanded to the court of appeals for such action as it may deem appropriate (358 U.S. 49–50).

When the case went back to the court of appeals, that court, in the May 8, 1959, opinion I referred to earlier, vacated the Commission's order on two grounds: first, that the Commission had violated its own rules and, second, and this is the ground I wish to stress, that under the circumstances, "basis fairness requires such a proceeding to be carried on in the open." The court rejected the contention of the Commission and of Signal Hill and other intervenors that since the deintermixture proceeding was labeled "rulemaking," it was not invalidated by ex parte attempts to influance the Commissioners. The court upheld the claims of the Department of Justice, and again I want to stress the language used by the court, that, "whatever the proceedings may be called, it involved not only allocation of TV channels among communities, but also resolution of conflicting private claims to a valuable privilege."

As to the other ground for decision; namely, that ex parte representations regarding the merits of the proceeding was precluded by the Commission's own rules, the court had the following to say:

> Agency action that substantially and prejudicially violates the agency's rules cannot stand. At the time of this proceeding the Commission had no general regulations governing all rulemaking, but when it proposed an allocation of TV channels to particular communities it was its usual practice, followed in this instance, to prescribe a cut-off date before which "Any interested person * * * may file with the Commission * * * written data, views, or arguments setting forth his comments favoring or opposing the plan; a cut-off date for 'comments or briefs in reply'; and that 'No additional comments may be filed' without a request from the Commission or a showing of good cause." By plain implication, this rule forbade submitting material to the Commission's members after the time for filing it with the Commission had gone by. The rule cannot be interpreted to permit parties to make off the record contentions that it forbids them to make on the record. (Court's footnotes omitted.)

There was no question but that the president of Signal Hill, in violation of the rule just quoted by the Court, did make many efforts to influence the Commission in his favor, even including the submission of a legal brief to counter a memorandum submitted by the Commission's own General Counsel's office that questioned the legality of a permit grant to Signal Hill without a comparative hearing.

What were these attempts to influence the Commissioners which caused both the Supreme Court and the Court of Appeals to vacate the Commission's proceeding?

Hearings before the Subcommittee on Legislative Oversight revealed, among other things, that the president of Signal Hill wrote many letters and made many telephone calls and personal visits to Commissioners to advocate the reallocation of channel 2 to St. Louis. He visited Commissioners in their offices and had luncheon and other social engagements with them. For 2 years in a row, he sent Christmas or Thanksgiving turkeys to the members of the Commission. In addition to urging the transfer of channel 2 to St. Louis, he pressed upon Commissioners his contention that Signal Hill's financial standing could be saved only if channel 2, once transferred to St. Louis, were licensed to Signal Hill without a comparative hearing. Both his requests were granted in the Commission's report and order of February 26, 1957.

Early this year, in compliance with the Court of Appeal's direction that an evidentiary hearing be held before a specially appointed hearing examiner, several days of hearings were held to determine the nature and extent of secret contacts with FCC Commissioners. The examiner, in his initial decision released March 11, 1960, found a pattern of repeated oral and written ex parte contacts with Commissioners, primarily by the president of Signal Hill, whose company so greatly benefited from the Commission's original action. The examiner ruled, however, that despite "the danger of deception through the transmission of unchecked and unreliable information and specious argumentative presentations from * * * self-interested parties," he could see no reason to disqualify any parties from further pressing their claims or any Commissioners from further considering the case. His decision brings this case up-to-date. The parties have filed exceptions to the initial decision and have requested oral argument before the Commission issues its final decision.

I have discussed the Sangamon case at such length, mainly because it exemplifies the view that our highest courts take today of these back-door contacts between Commissioners and members of the regulated industry. I hope that this case will furnish the background necessary to appreciate the need for legislation curbing these abuses.

I now return to the Miami channel 7 matter.

It appears from the testimony before our subcommittee that Mr. Knight was the motivating force behind the ex parte representations made by various persons on behalf of Biscayne Television Corp. Mr. Ben H. Fuqua, a vice president of the Florida Power & Light Co., had known former Commissioner Mack since college days. Mr. Knight learned of this friendship through Mr. Fuqua's superior officer at Florida Power, Mr. McGregor Smith. According to an affidavit dated April 18, 1958, given by Mr. Fuqua to Special Agents of the Federal Bureau of Investigation, Mr. Fuqua received a telephone call from Mr. Smith in 1955 prior to the decision of the Commission in favor of Biscayne. Mr. Smith advised Fuqua that he had just been contacted by Mr. Knight, that Knight wanted to talk to Smith and Fuqua, that a meeting was arranged in Knight's office at which Knight, Smith, Fuqua and Niles Trammell, president of Biscayne, were present; that at the meeting "they asked Mr. Smith and myself to assist Biscayne Television Corp. in securing a permit to operate TV channel 7 in Miami and requested that I contact Richard Mack, then a member of the Federal Communications Commission." On his next visit to Washington, Fuqua visited Mack and "expressed my personal opinion that Mr. Knight and Mr. Trammell and the other individuals connected with the Biscayne Television Corp. were all outstanding and capable individuals in the commu-

nity, who had the resources and who would render a public service in operating a TV station in the Miami area." After the decision in favor of Biscayne was reversed and remanded by the Court of Appeals to the Commission for further proceedings, Fuqua was contacted by Mr. Niles Trammell who requested Fuqua to "talk with Richard Mack on behalf of the corporation, and, if possible, to endeavor to ascertain Mack's feeling with regard to this new hearing." Pursuant to this request, Fuqua again saw Mack and reiterated his opinion regarding the qualifications of the Biscayne group. In his affidavit, Fuqua states—

> I recall that at the conclusion of my observations, Mack indicated to me that he did not think the Biscayne Television Corp. had anything to worry about.

Fuqua reported this information to either Knight or Trammell—Angland report of Knight interview, page 3226. During 1955, 1956 and 1957, Fuqua and Mack had numerous long distance telephone conversations of an undisclosed nature—Angland testimony, part 8, pages 3228–3229.

Mr. Knight himself apparently discussed the channel 7 matter with Commissioner McConnaughey after the vote of the Commission was taken but before the original grant was announced. However, the substance of that conversation is not known. At the time of that meeting, Mr. Knight was aware that a majority of the Commission had voted to award the permit to Biscayne Television Corp., although the Commission's action had not yet been publicly announced—Angland report of Knight interview, hearings, part 8, page 3226. From what source Knight acquired this knowledge is not known.

A somewhat unusual variation of the traditional ex parte approach occurred at least once in this Miami channel 7 case. A member of the Commission himself solicited the ex parte representation. We were told that on the very day the votes of the Commissioners were taken, shortly before the actual voting took place, Commissioner Mack telephoned Mr. John D. Pennekamp, associate editor of the Miami Herald—one of the Knight newspapers—and asked Mr. Pennekamp to reassure him about the personal qualifications of the Biscayne group. Mr. Pennekamp did so—testimony of S. J. England, pages 3222, 3225.

Mr. Niles Trammell, the president, general manager, and a director of Biscayne Television Corp., was formerly president of NBC and a director of RCA—Angland testimony, page 3232. Mr. Trammell did not testify before the subcommittee. However, an attorney on the subcommittee staff, Mr. Stephen J. Angland, interrogated Mr. Trammell during an interview which was also attended by Mr. Trammell's counsel, regarding Trammell's contacts with members of the Commission during his long career in the broadcasting field. This interview was recorded by a shorthand reporter and notary public, verified as to accuracy and completeness, and the text of this interview was introduced in the record during the subcommittee's hearings.

Trammell admitted that immediately following the filing of Biscayne's application in 1952 he made the rounds of the Commissioners—Chairman Walker, and Commissioners Hyde, Bartley, and Hennock were specifically mentioned—for the purpose of finding out how soon the Commission intended to consider the Biscayne application. At that time Biscayne was the only applicant for the channel; the case was not in a contested status and had not yet been set for hearing before the Commission. The purpose of his visits, according to Trammell, was either to pay his respects or to attempt expedition of Commission action on the application—transcript of Trammell interview, pages 5 and 6.

Following the filing of applications by East Coast, South Florida, and Sunbeam, which placed the matter in a contested status, Trammell made numerous visits to Commissioners in an attempt to have the case set down for hearing without further delay—Commissioners Hyde, Doerfer, and McConnaughey were specifically mentioned.

During the 1-year period which elapsed between the hearing examiner's decision, in January 1955, and the Commission's final decision in January 1956, Trammell recalled that he had called on Commissioner McConnaughey two or three times, Hyde once, and Doerfer and Lee an unknown number of times. He stated:

> I was trying to get this thing decided and I guess I called on all of them; but I want it impressed for the record that I was only trying to get a decision and I was not trying to sell my case to them (transcript of Trammell interview, p. 9).

On the other hand, Trammell admitted that Ben F. Fuqua, whose activities on behalf of Biscayne have been described previously was sent to Commissioner Mack for the express purpose of making ex parte representations in an effort to sell the Commission:

> Mr. ANGLAND. Mr. Fuqua was up to talk about the merits of the case?
>
> Mr. TRAMMELL. No. I did not ask him to do that when it was remanded by the court.
>
> Mr. ANGLAND. Well, the first time? He was to recommend you people, was he not?
>
> Mr. TRAMMELL. That was it, yes.
>
> Mr. ANGLAND. That was it, was it not?
>
> Mr. TRAMMELL. Yes. (Transcript of Trammell interview, p. 9.)

In similar vein, Mr. Trammell's responses to questions concerning his general conception of what was or was not a proper subject for discussion between an applicant and a Commissioner indicate that he—and other members of the broadcasting industry as well—observed few limitations, assuming that they were aware of the existence of these limitations. It appeared that little distinction was drawn between adjudicatory proceedings, on the one hand, and legislative or rulemaking proceedings, on the other. It further appeared that substantive matters, as well as procedural, were quite freely discussed.

> Mr. ANGLAND. You felt free at all times to talk to a Commissioner about any matter?
>
> Mr. TRAMMELL. Yes, so long as I did not overstep the bounds of propriety and ask them to do something for me that I knew was wrong, which I never did.
>
> * * * * *
>
> Mr. ANGLAND. Did you ever make it a practice, or did it make any difference whether you talked to people about adjudicatory matters * * * ?
>
> Mr. TRAMMELL. No. No. I talked to them about almost everything except asking them to do something for me in the way of vote or something of that kind, regardless of what it was.
>
> * * * * *
>
> Mr. ANGLAND. When you talked to them you talked about the merits or demerits of the matter you were talking to them about; is that right?
>
> Mr. TRAMMELL. That is right.
>
> * * * * *
>
> Mr. ANGLAND. What I am trying to get at with you, Mr. Trammell is: Was there not some state in the history of radio regulation where the industry became conscious of an area that they should not talk about to Commissioners, and an area where it was permissible to talk to Commissioners; and adjudicatory matters that should not be discussed?
>
> Mr. TRAMMELL. I do not recall any such period.
>
> Mr. ANGLAND. Do you think that the industry generally did not recognize any such separation?
>
> Mr. TRAMMELL. No.
>
> Mr. ANGLAND. That is the truth, is it not, that the industry generally did not recognize the differences there?
>
> Mr. TRAMMELL. No. That is the reason I am having so much trouble in answering your question.
>
> * * * * *
>
> Mr. ANGLAND. Is it your impression that the industry does not recognize and has not recognized the difference between rulemaking and adjudicatory matters?
>
> Mr. TRAMMELL. Yes. (1958 hearings, pt. 8, pp. 3234–3235; see also subcommittee print of Trammell interview, pp. 17–19.)

However, in respect to the Miami channel 7 case, Mr. Trammell denied that his discussions with Commissioners extended further than procedural matters:

> Mr. TRAMMELL. I have not tried to sell them in my behalf in this particular Biscayne case. My conversations with the Commissioners have been primarily and I think exclusively on trying to get to a hearing or trying to get a decision.
>
> * * * * *
>
> Mr. HARRIS (counsel for Mr. Trammell). Your representations were limited to the procedural?
>
> Mr. TRAMMELL. That is right.
>
> Mr. ANGLAND. To the procedural insofar as Biscayne only?
>
> Mr. TRAMMELL. Yes. (Subcommittee print of Trammell interview, p. 18.)

It might be noted that Mr. Trammell's views on the standard of propriety observed by members of this industry are apparently shared by other leaders. Mr. William S. Paley, chairman of the board of Columbia Broadcasting System, expressed the opinion during an interview in May 1958, that the broadcasting industry has always felt that any matter could be discussed with the Commissioners of the Federal Communications Commission and that he did not believe that the industry's representatives generally have understood the difference between adjudicatory matters and other

matters—see Angland memorandum of interview with William S. Paley, 1958 hearings, part 8, page 3290.

Nor are such improper practices confined to the Federal Communications Commission. A similar situation in the Federal Power Commission was revealed in the hearings of the Subcommittee on Legislative Oversight in May 1960. For example, Mr. N. W. Freeman, president of Midwestern Gas Transmission Co., testified to the effect that it was common practice to have ex parte contacts made by pipe line company representatives with Commission members with respect to a pending case, even a case which had already been heard on oral argument and which was in the course of being finally decided by the Commission—transcript, page 1334, May 20, 1960. Gardiner Symonds, chairman of the board of Midwestern, told the subcommittee that it was common knowledge that everybody talks to the Commission whenever they can get an audience and about any current problem as well as long-range industry planning—transcript, page 1483, May 23, 1960.

The attitude shared by a segment of the industry was perhaps best expressed by Mr. Thomas G. Corcoran, counsel for Midwestern Gas Transmission Co., when he stated in the course of his testimony before the subcommittee to the effect that he had sometimes asked himself in terms of what is improper and ethical whether it was not improper if in the interest of his clients he did not carry out their instructions to the very limit of the law as it stood on the books at the time—transcript, pages 1068–1069.

One last observation in respect to the Miami channel 7 case. Attempts to influence the Commission decision were not confined solely to representatives or friends of Biscayne Television Corp. It is reasonable to suppose from the testimony and evidence before the subcommittee that two of the three other applicants for the channel also attempted to exert pressure or to influence the Commission through ex parte representations.

For example, as to East Coast Television Corp., Mr. Draper, a Miami attorney, a prominent Republican, and a close friend since childhood of Commissioner Mack, was retained by attorneys for East Coast to act as "public relations man in creating a friendly feeling in the city of Miami on behalf of East Coast and to nose around and find out what the situation was" with respect to the Miami channel 7 and Jacksonville channel 12 cases—monitored transcript of Draper telephone interview, pages 3242–3243. In addition, while the vote of the Commission was pending, several letters addressed to Mack from Draper brought pressure to bear, first, by reminding Mack "that he received his appointment—to the Commisison—through the cooperation of the Republican organization in Florida and that you would not knowingly take part adversely to the friends who were helpful to you"; second, that Draper's friends were the East Coast group; third, that Draper hoped Mack would pay particular heed to the principle of diversification of control of mass media, and so forth—pages 3244–3247. In reply to a letter from Draper dated October 28, 1955, in which Draper stated that East Coast in his opinion was the best equipped and is locally owned, and requesting Mack's "consideration" Mack stated, "You may be assured I'll do my best"—page 3246.

As to South Florida Television Corp., while the Commission's vote on the channel 7 case was still pending, Mr. Jack Stein, president of South Florida Television, heard strong rumors that great pressures were being exerted on Mack by the Knight newspaper interests and the White House to vote in favor of Biscayne Television. Stein hired Thurmond Whiteside merely to "find out where the pressures were coming from"—monitored transcript of Stein interview, page 3253.

Whiteside was a Miami attorney and an intimate friend of Commissioner Mack. He had lent Mack substantial sums of money over the years and had transferred to him an interest in an insurance agency and another company, the income from which would enable Mack to repay his debts—Whiteside, pages 970, 974–975. During the period 1953–56 Mack's income from the insurance agency totaled some $9,800—page 1044.

Whiteside advised Stein that influence was being exerted by McGregor Smith, of Florida Power, by Knight, Trammell and others. Whiteside received a fee of $5,000 for this information without any additional service, according to Stein—monitored transcript of Stein interview, pages 3254–3255.

Whiteside admitted that he had advanced money to Mack following the latter's appointment to the Commission—Whiteside, pages 859, 860. Whiteside could not recall the substance of any of approximately 30 long-distance telephone conversations between himself and Mack covering the period July 1955–July 1957—pages 879–881—other than that a number of them were in connection with "loans"—page 882.

Now let me get to Mr. Life just a little bit.

Since 1949 radio station KLZ, Denver, was operated by Aladdin's principals.

On April 19, 1948, Aladdin Radio and Television, Inc.—FCC Docket No. 9041—applied for a construction permit for TV station KLZ, Denver, channel 7. On July 2, 1952, Denver Television Co.—FCC Docket No. 10240—also applied for the same channel.

On June 26, 1953, following a comparative hearing, the Commission granted the application of Aladdin. Commissioner Doerfer took no part. No dissents were recorded.

The determining factor in the Commission's decision was that the Commission preferred Aladdin on the basis of its "superior local ownership, superior integration of ownership and operation, greater participation in local community affairs, and greater broadcasting experience."

LTF Broadcasting Corp. is a wholly owned subsidiary of Time magazine. Aladdin today in turn is a wholly owned subsidiary of LTF Broadcasting Corp. Control of Aladdin and the acquisition of its TV channel 7 grant was acquired by LTF as a result of a rubberstamp approval by the Federal Communications Commission of a transfer application.

On March 8, 1954, Aladdin had for about 4 months been operating on channel 7 under a temporary authorization permit and had not yet been issued a regular license to broadcast. On that day LTF signed a contract with Aladdin and its stockholders whereby LTF, among other things agreed to purchase Aladdin's stock for approximately $3,533,760. At that time the estimated cost of construction of TV channel 7 was approximately $336,285. As pointed out later, this amounted to a profit of 2,400 percent to Aladdin's stockholders.

On April 6, 1954, two applications were filed with the Federal Communications Commission. One, by Harry E. Huffman and other stockholders of Aladdin and LTF, sought approval of transfer of control of Aladdin Radio & Television, Inc., to LTF—file No. BTC–1709. The second application, by Aladdin Radio & Television, Inc., assignor, and LTF Broadcasting Corp., assignee, sought approval of the assignment of the broadcast license of station KLZ and the construction permit for station KLZ–TV, Denver—file Nos. BAL–1763, BALRY–111, BALH–168, BAPCT–94, BAPTS–12.

On June 23, 1954, both of the foregoing applications were granted by the Commission without a hearing.

A petition was filed by the losing applicant, Denver Television, Inc., requesting the reinstatement and grant of its application and revocation of the Aladdin permit for KLZ–TV, channel 7. The Commission denied this petition on the ground that it could not consider the rights of third parties in any transfer proceeding.

Commissioner Lee dissented from the June 23, 1954, opinion and order granting the transfer of channel 7 to LTF. His dissent emphasizes that, notwithstanding the claimed deficiencies in the Federal Communications Act respecting hearings on transfer applications, nevertheless it was erroneous and not in the public interest for the Commission to give rubberstamp approval of the transfer without a hearing. He pointed out the folly of having rubberstamp approval of a transfer which made meaningless the results reached in a protracted and costly comparative hearing. Commissioner Lee's dissent reads in part as follows:

> In my opinion approval of transfers such as this, where the sale is arranged before the license is issued, cannot be justified without a hearing. The Commission is required to make the same determinations on a license application as on a construction permit.
>
> While I agree that the Commission can only revoke under section 312(a)(2) if it comes into possession of facts that were knowledgeable at the time of the original grant, and that these [facts in second preceding paragraph hereof] were not, I do not think our hands are tied. I find it difficult to believe that Congress intended we should go through a long, complicated hearing to pick the best applicant and then be forced to sit back and watch that applicant transfer his permit and dissipate the very grounds

for our decision. Congress has provided in section 308(a) that all applications for station licenses shall set forth such facts as the Commission may prescribe as to the qualifications of the applicant to operate the station. I think we might well examine this applicant's qualifications to be a licensee in the light of the facts now known to us. In so suggesting, I am not, of course, ruling out all transfers of construction permits without a hearing.

* * * * *

Sometime after this television station went on the air, just when is not clear from the record, negotiations were begun for the sale of the station to Time, Inc., who would set up a separate corporation to operate the facility. Included in the sale was a well-established AM and FM station. A stock agreement was executed in March 1954 and the Commission now has before it the application to approve the transfer dated April 6, 1954. The terms of the sale were to purchase the stock ($10 par) of some 15,000 shares at $240 a share. In addition, the principal stockholders of Aladdin were bailed out of an obligation to loan Aladdin $150,000 each.

I have previously gone on record as being greatly concerned at these large transfers which seem to me to circumvent the Commission's elaborate procedures to protect the public interest. I am even more concerned in this case, since the license has not been issued, and I must object most strenuously to the approval of this transfer without a hearing. There seems to be a trend to place use of the people's property in those who have not been scrutinized as clearly as the original grantee. This refers to those cases, of course, where the original grant was in conflict. It is contended that if there is a remedy, it must come from Congress. In view of the provisions of section 310(b), I can agree with this to some extent, particularly in the case of established licensees. However, I feel strongly that this Commission has a solemn obligation to examine this problem with extreme care and if necessary petition the Congress for legislative relief. I wish I had the wisdom to suggest the exact remedy, but I do not have it. I do know that the problem cries for solution.

* * * I cannot help but express some sympathy for the losing applicant, Denver Television, who lost a close decision mainly on the question of local ownership and control, only to find a few months later that a New York interest has acquired control at a profit to some of the sellers of some 2,400 percent. * * *

I cannot, therefore, vote for the transfer at this time. If hearings were held, with full opportunity for all interested parties to participate, I could conceivably find the transfer in the public interest. But from what I now know, I would only approve if such a hearing were held.

One of the principal stockholders of the original Aladdin Radio & Television, Inc., J. Elroy McCaw, made a profit as a result of the transfer of approximately $690,000, tax free. Mr. McCaw secured this tax-free profit in the following manner: Under the multiple ownership rule, the Commission had ordered McCaw to dispose of his stock interest in a radio station in Hawaii, which he ultimately sold for approximately $180,000. Under section 112(m) of the Internal Revenue Code the Federal Communications Commission has authority to issue tax certificates whereby, among other things, stockholders in radio and television enterprises who are required to divest themselves of such holdings may do so under conditions whereby, if they reinvest the proceeds of the sale in another radio or television enterprise, no tax will be imposed. The Commission, after it had ordered McCaw to divest himself of his $180,000 stock in the Hawaii station, permitted him to substitute for divesture the $720,000 worth of stock that he received as a result of the Alladin transfer.

At this point I am including three documents pertaining to this tax certificate:

AUGUST 4, 1954.

A. HARRY BECKER, ESQ.,
Broadcasting-Telecasting Building,
Washington, D.C.

DEAR SIR: On August 4, 1954, this Commission considered the disposition of stock interest in Aladdin Radio & Television, Inc., licensee and permittee of stations KLE, KLZ-FM, KLZ-TV, remote pickups and STL, Denver, Colo., by J. Elroy McCaw, and authorized the issuance of a tax certificate pursuant to section 112(m) of the Internal Revenue Code. Six copies of this certificate are enclosed herewith.

Very truly yours,

MARY JANE MORRIS,
Secretary.

WASHINGTON, D.C., *July 16, 1954.*

Miss MARY JANE MORRIS,
Secretary, Federal Communications Commission, Washington, D.C.

DEAR MISS MORRIS: This is to request the issuance of a tax certificate pursuant to section 112(m) of the Internal Revenue Code in favor of J. Elroy McCaw.

This request arises out of the Commission's consent in BTC-1709 to the transfer of control by Aladdin Radio & Television, Inc., licensee of radio station KLZ, to LTF Broadcasting Corp., which consent was granted on June 23, 1954, and consummated on July 15, 1954. (FCC 54-801—No. 7266.)

In the Commission's order of December 23, 1953, in BAL-1653, when granting consent to the assignment of license of radio station WINS, the Commission ordered J. Elroy McCaw to divest himself of any interest in radio stations KPOA, KILA, and KORC. On November 25, 1953, in docket No. 10787, the Commission issued an order to show cause to J. Elroy McCaw requiring that he should show cause why he should not decrease his standard broadcast holdings to meet the new multiple ownership rules. Mr. McCaw agreed to comply with the Commission's multiple ownership rules and did not oppose the order to show cause.

By reason of the Commission's multiple ownership rules, Mr. McCaw was further required to divest himself of his standard broadcast interests by reason of his own and his wife's holdings. On April 28, 1954, the Commission granted his application for assignment of license of radio station KILA, Hilo, Hawaii, 50 percent of which is owned by Mr. McCaw. This assignment will be consummated prior to July 28, 1954.

Mr. McCaw's standard broadcast holdings are as follows:

Aladdin Radio & Television, Inc., licensee of stations KLZ and KLZ-FM, and permittee of KLZ-TV, Denver, Colo.: Director, vice president, and 20,369 percent stockholder.

Central Broadcasting Corp., licensee of station KELA, Centralia, Wash.: President, director, and 50 percent stockholder.

Yakima Broadcasting Co., licensee of station KYAK, Yakima, Wash.: Secretary, treasurer, and 33⅓ percent stockholder.

KALE, Inc., licensee of stations KALE and KALE-FM, Richland, Wash.: Secretary, treasurer, director, and 33⅓ percent stockholder.

KYA, Inc., licensee of station KYA, San Francisco, Calif.: President, director, and 50 percent stockholder.

Island Broadcasting Co., licensee of station KILA, Hilo, Hawaii: 50 percent partner.

Radio Station KORC, Mineral Wells, Tex.: 100 percent owner and licensee.

Gotham Broadcasting Corp., licensee of radio station WINS, New York, N.Y.:[1] President, director, treasurer, and 75 percent stockholder.

The holdings of Mrs. Marion McCaw (Mrs. J. Elroy McCaw, wife of J. Elroy McCaw) are as follows:

Pacific Broadcasting Corp., licensee of radio station KAPA, Raymond, Wash.: 25 percent interest.

It should be further noted that on June 25, 1954, the Commission stated that Mr. McCaw was required by future changes in the multiple ownership rules to sell his stock. (FCC 54-800 No. 7326, in re Petition of Denver Television Co.)

On the basis of the foregoing facts and in accordance with the provisions of section 112(m) of the Internal Revenue Code and the established practice of the Commission, it is respectfully requested that the Commission furnish a certificate to the effect that the sale by J. Elroy McCaw of his interest in Aladdin Radio & Television, Inc., licensee of radio stations KLZ and KLZ-FM, and permittee of television station KLZ-TV was necessary and appropriate to effectuate the policies of the Commission.

Very truly yours,

J. ELROY MCCAW,
By A. Harry Becker,
A. HARRY BECKER,
His Attorney.

FCC ANNOUNCES NEW POLICY RELATING TO ISSUANCE OF TAX CERTIFICATES PURSUANT TO SECTION 1071 OF THE INTERNAL REVENUE CODE

In recent years the Commission has been requested to issue tax relief certificates, under section 1071 and its predecessor section 112(m) of the Internal Revenue Code, to parties who already held the maximum number of broadcast interests in a particular service or in a particular community permitted under the Commission's rules, but were desirous of acquiring a new station and, in order to accomplish this objective, had to dispose of their interests in one of their existing stations. In the past, the Commission has issued such certificates in situations where the basic transaction was voluntary in nature.

The Commission has reviewed the legislative history of section 1071, has reevaluated its policy in applying the provisions of said section and has determined that, in future transactions, tax certificates will only be issued in situations where, because of changes in the Commission's rules, licensees or permittees are required to dispose of their broadcast holdings involuntarily.

A brief study of the history of section 1071 indicates that it was included in the Revenue Act of 1943 to afford relief to licensees

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[1] Application for the consent to the assignment of license to Gotham Broadcasting Corp. (BAL-1653) was granted by the Commission on December 23, 1953, subject to the condition that J. Elroy McCaw dispose of his interest in radio stations KPOA, KILA, and KORC. On March 18, 1954, the consent to the assignment of license of radio station KPOA was consummated, and on February 16, 1954, an application for the consent to the assignment of license of radio station KILA was filed with the Commission. On March 16, 1954, the Commission was requested to substitute Mr. McCaw's interest in Aladdin Radio & Television, Inc., for his interest in radio station KORC, for divestment under its order in BAL-1653). On April 7, 1954, the Commission granted this request.

who were required to dispose of broadcast holdings involuntarily because of the adoption by the Commission, on November 23, 1943, of section 3.35 of the Commission's rules and regulations. Before that time some licensees had more than one station in the same city. Section 3.35 prohibited such duopoly situations and, as a result of its adoption, approximately 35 licensees who held interests in two stations in the same city were required to dispose of one of these interests involuntarily. Nothing in the legislative history of section 1071 indicates that it was intended to apply to situations where a licensee voluntarily chose to dispose of one broadcast facility in order to obtain another facility and disposition of the first facility was necessary because of the Commission's multiple ownership or duopoly rules or policies.

Therefore, the Commission has determined that, in the future, the basic test to be applied in issuing tax certificates will be that the facility which was disposed of must have been lawful under the Commission's rules and policies when acquired, but have been disposed of because of a change in Commission policy or rules which made the retention of the facility inconsistent with such policy or rules. The above policy will become applicable to any transaction involving the disposition of any broadcast interest based on a contract entered into after October 15, 1956.

Adopted September 26, 1956.

Other principal stockholders in the original Aladdin Corp., in addition to Mr. McCaw, received substantial profits. Whether these were obtained tax free as a result of Commission certificates is not known at this time.

It would appear, however, that Commissioner Lee, in referring to the 2,400 percent profit from the transaction, did not take into account the tax free nature of this bonanza transfer deal. In fairness, however, it should be noted that Commissioner Lee strenuously objected to the granting of the tax certificate to McCaw and the Commission has since changed its policy and generally no longer issues such certificates.

At the time LTF obtained the channel 7 station in Denver, LTF owned 50 percent of KOB-TV, Albuquerque, N. Mex., and a television station in Salt Lake City. At the present time, LTF owns four television stations: WTCN, Minneapolis; KLZ, Denver; WFBN, Indianapolis; WOOD, Grand Rapids. LTF has sold its interest in KVTV, Salt Lake City, and KOB-TV, Albuquerque.

LTF acquired WTCN, Minneapolis, WFBN, Indianapolis, and WOOD, Grand Rapids, by transfers approved without hearings by the Federal Communications Commission on April 17, 1957.

Detailed information concerning the Aladdin-LTF transfer of Denver TV channel 7 is stated in part 8, pages 2915-2919 of the Legislative Oversight Subcommittee hearings. Information as to other TV stations without FCC hearings is set forth at pages 2909-2915, 2971-2978.

Life investigated some alleged improper petty expenditures by the Congress. I wonder if they are giving any concern to the $9,500,000 in postal subsidies that they got for Life magazine in 1956 and even more than that today. I wonder how much the taxpayers paid for their oversea operation. I have a table which I will includ in the RECORD with reference to some of what they get.

In the printed record of August 16, 1957, of hearings held before the Subcommittee on Postal Rates of the Senate Committee on Post Office and Civil Service on H.R. 5836, H.R. 7910, and S. 1916, bills pertaining to adjustments to postal rates, the following information concerning postal subsidies is included:

On pages 93 and 94, Congressman GEORGE M. RHODES, of Pennsylvania, pointed out that Life magazine received a subsidy in 1956 from the American taxpayers of from somewhere between $9.3 million and $9.5 million. These figures were prepared by the Cost Ascertainment Branch of the Bureau of Finance of the Post Office Department.

Then Deputy Postmaster General Maurice H. Stans indicated that these figures were accurate within 10 percent.

Figures supplied by Time, Inc., which owns Life, Time, Fortune, and Sports Illustrated, show that in 1956 Life's circulation was 5,726,502.

The net income of Time, Inc., for 1956 as reflected by Standard Corporation Descriptions, April-May 1960, published by Standard & Poor's Corp., was $13,850,137.

The total circulation for publications owned by Time, Inc., in 1956 was 8,709,561.

On page 98 of the aforementioned printed record is an editorial, entitled "King Cotton, the Royal Nonesuch," which appeared in Life magazine in 1956. The editorial attacks the subsidy which goes to small cotton farmers. It concludes by saying:

If enough Americans squawk, something will be done to stop this silly business.

The printed record of April 18, 1957 of the House Committee on Post Office and Civil Service—page 855—shows that in 1953 the loss to the Post Office Department for the handling of the Detroit Free Press, a Knight newspaper, was $232,000.

Postmaster General Arthur Summerfield, in his statement before the House Post Office and Civil Service Committee on June 8, 1960, in relation to H.R. 1140, a bill proposing postal rate increases, stated—page 8 of mimeographed statement:

Mr. Chairman, I would like to turn now to the testimony of the magazine publishers who use the second-class mail service.

I regret deeply that this industry, which has benefited more than any other from the postal service, has chosen to characterize the Post Office treatment of second-class-mail users as that of "second-class citizens."

The Congress has traditionally extended low rates to second-class matter in recognition of the news and cultural value of periodicals. This policy has resulted in a total subsidy to our publishers of more than $3 billion in just 13 years since the end of World War II. The fact that any publisher would have the temerity to deplore this as second-class citizenship simply confirms my feeling that we are dealing with self-serving groups whose hunger for special privilege is insatiable.

Mr. Summerfield pointed out that reports to stockholders of selected publishing companies indicated that their return on invested capital ranges between 8 percent and 19 percent after taxes.

The annual report to stockholders of Time, Inc., in 1959 announced that Life was expected to reach circulation averaging 7 million copies per week. Figures supplied by Life magazine show Life's circulation to be 6,902,900 in June 1960.

Standard Corporation Descriptions shows the total net worth of Time, Inc., as of December 31, 1959, to be $93,604,630.

The total increase in circulation of publications owned by Time, Inc., since 1956 is 1,839,626. The increase in circulation for Life magazine alone since 1956 is 1,176,398.

The cost ascertainment report for 1959 of the U.S. Post Office Department shows that the loss to the Post Office Department for handling daily newspapers was $71,538,246. The loss incurred in the handling and delivering of magazines or periodicals was $90,125,490.

International Media Guarantee Program—Payments from inception to Jan. 30, 1959, to Time, Inc.

Country	Period of guarantee coverage	Face amount of contract	Dollar payments for currency purchased	State Department [1] loss on currency sold	Currency transferred to U.S. Treasury
Austria	August 1948 to June 1957	$102,700	$75,918	$8,112	
Burma	March 1958 to August 1959	7,000			
Chile	May 1955 to April 1960	306,000	153,482	90,684	
Germany	August 1948 to June 1955	557,550	108,165	180	
Israel	July 1952 to December 1959	492,918	338,009	20,952	$273,108
Netherlands	April 1949 to July 1954	224,500	109,271	28	
Norway	October 1948, to June 1957	210,600	109,856	1,027	
Pakistan	April 1955 to February 1960	149,200	54,603		54,600
Philippines	March 1955 to February 1960	460,700	321,604	(gain 201)	
Poland	August 1958 to January 1960	5,000			
Spain	February 1957 to June 1960	374,300	214,775	44,716	
Taiwan	January 1955 to June 1960	151,000	84,232	2,450	
Turkey	August 1955 to January 1960	151,500	114,790	70,207	
Vietnam	July 1956 to December 1959	48,600	20,527	10,146	
Yugoslavia	April 1953 to June 1960	27,900	8,125	2,699	
Total			1,713,443	251,000	

[1] Derived figures, obtained by applying the ratio of payments to Time, Inc., to total payments by country, to the losses sustained by the Department in converting total currencies purchased. As conversion rates may have varied during the period of the guaranty, this derived figure is only an approximation of actual loss on the payments made to Time, Inc.

Source: Hearings on State, Justice and Related Agencies Appropriations for 1961, Committee on Appropriations, House of Representatives, p. 824 ff.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Georgia.

Mr. FLYNT. In connection with the television channel owned by TLF—Time, Life, Fortune, Inc.; is it true that TLF never filed an original application for any one of these channels?

Mr. HARRIS. They did not.

Mr. FLYNT. Is it also true that every television channel they hold, they hold today as the result of a transfer of the kind that our bill seeks to correct today?

Mr. HARRIS. That is true. However, this bill does not deal with transfers.

Mr. FLYNT. Is it also true there were never any public hearings as to the fitness of TLF for a television channel?

Mr. HARRIS. Under the law, which was included in the McFarland amendments in 1952, they are not required to consider the fitness of the applicant on a transfer.

Mr. FLYNT. But they are required to do so on an initial application; is that not true?

Mr. HARRIS. That is true.

Mr. FLYNT. I wonder if the gentleman would care to comment on whether or not willful libel should be considered as an ingredient of unfitness for future renewals of a television or radio license or as ground for revocation?

Mr. HARRIS. Of course, that would be a very appropriate subject for the Commission to undertake. I do think, however, that the character and fitness of the individual is something they must taken into consideration, and I think by their acts people can very well show whether or not the particular applicant does possess the character and fitness to operate such a facility in the public interest.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentlewoman from Georgia.

Mrs. BLITCH. Is it not a fact that every Member of this House has to face the electorate either once or twice every 2 years? Does the gentleman consider it fair that certain conditions be met as to the revocation of a license and the holding of a license by news media as powerful as those that own the television-radio stations in Houston?

Mr. HARRIS. I mentioned earlier in my statement that anyone who controls the communications media of this country is the most powerful influence we have in the Nation.

Mrs. BLITCH. But is it not true that Members of Congress do face the electorate every 2 years?

Mr. HARRIS. Yes, and I recognize that as a very important problem. But important as it is I think the importance of this kind of reporting here is that it is a deliberate attack on the Congress itself, and we should not sit here and let them get by without coming back and straightening out the facts.

Mrs. BLITCH. I fully agree with the gentleman, and I want to commend him in the highest manner for the great contribution he has made here today. I think he has rendered a tremendous service not only to the membership of the House but also to the great democratic Republic in which we live and which we are trying so hard to preserve.

Mr. HARRIS. I thank the gentlewoman very much.

The Saturday Evening Post took a different attitude. You should read their editorial on our committee.

The Saturday Review took a different attitude. You should see the citation our committee got from it for its work. While for some time they have had this practice, they have made only three awards and our committee was honored with one of them.

Look magazine took a different view. You should read the very nice article in Look magazine about the work of this committee.

Mr. Chairman, I think we as public officials, that all of us living and enjoying the democratic system, should occasionally pause and reevaluate our responsibilities. I think we should try to see in our own minds and consciences that we are doing our job and ask ourselves that question. I think every business in this country, I care not what business it is, I think every news medium in this country, I think each of us, should evaluate his responsibilities some time in the public interest and consider what happens to the other fellow. It was Shakespeare who said:

Who steals my purse steals trash;
But he that filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed.

The strength of this country lies in its moral fiber and structure; to destroy it means the degradation and destruction of the things we enjoy.

You will recall the story of General Dean when he was captured in Korea by the Communists. He was given 20 minutes to write a message. He did not know what was going to happen to him after that 20 minutes, but he sat down, took his pen, and he wrote to his wife. There are nine sentences in that important message. One of those sentences referred to the son, and he said to Mrs. Dean: "Tell Billy the word is 'integrity' ".

He did not say it was "power". I am informed that Mr. Knight is a multimillionaire, and has all of the money anybody could enjoy or do anything with. He is not after this because of the money. It is the power involved.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. HARRIS. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, he did not say that it was retaliation, he did not say it was retribution, he said "Tell Billy the word is 'integrity'."

That is what this country is builded upon. We appropriate $40 billion in defense funds a year, this Congress authorizes $4 billion a year more or less for mutual security for the defense and the security of this country. But do you know what the strength of this country is? It is the moral fiber of integrity of the country. It is what we believe to be right.

Isaac Watts many years ago wrote these words:

Oh God our help in ages past
Our hope for years to come
Our shelter from the stormy blast and
Our Eternal Home.

Under the shadow of Thy throne
Still may we completely secure
Sufficient is Thine arm alone and
Our defense is sure.

I say to my colleagues all of the money that we can appropriate or spend, unless we have the moral character of our people, our defense is not secure.

The bill that we bring to you is one of those to help make our defense secure and we, in our committee, commend it to you for your approval.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. HARRIS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ELLIOTT of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (10644) entitled "An act to amend title V of the Merchant Marine Act, 1936, in order to change the limitation of the construction differential subsidy under such title."

"THE U-2 MUST FLY AGAIN"—BUT MUST IT, REALLY?

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the current U.S. News & World Report carries as its lead article "an interview that represents the viewpoint of important groups of officials in the military services of this country and in the U.S. Department of State." The headline is "The U-2 Must Fly Again."

The list of the article is contained in the following questions and answers:

Question. Is there in the Government any pressure to resume U-2 flights or other means of aerial reconnaissance?

Answer. Yes, there is. The technical experts and political experts at the working level, as well as military officials, feel that, unless we are able to resume reconnaissance flights, the Soviets will have gained a major military advantage.

The Soviet Union has an important and growing stockpile of intercontinental missiles. Until now, we have been able to locate and follow the placement of those missiles. We now are giving up the means of continuing to pinpoint missile bases from which an attack on United States can be launched.

Question. Is that important?

Answer. Indeed it is. During the next 9 months to a year, the Soviet Union will be building new bases, relocating its missile sites, camouflaging those sites. During that period, under present rules of the game, the United States will have no means by which it can know the location of missile sites. Its military services will be blinded, unaware of the vital targets if war should come.

Now that Soviet Russia knows that the United States has given up reconnaissance, its opportunities for blackmail will be increased immensely.

* * * * *

Question. And this country will be in ignorance of what is going on?

Answer. In almost complete ignorance. Then, when the job of missile emplacement is completed, Khrushchev will be in a position to say: "Now we will bargain on Berlin. These are our terms and they are our minimum terms. Take them."

When a showdown comes over Berlin, as someday it will, an American President will face the risk of war. The military, unaware of location of Soviet missiles, will be unable to give the President assurance that it can destroy those bases. Military commanders could not promise—even by striking first—to assure a President that the cities of America would not be destroyed.

Any President, no matter who he is, would try to gain time. He would be under the greatest pressure to agree to concessions. The process of disintegration would begin.

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Question. How widespread are the views you are expressing?

Answer. Among the working groups, the views are very widespread. They are held widely by the military.

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Question. So what do we do? What should this country do?

Answer. It is important that reconnaissance over Soviet Russia be resumed and that it be conducted continuously so that the pictures of one week can be matched against the pictures of another week, to keep track of the changes. Give up aerial reconnaissance, and you've lost the pattern of Soviet missile armament. You have given the Soviet Union a chance to camouflage their crash program for relocating bases.

The U-2, or a successor, must fly again as one elemental safeguard against surprise attack. This country simply cannot be left in the dark without increasing greatly both the danger of blackmail and the danger of war.

* * * * *

Question. Were the U-2 planes really getting the missile sites? Were they as important as pictured?

Answer. There has been official testimony on that point. The answer is "Yes." In addition, from the Soviet point of view, so long as U-2's were flying, the Russians never could be sure of the amount of knowledge this country had of their war preparations. This increased the Soviet risk. Now that risk has been removed.

Question. But no country would let the United States use their bases from which to fly reconnaissance planes—

Answer. There always are aircraft carriers. It is doubtful if the Soviet Union would attack a U.S. aircraft carrier, unless it was ready for war anyway.

* * * * *

Question. And you say that we should do—what?

Answer. We should resume reconnaissance flights.

Of course, groups of State Department and military men have the right to question the wisdom of the President's announcement last month that U-2 flights are discontinued. What bothers me is that the article offers no evidence that these "important groups of officials" have taken into their calculations certain facts and propositions.

One of these is that the President has given his solemn assurance that the U-2 flights are being discontinued.

The main point of the important groups is that without the U-2, we have no means of identifying additional Soviet Union missile launching sites as they are constructed. Let us assume for the purposes of argument that this is true. We still would have the capability, in the event of a Soviet attack, of destroying much of her cities, her airfields, her military installations. If we are going to strike first, in a preemptive war, it is indeed desirable that we know the location of every last Soviet missile base, so that we can put them all out of action at one fell swoop—although I do not quite see how the U-2 will tell the preemptive warriors when to let fly. If we are not going to strike first, I question whether the fact that we can add to our retaliatory blow at Russia's cities and industries a strike at a larger number of missile bases constitutes much of an additional deterrent.

Therefore, if our reliance against Soviet attack lies in our power to retaliate, rather than in our power to start a preemptive war, resuming U-2 flights provides only a marginal increment to our strength.

The great danger in the position of the "important groups" lies in the fact that the information produced by additional U-2 flights is vastly more necessary and helpful to a country bound on preemptive war than to a country relying on retaliation. If we resume U-2 flights, the Kremlin will know it. The Kremlin may well conclude that the reason we have resumed U-2 flights is that we do intend to strike first. If the Kremlin needed additional evidence of this, it could find it right in the statements of the "important groups" in this week's U.S. News & World Report—a copy of which can be laid hold of without a U-2. And if we are apparently going to adopt preemptive war, why isn't this likely to persuade the Kremlin to start such a war themselves in order to prevent the preemptive war that they have concluded we are about to start? And doesn't this horrible possibility increase in a situation where events—and men—get out of control?

I say this, Mr. Speaker, solely on the basis of the U.S. News & World Report article. But on the basis of that article, I would say to the "important groups" therein quoted what Oliver Cromwell said to the General Assembly of the Church of Scotland on August 3, 1650:

I beseech you, in the bowels of Christ, think it possible you may be mistaken.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ROLLCALLS ON SATURDAY

Mr. McCORMACK. Mr. Speaker, on Saturday there is a primary in North Carolina and there are conventions in Connecticut. In view of that, I ask unanimous consent that any vote on Saturday in connection with a motion to recommit or the passage of a bill or any amendment be postponed until the following Monday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ROLLCALLS ON TUESDAY NEXT

Mr. McCORMACK. Mr. Speaker, on Tuesday of next week there are three primaries, and in connection with any rollcall votes that might take place on Tuesday of next week with reference to any motion to recommit or on any amendment or passage of any bill, I ask unanimous consent that those rollcall votes be postponed until the following day, Wednesday.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. ARENDS. Is it the purpose of the gentleman to proceed tomorrow with the bill that is now before us, or do you want to go on to the suspensions?

Mr. McCORMACK. The order of business tomorrow, under the special order entered into last Monday, on account of the unfortunate death of one of our colleagues, will be that the Consent Calendar and the suspensions will be called first, and after that the continuation of this bill will take place.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HON. JOHN J. ROONEY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, our distinguished colleague the gentleman from New York [Mr. ROONEY] made a very interesting point on the floor the other day when he pointed out the tremendous contribution to international good will being made in Afghanistan by Pan American World Airways.

I am one of those, Mr. Speaker, who continues to be concerned with foreign aid appropriations. Historically, I have felt that they were important in order that the great American philosophy could prevail over the Communist con-

spiracies all over the world. It is not the aid itself that concerns me, it is the administration of that aid. There have been some glaring indications, in the past several years, that we have made enemies for ourselves instead of friends in countries where we have poured out hundreds of millions of dollars.

That is why the most illuminating speech by our distinguished gentleman from New York [Mr. ROONEY] made such an impact on me. It showed that in at least one of the sensitive areas of the world where mutual security funds are being invested a good job is being done. I join with my other colleagues in congratulating Pan American for its splendid achievements in Afghanistan.

THE LATE ADELAIDE JOHNSON, SCULPTOR OF THE WOMEN'S MONUMENT

Mr. REECE of Tennessee. Mr. Speaker, on May 28, 1960, I introduced H.R. 12439, which was referred to the Committee on House Administration—a bill to provide for the acquisition and custodianship of the statuary and papers of the late Adelaide Johnson, sculptor of the Women's Monument.

The late Adelaide Johnson, sculptor of the Women's Monument, had a life-long desire to establish a museum to depict and to memorialize the suffrage movement. It is stated that she died at the age of 104.

During the past 25 years her personal problems and collections were the concern of a vast public and some very devoted friends.

Two bills were introduced in Congress, to acquire and to convert her studio on Maryland Avenue, into a museum, the project was indorsed by prominent men and women, as well as many organizations in this and other countries.

Unfortunately, the late Adelaide Johnson insisted upon having living quarters within the museum, saying she intended to live among her cherished possessions and life works.

During the several years after her passing, the collections have been involved in trying litigation. Now the collections are free, intact, and being made available to our Government at a mere fraction of their value.

My hurried survey of the collections revealed of interest to our Government, approximately 35 or more pieces of statuary, of which about 15 are life-size portrait busts in marble of notable persons. Correspondence, papers, publications, notated newspaper articles, original photographs and period costumes are in 40 sealed and unsealed, wooden boxes, crates, and trunks.

I am of the opinion that the original portrait busts of just the three great suffragist leaders (Susan B. Anthony, Lucretia Mott, and Elizabeth Cady Stanton) are of the utmost historic importance and now beyond the measure of dollars. The U.S. postage stamp depicting Susan B. Anthony received its likeness from the marble bust of her in this collection.

Our era is the first period in all the recorded history of civilizations, wherein men and women are on a basis of equal dignity, to help one another upward and onward.

Among the letters, papers, etc., of the late Adelaide Johnson, are historic reflections, invaluable to students and statesmen, who must under threatening or peaceful skies, weigh the noble resolve of our American form of life—to promote the pursuit of happiness based on individual dignity. We believe that all nature conspires to benefit men and women, in a union based on equal dignity. Mother's love is as boundless as the spheres—what State can continue to exist that does not accord true dignity to her children.

To date, no definite congressional action has been taken. Letters from the Librarian of Congress and the Director of the Smithsonian Institution, have expressed readiness to begin the investigation and submit reports.

Congress is about to adjourn; therefore, I take the liberty of requesting that my fellow colleagues in both Houses be unanimous in making the appropriation to care for the selections to be made by the representatives of the Smithsonian Institution and the Library of Congress, so this Congress will not suffer the loss of this historic opportunity.

THE QUESTION OF PRESIDENTIAL DISABILITY

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. LINDSAY] is recognized for 60 minutes.

Mr. LINDSAY. Mr. Speaker, since the last century we have been confronted with a problem which can no longer remain unanswered. I refer to the question of the exercise of Executive authority in the case of serious illness of the President of the United States, or, put in the language of the Constitution, the President's "inability to discharge the powers and duties of said office."

The Congress has the power and the duty to clarify the question. It can best be done by initiating a constitutional change. I believe that the two major parties should commit themselves to such a program in their respective party platforms. I urge each candidate for the high office of President to do the same.

The question of when an incapacitated President loses Executive authority and when the next in line—the Vice President—assumes Executive authority has never been resolved. Each time a President has become incapacitated the question is raised all over again. Everyone agrees it is a problem and yet nothing is done about it. Each time the Congress is shaken and there is a flurry of speechmaking and bills introduced. Then it dies. We seem to wait for another crisis to develop before we become again concerned.

The consequences of letting this matter go unresolved are too serious to let its solution lie fallow. It may be that the public is not fully aware of the pernicious consequences that may flow from the confusion that presently exists. But that is no reason why the Congress can be excused for not taking a leadership role.

The Constitution provides that—

> In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office the same shall devolve on the Vice President. (Art. II, sec. 1, par. 5.)

This is a seemingly simple provision, but it has caused endless speculation as to its real meaning. We have only to heed lessons of history to show us the extent to which this is true. Four months after he assumed the Presidency, James A. Garfield lay dying as a result of an assassin's bullet. During the 80 days he was in a coma, considerable Government business both in the domestic field and in international affairs was gravely impaired.

His only official act during that period was the signing of an extradition paper.

After hopes of Garfield's recovery were virtually abandoned late in August of 1881, the Cabinet, reportedly at the suggestion of Secretary of State James G. Blaine, considered the problem of whether or not Vice President Chester A. Arthur should be asked to act as President.

Four of the seven Cabinet members, including the Attorney General, were of the opinion that Garfield would be permanently ousted if Arthur proceeded to act. Arthur himself refused to act without the President's approval and, because Garfield's condition did not permit submission of the matter to him for decision, the problem was solved only by President Garfield's death.

The disability of President Wilson was of longer duration—1½ years. While the extent of his disability during this period is subject to considerable differences of opinion, it is believed that during at least a portion of the time he was unconscious. Whether or not his mind was clear as contended by his physician, Dr. Cary T. Grayson, his physical disability prevented his active participation in the debates concerning the Versailles Treaty and the League of Nations.

Internationally this was a sensitive period. Responsibility for leadership should have been clearcut. And on the homefront, the Government machinery was at a standstill for 18 months. Twenty-eight acts during the 3d session of the 66th Congress became law by virture of President's Wilson's inaction within the required 10 days under the Constitution.

I submit, Mr. Speaker, that if the situation during the illness of President Wilson was a sensitive one and if internationally and domestically the United States was living at the edge of a crisis, it is nothing compared to the critical period in which the United States finds itself today and which it appears it will find itself in tomorrow.

The situation prompted Secretary of State Robert Lansing to call a number of Cabinet meetings in the absence of Wilson's authorization for the purpose of transacting urgent business. When he learned of these events, Wilson accused Lansing of usurping Presidential power and compelled him to resign.

Prior to his forced resignation, Lansing suggested to Wilson's secretary, Joseph P. Tumulty, that Vice President Thomas

Marshall be asked to assume the powers of the President, to which Tumulty indignantly replied:

> You may rest assured that while Woodrow Wilson is lying in the White House on the broad of his back I will not be a party to ousting him.

Marshall did not of course take such a momentous step.

In both instances of prolonged Presidential disability, the reins of Government were paralyzed. It should be emphasized that those two periods of Executive inaction occurred when the world situation was in a relatively peaceful and tranquil state. The first global conflict had just ended and we were then in the midst of a gigantic effort to establish a lasting peace.

I shudder to think of the possibility of finding ourselves confronted with a similar predicament in this present age, when science is branching out in all directions in an effort to annihilate both time and space.

In this most explosive decade in human history, hydrogen bombs can be dispatched by our enemy by a mere push of a button with considerable accuracy at a given target in this country. Try to visualize the panic and confusion that would ensue when split-second decisions cannot be given by the President as Commander in Chief because of physical disability.

This is not a pleasant situation to contemplate and yet it is imperative that our people understand that it is a possibility.

The issue may not have been of paramount importance during the time of Garfield and Wilson. But certainly it is one of paramount importance today—at a time when we are living in a continuous international crisis demanding immediate decisions by the President in order to safeguard our national interests, at a time when another powerful nation, armed with weapons capable of mass annihilation, keeps threatening our very existence.

I cannot overemphasize the urgency of solving the problem of continuing executive leadership. But, in our attempt to do so, our enthusiasm should not carry us away. The constitutional forms to which we are committed by law, practice, and tradition should not be lightly disregarded, even in the most compelling of emergencies. It is more true to our form of government than of any other that it is dependent for its preservation more upon "foresight" than upon "gunsight."

The seriousness of our constitutional difficulty concerning the exercise of Presidential power during the disability of the Chief Executive has doubtlessly been magnified with the passage of time. This Nation can ill afford the uncertainties to which it was subjected in 1881, in 1919, and again in 1955.

It is more than ever incumbent upon us to display "foresight" because when the crisis looms in our "gunsight" the battle may have already ended.

Paragraph 5, section 1, of article II of the Constitution, read in full, provides:

> In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Under this provision, any of four events may lead to a devolution of Executive authority; namely, the President's death, resignation, removal from office, or his inability to discharge its powers and duties.

Three of the doors to Presidential power are open automatically to the Vice President with a certainty that none could safely dispute and with a finality that no one can reverse. They are—death, removal from office, and resignation.

The real problem, then, before us is with respect to the President's inability to discharge the powers and duties of his office.

At first blush, this portion of the constitutional provision would appear clear and simple. But I assure you, it is pregnant with questions, the right answers to which I am confident will lead us to a better appreciation and approach to the solution of this problem.

One asks, as did Dickinson in 1787, who is the judge of inability, what constitutes inability, and who decides when the disability has ceased to exist? As Dickinson recognized, not only is there ambiguity as to who the judge of inability would be but also as to what type of events or infirmities might be properly considered as constituting inability.

To place the problem of what inability means in perspective, it would not be amiss to touch lightly upon some of the views advanced on the subject in the past.

It has been contended by some that "inability" connotes an infirmity of a permanent rather than a temporary nature, one likely to continue throughout the remainder of the term for which the President was elected. However, the records of the Constitutional Convention do not support this view.

Another school of thought holds that "inability" refers to legal or mental incapacity, so that physical debility however severe will not be sufficient in order to invoke the so-called succession provision of the Constitution. Neither this position nor its converse appears to find any sanction in the proceedings of the Constitutional Convention.

In formulating a definition of what constitutes inability we, as students of constitutional law, should bear in mind that "inability" assumes a constitutional meaning only when it interferes substantially with the discharge of the duties placed upon the President as Chief Executive, and must therefore be dependent to a large degree upon the nature and urgency of public affairs.

We now come to the real core of the problem, and that is—who determines that "inability" exists? Who determines that "inability" has ceased to exist?

Is it the Congress? Is it the Supreme Court? Is it the executive branch in the person of the Vice President?

There are those who contend that it is within the province of the Congress to legislate on this matter. They predicate their stand on the so-called implied powers clause of the Constitution, giving to the Congress the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

It has been contended that the "necessary and proper" provision "means nothing if it does not give Congress some authority to enact legislation necessary and proper for carrying into execution the Executive powers endowed in the President and the Vice President which may become ineffective because of an inability of the President."

There has been a wide variety of legislative proposals in the past which would provide means of determining initially when Presidential inability may be deemed to have arisen. The proposals range from direct determination by the Congress to certification of the issue of disability to the Supreme Court or to special commissions.

Allow me to review some of them.

During the illness of President Wilson, Congressman John J. Rogers introduced a bill which would authorize the Supreme Court to determine the question of inability or its termination whenever the question was referred to it by a resolution of either House of the Congress.

Following President Garfield's incapacity, Representative Frank E. Beltzhoover introduced a similar measure. But the question of disability under the Beltzhoover proposal could be raised in the Supreme Court by any citizen on "petition setting forth, under oath, his reasons for believing that from sickness or other cause the President of the United States is unable to discharge the powers and duties of his Office." Whereupon it would be incumbent on the President to show cause why the powers and duties of his Office "should not be devolved upon the Vice President until such disability be removed."

Another proposal would empower the Secretary of State to convene the President's Cabinet to determine, on a majority vote, the President's inability.

In the 85th Congress, Congressman, now Senator KEATING introduced a bill which would establish a so-called Presidential Inability Commission. It would be composed of the Chief Justice of the Supreme Court, the senior Associate Justice, the Speaker of the House, the House minority leader, the Senate minority leader, the Secretary of State, the Secretary of the Treasury and the Attorney General as members, and the Vice President as Chairman.

The Commission's function would be to receive and pass upon any notification from the President of his own disability or the termination of such infirmity.

In the Senate, Senator STYLES BRIDGES filed a bill aimed at establishing a committee composed of Members of both

Houses of the Congress. This committee, upon communication from the Vice President, or from four of its own members, would assemble and consider the President's state of health. If "probable cause" was shown that disability existed, the committee would so declare in a concurrent resolution. On adoption by two-thirds vote of both Houses, convened separately, the "powers and duties" of the President shall devolve upon the Vice President during the period of disability.

The termination of such disability would cease upon the adoption of a concurrent resolution of a majority of each House.

Another legislative proposal was advanced by Senator Frederick G. Payne. It provided for the President's notification to the Congress of his own disability, and thereupon an automatic devolution of Executive power on the Vice President would take place. In addition, it provided that the Vice President might initiate a determination of inability by notifying the Chief Justice of the Supreme Court who should then convene a medical panel to examine the President. If the members of this medical panel were of the unanimous opinion that the President was suffering under a disability, the Chief Justice should so certify to the Congress. The effect of the certification by the Chief Justice would be identical to that produced when the President, on his own initiative, declares his disability.

It should be noted that the principal fault of all these legislative proposals is the apparent lack of power by the Congress under the Constitution to provide for any determination of disability which would be binding upon the Chief Executive.

Our jurisprudence has clearly established that the implied powers clause of the Constitution does not enlarge the expressed powers of the Congress. If this is so, it stands to reason that the Congress cannot enlarge upon the powers already possessed by the Supreme Court.

If the Congress cannot legislate on this matter, does the Supreme Court possess the power to determine the existence of Presidential disability?

In the past, there were suggestions that mandamus would lie to compel the Vice President to assume and exercise Presidential power. This view does not hold water since the decision to so act is clearly a discretionary one to which the courts would not interfere.

Prof. William W. Crosskey claims that quo warranto proceedings is the appropriate remedy. Again, this is not the proper remedy because it involves the exercise by the Vice President of a discretionary power to which the courts have kept hands-off attitude. This does not mean, however, that the question of inability cannot be presented in litigations involving the rights of individuals because it could not be construed as a direct interference by the courts in the decision of the Vice President to act or refrain from acting as President.

If the Congress and the Supreme Court do not have the initial power of determination of Presidential inability, is it lodged in the Vice Presidency?

As I mentioned earlier, there are three instances whereby Executive authority devolves automatically, namely, in cases of death, resignation and removal from office.

Our political history is replete with precedents to the effect that, in the case of the death of the President, the Vice President becomes the Chief Executive for the unexpired term.

It was in 1841 when the question first arose. President William Henry Harrison, "worn away and destroyed by the hordes of applicants for public office," died of pneumonia in Office. At that time there were those who objected to Vice President John Tyler's succession to the Presidency. They claimed that the precedent would also apply in case of disability, and this they strongly objected to. They contended that it was not the intention of the framers of the Constitution that the Vice President assume the Presidency under the succession clause but that the Vice President should only exercise the powers and duties of the disabled President until his disability was removed. The then Secretary of State Daniel Webster was of the opinion that by Harrison's death Vice President Tyler became President.

At first, Tyler held the view that he would merely act as President during the unexpired term of Harrison. But upon further reflection he decided to assume the Presidency.

Six other Vice Presidents followed suit: Fillmore, Johnson, Arthur, Theodore Roosevelt, Coolidge and Harry Truman.

Do these precedents apply in case of the President's disability?

A careful examination of the original articles agreed upon by the Constitutional Convention indicates that the delegates agreed that upon the inability of the President to discharge the powers and duties of his Office, the Vice President should exercise those powers and duties "until the inability of the President be removed."

In other words, the framers of the Constitution intended that the Vice President would act as President in case of the President's disability. This view finds support in the debates in the Constitutional Convention "indicating that the Vice Presidency was originally created to provide for an alternate Chief Executive who might function from time to time should the President be unable to exercise the powers and duties of his Office."

But when this provision was sent to the Committee of Style it was revised and reduced to the simplified statement that in case of removal, death, resignation or inability to discharge the powers and duties of the Office, "the same shall devolve on the Vice President."

It has remained there since, leaving the problem of Presidential succession in case of disability unresolved.

If neither the Congress, nor the Supreme Court nor the executive department is expressly authorized by the Constitution to determine Presidential inability, I submit that one of the three coordinate branches should be so empowered by means of an amendment to the Constitution.

I further submit that such power and responsibility should be placed on the Vice President. The development of the Office of the Vice President tends to strengthen the view that the Vice President is the proper officer to make the determination of inability in the initial instance, consistent with the general principle of separation of powers.

This interpretation has been shared by two Attorneys General.

In his testimony before a Senate subcommittee, Attorney General Rogers declared that the Constitution vested in the Vice President the initial determination as to the existence of an inability with respect to the President.

This same view was expressed by his predecessor, Attorney General Herbert Brownell, Jr., when he said:

> At the time of President Garfield's illness in 1881, the great weight of opinion favored the interpretation that Vice President Arthur, and he alone, could determine that the President was disabled. At that time, most students of the Constitution said that the Vice President was obligated to exercise the powers of the Presidency during Garfield's illness, just as much as he was obligated to preside over the Senate or perform any other constitutional duty, and that no enabling action by the courts or the Congress or the Cabinet was necessary. Since the Vice President had the duty of acting as President, it was argued, in certain contingencies, his official discretion extends to the determination of whether such a contingency actually exists. In other words, they were applying the well-known rule of law that in contingent grants of power the one to whom the power is granted is to decide when the emergency has arisen.

In the 85th Congress, there were attempts to resolve this serious deficiency of the Constitution.

The most feasible of these remedial measures to my mind is the bipartisan constitutional amendment embodying substantially the administration proposal.

The administration's proposal was the result of an understanding reached by President Eisenhower and Vice President NIXON, in consultation with the Attorney General, on the constitutional role of the Vice President as Acting President during the Chief Executive's disability.

On March 3, 1958, the Eisenhower-Nixon understanding was published as follows:

> The President and the Vice President have agreed that the following procedures are in accord with the purposes and provisions of article 2, section 1, of the Constitution, dealing with Presidential inability. They believe that these procedures, which are intended to apply to themselves only, are in no sense outside or contrary to the Constitution but are consistent with its present provisions and implements its clear intent.
>
> 1. In the event of inability the President would—if possible—so inform the Vice President, and the Vice President would serve as Acting President, exercising the powers and duties of the Office until the inability had ended.
>
> 2. In the event of an inability which would prevent the President from communicating with the Vice President, the Vice President, after such consultation as seems

to him appropriate under the circumstances, would decide upon the devolution of the powers and duties of the Office and would serve as Acting President until the inability had ended.

3. The President, in either event, would determine when the inability had ended and at that time would resume the full exercise of the powers and duties of the Office.

On the day following its publication, the Eisenhower-Nixon agreement was embodied in a resolution jointly sponsored by a majority of the members of the Senate Judiciary Committee with certain changes in section 4 acceptable to the administration.

I have introduced House Joint Resolution 764 incorporating the salient features of that bipartisan resolution.

I submit that this amendment contains the most feasible solution.

If we adopt this resolution it will not be applicable to this administration because the time required for its ratification will undoubtedly extend beyond its term. As such, therefore, this measure can be considered entirely on its merits without any consideration of personalities or parties.

In brief, this is what the resolution provides:

Section 1 empowers the Vice President to succeed to the Presidency in case the Chief Executive dies, resigns or is removed from Office. This is just a restatement of the old law.

Section 2 provides that, if the President declares in writing that he is unable to discharge the powers and duties of his Office, those powers shall be discharged by the Vice President as Acting President.

If the President is unwilling or unable to declare his own inability, section 3 authorizes the Vice President to do it. However, the Vice President needs the concurrence of the majority of the members of the Cabinet. In other words, this section would remove from the Vice President the sole discretion of initially determining the President's inability when such decision is reached without the express sanction of the President. It needs the approval of the majority of the Cabinet.

Section 4 provides that if and when the President declares in writing that his disability has terminated, he shall resume the exercise of the powers and duties of his Office. This section assures the restoration of those powers back to the President when the causes of inability cease to exist. This provision is also designed to prevent the occurrence of a situation whereby, as a result of an antagonism between them, the President declares that his disability has ceased to exist and the Vice President holds the contrary view. In this case, the Congress will resolve the issue by a two-thirds vote in each House. But this is resorted to only in case the President and Vice President disagree on the question of inability.

It is interesting to note that this section reserves to the Congress a role in this matter, which is consistent both with the principle of separation of powers and with the requirements of efficient and effective government. It is an effective check-and-balance device as can readily be imagined.

I reiterate that neither the Congress nor the courts have the constitutional authority to determine initially the President's inability.

Under this resolution the Congress steps in only after the Vice President has made a determination of disability and the President proclaims his ability to act notwithstanding the Vice President's determination. The situation is one closely allied to offenses for which impeachment lies. The Constitution in its present form places upon the Congress the power and responsibility to act at that stage of events.

This proposed amendment to the Constitution to which the present Administration and a bipartisan group of Senators have jointly contributed represents a most comprehensive, effective and feasible solution to the problem of devolution of Executive authority. It is, I submit, consistent with the separation of powers which forms the basic framework of our Government.

I urge this august body carefully to consider this proposal. I likewise urge the Republican and the Democratic Parties to incorporate it in their respective party platforms. And I earnestly urge the presidential candidates from both parties to come to recognize the existence of the problem and to pledge themselves to its resolution in order to save ourselves, and the generations yet unborn, from the uncertainties to which this Nation has been subjected in the past and which, in the present state of affairs, we can ill afford.

Mr. Speaker, I ask unanimous consent to include, at the conclusion of these remarks, the full text of House Joint Resolution 764.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

HOUSE JOINT RESOLUTION 764

Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE—

"SECTION 1. In case of the removal of the President from office, or of his death or resignation, the Vice President shall become President for the unexpired portion of the then current term.

"SEC. 2. If the President shall declare in writing that he is unable to discharge the powers and duties of his office, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 3. If the President does not so declare, the Vice President, if satisfied that such inability exists, shall, upon the written approval of a majority of the heads of the executive departments in office, assume the discharge of the powers and duties of the office as Acting President.

"SEC. 4. Whenever the President makes public announcement in writing that his inability has terminated, he shall resume the discharge of the powers and duties of his office on the seventh day after making such announcement. But if the Vice President, with the written approval of a majority of the heads of executive departments in office at the time of such announcement, transmits to the Congress his written declaration that in his opinion the President's inability has not terminated, the Congress shall thereupon consider the issue. If the Congress is not then in session, it shall assemble in special session on the call of the Vice President. If the Congress determines by concurrent resolution, adopted with the approval of two-thirds of the Members present in each House, that the inability of the President has not terminated, thereupon, notwithstanding any further announcement by the President, the Vice President shall assume the discharge of such powers and duties as Acting President until the occurrence of the earliest of the following events: (1) the Acting President proclaims that the President's inability has ended, (2) the Congress determines by concurrent resolution, adopted with the approval of a majority of the Members present in each House, that the President's inability has ended, or (3) the President's term ends.

"SEC. 5. The Congress may by law provide for the case of the removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected. If at any time there is no Vice President, the powers and duties conferred by this article upon the Vice President shall devolve upon the officer eligible to act as President next in line of succession to the office of President, as provided by law.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman.

Mr. CHAMBERLAIN. Mr. Speaker, I should like to commend the gentleman for his scholarly presentation of what I think is a very serious problem. It is my hope that these remarks and the study he has given to this problem will be called to the attention of all the members of the Committee on the Judiciary and that in the fullness of time, certainly early in the next session, this will be the subject of their further study.

Mr. LINDSAY. I thank the gentleman.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Speaker, I should like to add my commendation of the gentleman from New York for his very thorough historical review of this most important and significant subject. I should like to ask one or two questions of the gentleman. The Vice President, in a sense, is a beneficiary of Presidential inability. Under the third point of the gentleman's resolution, he provides for the Vice President with the concurrence of a majority of the members of the Cabinet, in case the President were unwilling to admit disability, to assume the discharge of the powers and duties of the Office; is that correct?

Mr. LINDSAY. That is correct. In the event the President were unable because of illness or, indeed, unwilling because of illness also, to declare his own inability, the Vice President, with the concurrence of the majority of the Cabinet would be authorized so to declare, whereupon the Vice President would assume the powers of the Office of President. If at that time the President should so declare that his inability had terminated or that he was never disabled to begin with, in writing, under the amendment, and if the Vice President and a majority of the Cabinet should persist in their conclusion, then the matter would be referred to the Congress.

Mr. HECHLER. Does not the gentleman feel, because of the fact that the Vice President is in a sense a beneficiary and in a sense the members of the Cabinet are personal appointees of the President, that perhaps an unbiased view may not be had as a result of these factors? I wonder if the gentleman had considered working into this the proposal made in previous years that a medical panel be drawn into the consideration of Presidential inability.

Mr. LINDSAY. I will say to my friend from West Virginia that there is nothing that would prevent the Vice President or the Cabinet or, indeed, the Congress, from informally convening and reviewing with a medical panel the situation involving the President of the United States. That could be done. The question is as to the advisability of writing into the Constitution such a requirement in the first instance. But the primary question is whether or not, under the separation-of-powers theory, it is advisable to place the initial responsibility for making this determination anywhere except within the executive branch itself, in the person of the Vice President of the United States.

Mr. HECHLER. I thank my friend and commend him again for his presentation.

Mr. LINDSAY. I thank my friend from West Virginia.

SAFE BOATING WEEK

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, safe boating is no accident. As the week of July 4 and the occasion of National Safe Boating Week approaches, it is fitting that we recognize and review the responsibilities and efforts of the Federal Government to promote boating safety.

Pursuant to Public Law 85-911, which I sponsored during the 85th Congress, the President of the United States, on February 5 of this year, signed the following proclamation:

Whereas many millions of our citizens enjoy the sport of boating for recreation and relaxation; and

Whereas safety on the waterways is as important as safety on the highways; and

Whereas the Congress of the United States, in seeking to focus national attention on the importance of safe boating practices, by a joint resolution approved June 4, 1958 (72 Stat. 179), has authorized and requested the President to proclaim annually the week which includes July 4 as National Safe Boating Week:

Now, therefore, I, Dwight D. Eisenhower, President of the United States of America, do hereby designate the week beginning July 3, 1960, as National Safe Boating Week.

I invite all the people of this Nation interested in boating, including boating organizations, the boating industry, Government agencies, and other groups, to observe National Safe Boating Week. I urge them during this week and throughout the entire year to follow safe boating practices and to exercise courtesy on the waterways.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, and the areas subject to the jurisdiction of the United States to provide for the observance of this week.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 5th day of February in the year of our Lord 1960, and of the Independence of the United States of America the 184th.

DWIGHT D. EISENHOWER.

About one out of every five persons in the United States will participate in recreational boating and make use of our many waterways during 1960. In round numbers it is estimated that there will be about 8 million recreational boats and 39 million people on our waterways this year. In comparison, there are only about 40,000 vessels documented by the Bureau of Customs, plus about 4,000 documented as yachts. In contrast, therefore, recreational boating activity on our waterways constitutes about 99.5 percent of the total boating and vessel activity in the country. It is true that not all of these 8 million boats are on the navigable waters of the United States, as an undetermined percentage may be found in the various lakes within State boundaries.

Consider the fact that of these 8 million boats there are only about 4,000 passenger boats inspected and certificated by the Coast Guard. An inspected boat is one which is checked from stem to stern at regular intervals by the Coast Guard and found to be in all respects in compliance with the vessel inspection laws of the United States. It should be recognized also that a commercial boat can also be a recreational boat, because to the owner of a boat carrying passengers for hire it is a commercial venture whereas to the passengers the trip may be purely recreational. For the balance of the 8 million boats, which are not inspected, only minimum requirements apply as to the carrying of approved lifesaving equipment, fire extinguishing equipment and navigation lights, and for the operators thereof to comply with traffic regulations on our waterways, otherwise known as rules of the road. It is significant to point out that with respect to these 8 million uninspected boats the Federal Government does not require an operator's license of any kind, restrict the age or the physical condition of the operator in any way, require any examination or demonstration of knowledge of the rules of the road, require any proof of ability to operate the boat, require any navigation equipment or knowledge of navigation by the operator, establish any minimum capacity limitations of the boat, require proof of any degree of seaworthiness of the boat, or require any emergency signal equipment of any kind.

GROWTH OF SMALL BOATING

There has been an explosive growth in recreational boating since World War II. In 1947 there were less than 2½ million pleasure boats in America; today we have about 8 million. Assuming as an average that at least 5 different persons would ride in each of these boats during the year, we have the safety of 40 million Americans directly affected—to one degree or another—by the adequacy or efficiency of the safety equipment, the safety education, and the various safety rules which are enforced.

Boats today go faster than ever before due to increased horsepower. In 1947 the average horsepower of all engines sold was less than 5; today the average is close to 25 and has been consistently climbing every year since 1952. Today's outboard motors are rated by their manufacturer as high as 80 horsepower.

Boating is big business. Last year the boating public spent close to $2½ billion for new and used boats, motors, accessories, equipment, insurance, fuel, repairs, storage, club membership, and so forth. For new outboard motors, boats, and trailers alone total sales in 1959 came to $465 million. This is a rise of almost $50 million in 1 year.

Speaking in millions, there are 1¾ million boat trailers on the highways of this country; 490 million gallons of gasoline were used; also 25½ million gallons of motor oil and 24½ million gallons of diesel oil. The boat business consumed 12 million gallons of paint; 165 million square feet of plywood, 50 million pounds of aluminum, and 75 million pounds of plastics. The average outboard boat sold for $524 and there were 329,000 of them bought by Americans in 1959—a total of $172 million. The growth in boating continues at an average annual increase of about 390,000 boats each year since 1956.

FACTORS LEADING TO THE FEDERAL BOATING ACT OF 1958

The House Committee on Merchant Marine and Fisheries was aware of the phenomenal growth in small boating in the United States, and early in 1956 they set out to study the problem. In fact, the industry itself suggested it. Public hearings were held in Washington and in the major boating sections of the country, so as to afford affected groups and individuals, and the State and local government officials themselves, a convenient opportunity to have a part in solving the problems involved. These hearings throughout the country were concluded in December of 1956, and on April 18, 1957, Mr. BONNER introduced a report on the "Study of Recreational Boating Safety"—Report No. 378, 85th Congress, 1st session. The conclusions and recommendations of that report led to the Federal Boating Act of 1958.

Some of the conclusions reached by the committee were as follows:

Federal legislation should not restrict the growth of boating or industry.

The present voluntary educational efforts are inadequate and should be expanded.

A policy of full cooperation with the States is preferred, rather than a policy premised upon any consideration of exclusive jurisdiction by the Federal Government.

The necessity and desirability of uniform State and Federal laws to regulate both safety equipment of pleasure boats and the operation of the boats themselves, through close cooperation with the States.

Numbering requirements for boats on Federal waters should be brought up to date.

There should be a civil penalty for reckless and negligent operation of boats.

The Federal Government should not require licensing of the operators of pleasure boats at this time, but should keep its eye on the situation and observe closely the action taken in the field of education.

In the absence of dependable statistics, no age limitations should be established, until the question can be reevaluated.

The inspection of the millions of pleasure boats on Federal waters is impractical and unnecessary.

The efforts of industry to bring about recognized and adhered to standards of design, construction and equipment for small pleasure craft should be intensified.

Changes to improve the rules of the road should result from an overall consideration and not as part of legislation relating to small pleasure boats.

Accurate and comprehensive statistics regarding boating accidents are almost nonexistent, and the Federal Government should impose an obligation upon the operator of a boat involved in an accident to stop, render assistance, and report the accident promptly.

The Coast Guard's present program for the enforcement of the existing boating safety laws should be increased.

In addition to the foregoing, the report recommended that the Secretary of the Treasury call a national small boat safety conference for the purpose of inquiring into and reporting on various phases of the foregoing conclusions.

Following the initial hearing by the House Merchant Marine and Fisheries Committee on a bill to implement certain portions of its report, the committee in early September of 1957 asked the Council of State Governments to give special attention to the problem and to review the proposed Federal legislation from the standpoint of States, and also to consider the possibility of model State legislation. That organization established a special committee on recreational boating under the chairmanship of Paul A. Johnston of North Carolina, which group early the following year presented a proposed redraft of the bill which ultimately, with some amendments, became the Federal Boating Act of 1958. I am gratified to report that the State of Michigan was represented on that subcommittee and actively joined in that effort.

It also is significant to note that the Secretary of the Treasury did hold a National Small Boat Safety Conference in December of 1957, which was successful and widely acclaimed, and presented some 19 conclusions and recommendations with respect to education, accident statistics, equipment regulations, and construction standards. In particular, these recommendations dealing with accident statistics were incorporated in the Federal Boating Act of 1958.

COAST GUARD DUTIES IN THE FIELD OF SMALL BOAT SAFETY

Congress has from the earliest beginnings of this Nation enacted laws to promote the safety of life and property on the waters of the United States. The U.S. Coast Guard is looked upon by Congress as the primary maritime safety agency of the executive branch of the Government. Coast Guard duties in this field may be found in titles 14, 33, and 46 of the United States Code. The House Merchant Marine and Fisheries Committee in its deliberations on recreational boating safety and in recommending passage of the Federal Boating Act of 1958 took into account the predominant role of the U.S. Coast Guard in this field in the following applicable statutes which set forth the Coast Guard's duties:

The act of April 25, 1940, is a basic boating safety statute, although it is not limited in its application to small boats. With respect to motorboats it does prescribe the navigation lights, fire protection equipment, and lifesaving equipment required to be carried. It prescribes the duty of the operator to render assistance and to submit an accident report. It contains criminal and civil penalty provisions for reckless and negligent operation, which apply to all vessels, including motorboats. With respect to other vessels, its provisions on equipment requirements apply to commercial towing vessels and other mechanically propelled vessels. Therefore, this act has been somewhat inappropriately referred to from time to time as the "Motorboat Act of 1940."

The rules of the road are the traffic laws prescribed by the Congress and, to a limited degree, by the Commandant of the Coast Guard for the prevention of collisions. Basically these rules are separated into four areas applicable to the high seas, the inland waters, the western rivers, and the Great Lakes. There are similarities and some differences between these sets of rules, but they all encompass certain requirements for lights and sound signals, and steering and sailing rules.

The Coast Guard has been authorized by the act of April 28, 1908—46 U.S.C. 454—to regulate and patrol marine regattas or marine parades for the protection and safety of life on navigable waters of the United States. The prior approval by the Coast Guard is required for marine regattas or marine parades, especially where it may interfere with unlimited use of navigable waters and closure of a channel may be necessary.

The Federal Boating Act of 1958—46 U.S.C. 527—standardized a numbering and identification system for undocumented vessels (including pleasure boats of 10 horsepower and above), and provides for participation in this program by the several States. It also authorized the Coast Guard to board any boat numbered under this act for purpose of determining compliance with its numbering provisions, with the act of April 25, 1940, mentioned above, and with the applicable rules of the road. It also declares the policy of Congress to encourage the uniformity of boating laws and regulations as among the several States and the Federal Government to the fullest extent practicable, with the highest possible degree of reciprocity and cooperation. The act recognizes the principle of "concurrent jurisdiction" between the Federal Government and States with respect to undocumented vessels, which in this instance refers particularly to the 8 million pleasure boats on our waters. In order to obtain necessary information about accidents, this act also requires the Secretary to compile and analyze the required accident reports and to publish his findings and recommendations for their prevention.

Title 14 of the United States Code is devoted exclusively to the duties, organization, and authority of the U.S. Coast Guard. Of principal interest to small boat safety are the provisions pertaining to aids to navigation, search and rescue, law enforcement, and the Coast Guard Auxiliary, which will be discussed in greater detail later on. Section 2 of that title sets forth briefly the primary duties of the Coast Guard as follows:

The Coast Guard shall enforce or assist in the enforcement of all applicable Federal laws upon the high seas and waters subject to the jurisdiction of the United States; shall administer laws and promulgate and enforce regulations for the promotion of safety of life and property on the high seas and on waters subject to the jurisdiction of the United States covering all matters not specifically delegated by law to some other executive department; shall develop, establish, maintain, and operate, with due regard to the requirements of national defense, aids to maritime navigation, icebreaking facilities, and rescue facilities for the promotion of safety on and over the high seas and waters subject to the jurisdiction of the United States; and shall maintain a state of readiness to function as a specialized service in the Navy in time of war.

Title 46 of the United States Code is devoted primarily to shipping, but contained therein is the act of May 10, 1956—46 U.S.C. 390—which authorized the Coast Guard, among other things, to inspect small passenger vessels carrying more than six passengers for hire. Many of these small passenger vessels are pleasure motorboats being used for commercial purposes by the owner or operator, but for the passengers the use is recreational in nature. Congress authorized the Coast Guard to regulate such boats with respect to the design, construction, alteration or repair, accommodations for passengers and crew, fittings, propulsive and auxiliary machinery, appliances for lifesaving and fire protection, waters in which they may be navigated, and manning.

Also, in title 46 of the United States Code are the provisions of R.S. 4450, as amended—46 U.S.C. 239—wherein Congress has directed the Coast Guard to investigate marine casualties occurring on the navigable waters of the United States and to U.S. vessels wherever they may be found for the purpose of taking appropriate measures for safety of life and property at sea. They are not in-

tended to fix civil or criminal responsibility. The investigations determine:

First. The cause of the accident or casualty.

Second. Whether any failure of material—either physical or design—was involved so that proper recommendations for the prevention of the recurrence of similar casualties may be made.

Third. Whether any act of misconduct, inattention to duty, negligence, or willful violation of law on the part of any licensed or certificated man was involved so that appropriate proceedings against such person's license or certificate may be recommended and taken.

Fourth. Whether any person in the Coast Guard or any other Government agency was guilty of any neglect or inattention to duty contributing to the casualty.

CURRENT COAST GUARD PROGRAMS EDUCATION

The Commandant of the Coast Guard, Adm. A. C. Richmond, has been quoted as saying:

> Safety in small boating is the result of common sense, courtesy, and education. Whether a boat becomes a pleasure boat, or a menace to life and property, depends upon the manner in which it is maintained and operated.

This educational program by the Coast Guard receives major emphasis. During the year 1959, for example, the Coast Guard developed and produced two educational films for use by boating groups. One, on "Aids to Navigation," runs for approximately 14 minutes and presents, through animation and live action, the various aids to navigation, including lighthouses, lightships, radio beacons, loran, and elements of the buoyage system. Light and sound characteristics are demonstrated. Intracoastal Waterway types of aids are included. The second film is entitled "Rules of the Road for Boatmen," and also runs for 14 minutes. This movie presents, through animation and live action, the various meeting, passing, and overtaking situations, as well as small craft versus large vessels, and proper procedures in fog. During the year the Coast Guard also developed and circulated two television spots on safe boating.

During 1960 it already has produced a movie on "Search and Rescue—Pleasure Craft," which runs for 28 minutes. This film reveals the existence and explains the operation of the search and rescue network as it applies to surface craft, especially pleasure boats. It will detail specifically the proper procedures to be followed by vessels in distress in obtaining search and rescue assistance. Also produced is an informative presentation of the "Coast Guard Auxiliary," its mission, origin, history, organization, functions and accomplishments with emphasis on current and projected activities in the field of promotion of boating safety, which runs for 18 minutes. For fiscal year 1961 the Coast Guard is planning to produce two additional 18-minute films on safe boating.

On the average, each Coast Guard district will have 241 exhibitions with an expected total attendance of over 32,000 viewing these films during the coming season.

Also, on a year-round basis, the Coast Guard provides newspapers, yachting and boating magazines, and radio and TV stations, with considerable material on boating safety and allied subjects.

In addition to the foregoing, the Coast Guard publishes pamphlets and booklets setting forth various requirements and information for the guidance of the boating public. During the year 1959 the Coast Guard published, distributed and ordered the following:

Title:	*Number of copies*
Pleasure craft	2,700,000
Rules and regulations for uninspected vessels	50,000
Rules and regulations for the numbering of undocumented vessels and the reporting of boating accidents	100,000
Rules and regulations for small passenger vessels (not more than 65 feet in length)	15,000
Rules of the road (international, inland)	250,000
Rules of the road (Great Lakes)	40,000
Rules of the road (western rivers)	30,000

Also, at the present time the Coast Guard is in the process of publishing a publication for sale next month at 40 cents a copy through the Government Printing Office, entitled "Recreational Boating Guide," which is a guide manual for the beginning boatman.

COAST GUARD AUXILIARY

The Congress of the United States established the Auxiliary of the Coast Guard some 21 years ago, to promote small boat safety and education of the American public. During 1959 the U.S. Coast Guard Auxiliary continued its growth in members and public services in 511 communities across the continent and in Alaska and Hawaii, as well as in Puerto Rico. More than 100,000 pleasure craft were examined for equipment and safety standards, and 81,000 boatmen attended the educational courses presented by the auxiliary. Boating safety films were viewed by over a quarter of a million persons.

Many of the 18,500 members voluntarily assisted the Coast Guard in its operations. Two thousand four hundred cases of assistance and 590 patrols of regattas and marine parades were performed by this dedicated group.

The dramatic expansion of the organization and its activities is indicated as follows:

	1956	1959	Percent increase
Members	13,000	18,638	40
Facilities (vessels, aircraft, radio stations)	7,200	11,500	60
Courtesy motorboat examinations	35,000	94,353	170
Public instruction courses, attendance	27,000	82,000	200
Safety films, attendance	65,000	284,000	330

In my home area, the 9th Coast Guard District expects the auxiliary to handle some 45,000 persons in the instruction courses this year. Schools are now accepting some of the courses in the normal curriculum.

LAW ENFORCEMENT

As noted above, great emphasis is placed on the education of the boating public. As a tool for safe and sane motorboating, the Coast Guard's educational program regarding small boats is closely alined with its law enforcement program.

The Coast Guard has no separate organization established solely for small-boat law enforcement duties. The task is accomplished by its operating units in conjunction with their many other jobs. The principal means of enforcing the Federal boating laws and regulations are by boarding teams composed of personnel from approximately 160 shore units which have about 500 small boats assigned to them and 300 larger vessels. It should be stated that the time any particular unit of those noted above spends on this program varies greatly in accordance with its primary mission. These teams are dispatched to areas of boating concentrations and board primarily for the purpose of examining motorboats for compliance with Federal numbering and equipment requirements. While engaged in this endeavor, they are also available to take action against reckless or negligent operators, to assist those who may be in distress, and to further the educational program. In fiscal year 1959, the Coast Guard boarded about 180,000 motorboats and issued around 14,000 citations. The majority of these citations were for equipment violations such as failure to have the required number of approved lifesaving equipment and fire extinguishers.

One weakness of the above program is the fact that Coast Guard activity is limited in general to those areas within the geographical location of existing Coast Guard facilities. The Federal laws regarding motorboats apply to all the navigable waters of the United States. Many of these waters are located out of range of existing Coast Guard units. In an attempt to provide both law enforcement and educational activity to these areas remote from existing facilities the Coast Guard has obtained fiscal year 1961 funds to establish 20 mobile boarding teams. These teams will consist of four enlisted men, a lightweight outboard motorboat with trailer, and a vehicle suitable for hauling both personnel and trailer. They will travel overland from one water area to another, operating in each area for various lengths of time, depending on local need. Training courses will be conducted for the boating public, boats examined for proper equipment and other Federal boating laws enforced. When one area has been covered, the team moves on to another. In this way one unit can serve many different boating areas which, in themselves, do not warrant a permanent establishment.

The provision in the Federal Boating Act of 1958, which authorized the Coast Guard to impose a penalty of $100 on one who operates his vessel in a reckless or negligent manner, is considered to be most important as an aid to effective law enforcement. Prior to the enactment of the above act, an operator cited for reckless or negligent operation could

only be proceeded against under a criminal action. This procedure was cumbersome and could be used only for very aggravated cases. Now appropriate action can be taken against those whose actions are not serious enough to warrant criminal action, although the means exist for such action.

In the 6-month period beginning May 1, 1959, a total of 217 citations were issued which charged individuals with reckless or negligent operation. Of these 217 cases, 215 were processed or are being processed for Coast Guard action, while only 2 were of such nature that referral to the Department of Justice for possible court action was deemed appropriate.

Marine regattas are another area in which the Coast Guard promulgates and enforces regulations for the safety of boating, as previously mentioned. In fiscal year 1959, 1,243 missions were conducted by vessels and aircraft of the Coast Guard in the carrying out of this responsibility.

As described in discussing the act of April 25, 1940, the Coast Guard issues licenses to operators of motorboats carrying six or less passengers for hire. The present figures indicate that there are some 25,000 motorboat operators' licenses in effect.

Under Public Law 519, which was also referred to, which applies to vessels carrying 7 or more passengers for hire, the Coast Guard has issued 3,859 certificates of inspection to such vessels, and has issued 14,841 licenses as operators of small passenger vessels.

MOTORBOAT NUMBERING

One of the responsibilities under the Federal Boating Act which was delegated to the Coast Guard was the establishment of a nationally uniform system for the numbering of undocumented motorboats. This became the pattern by which the compatibility of all State systems is determined. It established uniformity as to numbering pattern, size, and legibility of all boat identification numbers displayed, including their location on each side of the bow and prohibiting any other number being shown. The Coast Guard had the task of numbering approximately up to 1 million boats beginning on April 1, 1960. The remaining millions of boats will be numbered by States having approved numbering systems.

The Coast Guard met the problem of numbering boats with a commonsense approach that whenever the owner of a boat has made application for a number and has paid his fee, he is in compliance with law and should not be hampered in the enjoyment of his boat. The problem of distributing the forms for application was solved with the cooperation of the Post Office Department, so that the owner of any motorboat required to be numbered by the Coast Guard will find the application in any first- or second-class post office, plus third- and fourth-class offices in States where the Coast Guard is responsible for the issuance of the numbers. There he can pay the fee by the purchase of a special $3 boating stamp, and the stub of his application—with a portion of the canceled stamp thereon—serves as a temporary permit under which the boat may be legally operated without further delay. The post office forwards all such applications to a newly established Coast Guard unit where all numbers be awarded. Production is so arranged that 10,000 embossed, indestructible, plastic pocket-size certificates can be issued per day, and mailed to the boatowner.

The numbering provisions of the Federal Boating Act of 1958 were not made applicable to Puerto Rico, the Virgin Islands, or Guam, but these areas should be incorporated into the act by early congressional action.

ACCIDENT REPORTS AND INVESTIGATIONS

As referred to earlier, Mr. Bonner's report stated that accurate and dependable statistics regarding boating accidents are almost nonexistent. Within the perimeters of the Federal Boating Act of 1958, the Coast Guard has taken direct and definitive action to compile statistics regarding pleasure boating accidents, which will become more important in future years in forecasting trends and highlighting areas needing special attention.

From the reports received to date, as well as those expected in the future, the Coast Guard will soon be able to release statistics showing the frequency of accidents according to the waters on which they occur, the age and experience of the operator, the length, construction, and propulsion of the boat involved, the type of accident, and the results—in deaths, injuries, and property damage. From this information the Coast Guard will be able to determine the major cause in a majority of the accidents reported. States having approved numbering systems are cooperating with the Coast Guard in this matter and that many States have used the Coast Guard boating accident report form as a model for their accident reporting systems. By the use of similar standards by both the Coast Guard and the various States, as contemplated by Congress in the Federal Boating Act of 1958. It should be possible to evaluate all statistics and reach logical conclusions whereby to improve boating safety.

As a followup to accident reports, the Coast Guard investigates serious boating accidents occurring on the navigable waters of the United States under the broad authority granted in R.S. 4450, as amended. Under this important duty, which was previously described in detail, the Coast Guard seeks to pinpoint the cause of the accident through the use of marine boards of investigation or trained investigators, and requires the witnesses to give sworn testimony, and witnesses and records may be subpenaed if necessary.

Based on boating accident reports received to date by the Coast Guard, a total of 2,750 accidents were reported between March 10 and December 31, 1959, which involved uninspected motorboats and other uninspected vessels used for pleasure or recreational purposes. Unfortunately, all too often accident statistics become mere numbers because we are not personally involved. The 2,750 reported accidents revealed some very distressing information: 408 persons lost their lives—358 by drowning and 50 by other causes—while 788 persons were injured and incapacitated for more than 72 hours. Capsizing was the most frequent type of fatal accident reported, causing 33 percent of all fatalities reported. Sixty-three lives were reported lost when their boats disappeared and it is presumed that they drowned. Twenty-four persons drowned when their boats sank. The largest number of accidents reported for a particular month occurred in July, with August and June next in order of frequency.

Probably the most shocking of all the tragic accidents occurred on September 22, 1959. While vacationing on Lake McKeever in the Upper Michigan Peninsula, 3 adults and 10 children "piled" into a 12-foot outboard motorboat. They all wanted to go in the same boat because it would be "more fun." This lake was familiar to them because they had been there many times to pick wild cranberries. No preservers were carried in the boat and none of the children had been provided with life preservers, even though many were unable to swim. When the boat was approximately 40 feet from shore it capsized. The only survivor was the father of the children who clung to the overturned craft. He was unable to save his wife, or any of his 10 children, or his 64-year-old brother. The negligence in overloading this 12-foot motorboat is obvious.

At church picnics we think of having fun, and another accident illustrates how easily fun can turn into tragedy. On May 25, 1959, on Lake St. Clair, five young persons were drowned while three girls were saved because a 16-foot motorboat capsized. This tragedy is attributed to a lack of boating knowledge. The following morning the three survivors were found clinging to the overturned motorboat.

In contrast with this accident was the reported accident off Moorehead City, N.C., last September. In this instance, a 19-foot motorboat struck a submerged object and capsized with two adults aboard the vessel. Twenty hours after the accident these two persons were rescued, having used their lifejackets, tied themselves together and kept each other awake. They knew that if they survived the night someone would very likely find them. At 6 a.m. the following day a fishing boat found them over 8 miles at sea, although the accident had occurred less than 2 miles from shore.

Tragedies occur so quickly, and chances are you cannot walk away from a boating accident.

REGULATIONS

In addition to carrying out the foregoing functions and programs, the Coast Guard is the principal maritime safety regulatory agency of the Government. The Commandant of the Coast Guard is authorized by statutes in the shipping and navigation and vessel inspection laws to promulgate regulations to further implement and support Federal statutory requirements affecting both inspected and uninspected vessels. In the field of inspected vessels, among which there are numerous pleasure boats, the Coast Guard prescribes requirements for

safety in design, safety equipment specifications, periodic inspection requirements, manning, and merchant vessel personnel examinations and licensing, as well as rules of the road. Regulatory measures with respect to uninspected pleasure boats involve such things as number and specifications for fire extinguishers, number and specifications for lifesaving appliances, numbering of certain boats for identification, proper arrangement and functioning of navigation lights, reckless or negligent operation, accident reporting, the licensing of motorboat operators for pleasure boats carrying 6 or less passengers for hire, and the rules of the road.

In the promulgation of such regulations the Coast Guard is required to conform to the requirements of the Administrative Procedure Act as well as the Federal Register Act. In carrying out these manifold obligations the Coast Guard has established a Merchant Marine Council to consider such matters, to hold appropriate public hearings, and to insure that preliminary coordination with those who will be affected has been established to the greatest possible extent.

One of the many practices employed by the Merchant Marine Council in carrying out these functions is to coordinate matters with groups of experts in various fields through established advisory panels. Two such panels are the Motorboat and Yacht Advisory Panel comprising some 26 experts representing industry, trade journals, and boating associations; and the Advisory Panel of State Officials, which was established last year to assist in cooperative measures with States to implement the Federal Boating Act of 1958 and to assist in carrying out the intent of Congress. I am pleased to report that the State of Michigan has a member on that panel. This panel held an important meeting in cooperation with the Council of State Governments on April 12 of this year, in which some 29 States participated, for the primary purpose of discussion with the Coast Guard specific areas for special cooperation and understanding with respect to the small boat safety program. The next meeting of this important group is scheduled to be held in Chicago on November 28 and 29, and all States are urged to participate.

AIDS TO NAVIGATION

The maintenance of aids to maritime navigation is one of the oldest Federal functions, the work of erecting and maintaining lighthouses being provided for at the first session of Congress by act of August 7, 1789 (the ninth law enacted by Congress). Twelve lighthouses which had previously been built by the Colonies were ceded to the new Federal Government, and became the nucleus of the present aids to navigation system. Over a period of 160 years the number of aids has steadily increased to meet expanding requirements. The United States today maintains 39,515 aids to maritime navigation composed of 56 loran transmitting stations, 196 radiobeacons, 10,352 lights, 22,596 buoys, 578 fog signals, and 5,737 daybeacons.

Aids to navigation are placed at various points along the Nation's coasts and navigable waterways as markers and guides to enable mariners to determine their position with relation to the land and to hidden dangers. They assist navigators in making landfalls when approaching from seaward, mark isolated dangers, make it possible for vessels to follow the natural and improved channels, and provide a continuous chain of charted marks for coast piloting. Used intelligently in conjunction with the charts and light lists, today's system of aids to navigation will assure the safe passage of commercial and pleasure craft through the navigable waters of the United States.

SEARCH AND RESCUE

As most of you know, the Coast Guard is responsible for providing search and rescue services in all waters under Federal jurisdiction. This includes the Great Lakes, most of our navigable rivers, and even some inland lakes created by Federal flood control, irrigation, and power projects.

The boating boom in virtually all sections of the country has placed even greater demands on the Coast Guard's search and rescue capability. In its attempts to keep up with demands for services, the Coast Guard plans, as I have indicated, to establish "mobile boarding and rescue teams" throughout the country, which also will be available for search and rescue. During the past year over 10,000 Coast Guard assistance cases, involving an estimated property value of $50 million, were attributed to pleasure boating. These ranged all the way from conducting a harbor check for the boatman who forgot to tell his wife he would be delayed to a full scale air-and-sea search for a genuine "overdue."

Typical of such cases was one that occurred last summer off Tillamook Bay, Oreg. About noon the local lifeboat station received word that 10 boats were laying to off the bar, unable to cross in, due to adverse sea conditions. A 36-footer was dispatched, but could only advise the craft to tie up to a buoy to await more favorable conditions. Unable to keep track of all the boats, the 36-footer requested further help. The CGC *Yocona* was dispatched from Astoria, Oreg., and on arrival at midnight removed 23 weekend fishermen from their 14- to 18-foot outboards. Needless to say, they were glad to be alive. Eventually, all 10 skiffs were hoisted on board the *Yocona* and at about 5 p.m. the next day the 23 fishermen and their boats were landed safely in Astoria.

COOPERATION OF OTHER AGENCIES

The education and law enforcement programs, the program of the Coast Guard Auxiliary, and the activities of the Merchant Marine Council are an indication of the breadth and scope of the cooperative effort required of the Coast Guard in the field of small-boat safety. This effort extends to all phases and facets of the small-boat field. It includes standardization societies, as well as industry and boating associations, other Federal agencies, and State governments, such as American National Red Cross, Boy Scouts of America, Army Corps of Engineers, National Park Service, National Fire Protection Association, U.S. power squadrons, National Safety Council, American Boat and Yacht Council, and Yacht Safety Bureau.

The Coast Guard has worked closely with the National Safety Council to assist them in a newly proposed program directed toward the promotion of recreational safety. The Commandant of the Coast Guard has appeared at the first recreation boating session of the National Safety Council in Chicago in October of 1958, and Mr. C. S. Greanoff, then national commodore of the Coast Guard Auxiliary, participated in the session in October of 1959.

The Coast Guard has supported the American Boat and Yacht Council in its efforts to develop standards for small pleasure boats. The ABYC seeks to "develop and make available recommended practices and engineering standards for improving and promoting the design, construction, equippage, and maintenance of small craft with reference to their safety." The council at this time has some 40 technical committees at work on as many individual subjects, such as hull materials—wood, reinforced fiberglass, aluminum—helm visibility, guidance for safe loading, cockpits, hatches, distress signals, galley items, fuel systems, electrical systems, glazing materials, definitions, and so forth. Many committees have submitted proposals and a few have been adopted as parts of the objective code. A strong effort to progress this standard development phase this year is in motion.

The Coast Guard endorses the efforts and program of the Yacht Safety Bureau to equip the boating field with the organized means to properly handle a complete program designed to guide the boating public toward safe, well engineered, marine products and boats. Essentially, that program consists of the development of code practices and standards for the safety of boats and their equipment, evaluation and review service for boat materials, items of boat equipment and eventually for complete boats, and a labeling program giving public evidence of adherence to the accepted standards or their intent.

The Commandant of the Coast Guard is a member of both the American Boat and Yacht Council and the Yacht Safety Bureau.

CURRENT STATE PROGRAMS

The Federal Boating Act of 1958 has caused every State to give serious consideration to the boating activities within its borders. To each it is a matter of major concern because, with the efficient trailers and good roads, inland States such as Nevada, New Mexico, Wyoming each have thousands of boats operating upon their lakes and streams. Michigan and New York each have over a million boats. There are well over one-quarter million boats in each of the following States: California, Illinois, Ohio, Texas, Florida and Minnesota.

Twenty-nine States had already passed numbering laws by April 1, 1960, and have probably commenced issuing numbers to at least 3 million boats. Some of these States, notably Arizona, Florida, Minnesota, Montana, Utah, and West Virginia had their system in operation

before the first of the year. Michigan started numbering all boats effective as of March 1, including boats of less than 10 horsepower. A number of the other States also will be numbering boats below 10 horsepower with cutoffs at 6 horsepower or lower. Some are numbering all watercraft, whether power propelled or not. As of June 20, six more States have had their numbering systems approved, and three additional are pending for possible approval by July 1.

Under the Federal Boating Act of 1958 all States with approved systems will furnish the Coast Guard with accident statistics.

FORWARD PLANNING

In a new booklet by the National Safety Council looking toward safety in the future entitled, "Safety in the Sixties," Vice Adm. J. A. Hirshfield, Assistant Commandant of the Coast Guard, has been quoted as follows:

> The increase (in boating) will take place not only on our present waterways, but in vast new areas of water suitable for recreation as a result of new flood-control and irrigation projects throughout the country. Not only will the number of boats increase, but the number of persons taking part in recreational boating will continue to grow. Only 3 years ago it was estimated that 28 million persons took part, whereas last year this figure jumped over 30 percent to 37 million.
>
> The effect of all this expansion will be to multiply problems which already exist on our congested waterways. The boating public will become increasingly aware of the hazards and liabilities involved, as well as the pleasures to be derived. There will be increased demands for boating education, for facilities, and for Federal and State enforcement. There will be increased emphasis by the public and the Government to curb reckless and negligent operation.
>
> The foregoing will result in increased pressure for uniformity of various safety requirements and measures among the several States and the Federal Government. Local and national clinics will devote more and more time and knowledge to the development of appropriate standards for education, for better facilities, and for reasonable regulation and enforcement. The design and construction of pleasure boats will become the subject of standardization on a national level.

Forward planning in small-boat safety will require the continued cooperation and effort by all those having a responsibility in this field. Continued emphasis must be placed on public information and education and upon uniform and appropriate law-enforcement programs. The public information programs of the Coast Guard and Coast Guard Auxiliary should receive continued support by Congress, as should the use of Coast Guard especially trained boarding teams, both for the educational benefits derived and to curb reckless or negligent operation.

The accident report statistics now being compiled must be evaluated to establish the causes and initiate corrective action. The evaluation made should encompass those controls, to which I earlier referred, which the Congress has not as yet found necessary to exercise, particularly with respect to operators' licenses, age limitations, and capacity limitations and seaworthiness of boats.

The Coast Guard should from time to time review the degree of uniformity of boating laws and regulations between the States and the Federal Government which has been achieved and keep Congress advised.

However, the effectiveness of a safe boating program does not stop here, because the same cooperation is essential between the manufacturers, the marine dealers, and the boating association, as well as other interested Federal agencies, under the leadership and guidance of the U.S. Coast Guard.

National Safe Boating Week—focusing attention upon the need of pleasure boatmen to know and comply with safe boating practices and regulations—will get underway Sunday, July 3. The growing success of this annual observance is particularly gratifying to the Coast Guard and its civilian affiliate, the Coast Guard Auxiliary—original sponsors—and to the many who previously have supported the event. The existence of this growing problem of boating safety was recognized several years ago. So, to arouse a high degree of safety consciousness among those not receiving instruction many auxiliary flotillas initiated safe boating weeks in their communities. In 1957 these individual programs were coordinated on a national level. In the 85th Congress it was my pleasure to assist in this important program by sponsoring a joint resolution authorizing National Safe Boating Week as an annual observance by Presidential proclamation.

To legislate commonsense and carefulness into the minds of almost 40 million boatmen is an impossible task. To attempt to do so by education and persuasion is a tremendous assignment and obviously beyond the capabilities of any one organization to carry out alone. A National Safe Boating Week Committee was established to solicit and coordinate the corporation of the marine industry, boating and safety groups. The present membership of the committee includes: U.S. Coast Guard, U.S. Coast Guard Auxiliary, American Boat and Yacht Council, American National Red Cross, National Council, Boy Scouts of America, Girls Scouts of the United States of America, U.S. Power Squadrons, American Yachtsmen's Association, National Association of Engine and Boat Manufacturers, National Safe Boating Association, Outboard Boating Club of America, National Safety Council, National Association of Marine Dealers, Yacht Safety Bureau.

These organizations have provided invaluable support and coordination. The committee demonstrates the effective instrument that can be welded by Government and private groups voluntarily joining in a public service.

I would urge all groups concerned with boating safety: "Don't miss the boat." Join in the numerous activities and promotions of National Safe Boating Week during the week of July 4.

WHEAT LEGISLATION

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. QUIE. Mr. Speaker, now that the Poage farm bill has been defeated, it is still possible to develop wheat legislation this year. The reason I do not include feed grain in this statement is that the Feed Grain Subcommittee of the House Agricultural Committee never held hearings this year, nor did the full committee ever consider any type of feed grain proposal—only the system whereby the development of legislation as proposed in title 2 of the defeated bill would be left to nine men outside of Congress. I have a feed grain proposal which I offered yesterday as an amendment but which never came to a vote. Even though I believe this to be the first-step solution to the feed grain problem, I know it would be impossible to push it further.

The Senate recently passed a wheat bill which our House Committee on Agriculture could immediately begin work on—changing it any way the committee, in its wisdom, desires. The most crying need for legislation at this late date is a bill to remedy the wheat problem. If we would put any personal or political purposes we might have aside and get at the work of developing an economically sound bill along the framework of the Senate wheat bill, this Congress could write a good record for farm legislation this session, as the people of the country expect us to do.

JOHN F. FLOBERG

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, our Government today is losing one of its most brilliant and able public servants in the departure of John F. Floberg from the Atomic Energy Commission for private employment as general counsel for the Firestone Tire & Rubber Co.

A political independent, Commissioner Floberg has well served both Republican and Democratic administrations in civilian capacities. He also served bravely, honorably, and effectively in World War II as an officer of the U.S. Navy for almost 6 years.

Those of us on the Joint Committee on Atomic Energy who have worked closely with Jack Floberg over the years have developed great respect for his brilliant, retentive mind and for his solid commonsense and judgment. We have seen him perform outstandingly as the Commission's expert on foreign relations and dealings. We have come to trust his words and his opinions on all phases of atomic development as those expressed by a highly intelligent, disciplined mind from a background of extraordinary knowledge.

Although all of us who know him wish him every continued success in his return to private life, I believe we share a hope that again, at some future time, the Nation may gain further substantial benefit should he ever consent to return to public life.

The following are pertinent portions of Commissioner Floberg's biography listed in Who's Who in America:

Floberg, John Forrest, lawyer and Government official; born in Chicago, Ill., October 28, 1915; son of Frederick Oscar and Emily (Jurney) Floberg; graduated Loyola Academy, 1932; A.B., Loyola University, 1936; LL.B., Harvard, 1939; married Cecilia Elizabeth Spencer, January 8, 1944. Member editorial board, Harvard Law Review, 1937–39. Admitted to Illinois bar, 1939, District of Columbia bar, 1953, practiced with Kirkland, Fleming, Green, Martin & Ellis, Chicago, 1939–41, 1946–49, same firm in Washington, 1953–57; member Atomic Energy Commission, 1957–60, Assistant Secretary of Navy for Air, 1949–53. Commissioned ensign U.S. Navy, 1941, and advanced through grades to lieutenant commander, 1945; executive and commanding officer U.S.S.S.C. 770, 1943; gun officer, U.S.S. *Goss*, 1944–45; executive and commanding officer U.S.S. *Bivin*, 1945–46; member Air Coordinating Commission, 1951–53; member Research and Development Board, 1951–53; counsel, second Hoover Commission, 1953–54; member of the American, Illinois, Chicago, and District of Columbia Bar Associations.

MEDICAL CARE FOR THE AGED

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROBISON. Mr. Speaker, in the separate views of the gentleman from Illinois [Mr. MASON] and others to the committee report accompanying H.R. 12580—Social Security Amendments of 1960—we find this statement:

We are not unmindful of the obligation of our society through individual effort and public and private programs to safeguard not only our aged but indeed every citizen against illness and infirmity that cannot be met, for one reason or another, through self-help.

That statement, in good measure, sums up my own position on this particular problem of America, 1960, throughout these past several months when we in Congress have witnessed something comparable to the drive organized by Dr. Francis Townsend in the 1930's for old age pensions. Four months ago it would have been difficult to find more than a handful of people outside of Washington who had ever heard of the Forand bill, which has been kicking around Congress for a number of years in its various versions, and even mighty few forecasters who would have predicted that this issue of health insurance for the aged would become either an urgent legislative problem or even a great political issue.

Nevertheless, even as Dr. Townsend served as the catalyst that, in great measure, gave impetus to our present farflung social security system and much of the other social welfare legislation now on the Federal statute books, so has Mr. Forand's proposal—perhaps even to his own surprise—served to focus much of the attention of all our citizens on this one problem faced along with many others by our senior citizens. The difficulty, as this has developed, has been not to allow oneself to be stampeded by the many self-appointed "Pied Pipers" in and out of Congress who have sought, for various reasons, to embark this Nation down new and unmarked paths that might be as hazardous as they were appealing. Those of us who have sought to run up what we thought were responsible warning flags have been accused of not only being against mother, but against her even when she is sick. It has not been a pleasant, nor a particularly reassuring experience when viewed from what one hoped was a position of legislative maturity.

As the letters and postcards bearing Biblical phrases, such as "Cast me not off in the time of old age," came pouring in in ever greater quantity and the panicky elements in both political parties vied with one another to see which one could "get thar fustest with the mostest" sort of plan, it began to look as if this issue, which by now was squarely on the election auction block, was going to receive not the long, cool look it deserved, but, instead, a rapid prescription in lieu of a careful diagnosis, which prescription by experience might well prove to be either ineffectual or conceptually in error. We reckoned not, however, with the cooler heads on the House Ways and Means Committee, and particularly with its very able and distinguished chairman, the Honorable WILBUR MILLS, from Arkansas, for whom, as a result of what he has been able in great measure to achieve here, my personal esteem has gone up a considerable number of notches.

Mr. MILLS' committee held long and difficult hearings, under even more pressure than we as individual Members of the Congress experienced, delving into this subject. It held a number of key votes, from which it became apparent that while the motivation behind the Forand proposal was of considerable merit, its approach to the problem involved some questionable issues, at least in the minds of a majority of that committee.

The economic problem of medical care in the United States has been steadily growing in magnitude. As the consumer price index, which for a time had been soaring off into outer space, slowed down to a more traditional climb from 113.5 in 1952 to 124.6 in 1959, a closer look at its component parts disclosed that the principal elements in that rise in prices were not in the area of food and clothing, as most people would have believed, but for such things as rent, transportation, and, in particular, medical and personal care. In the medical field, this seems to be because costs have had to keep pace with the rising standards of medical knowledge. There is nothing surprising about that, and the fact that all this bore the heaviest upon the older Americans goes without saying. With generally lower incomes than in previous years, they faced a virtual inevitability of increasing need for medical care.

Once this would have been regarded as an individual or a family responsibility. In modern-day America, however, in line with much of our other thinking as to the proper role of the Federal Government, it is a thing of community concern. I am not sure that this is good; I only know that it is so. As a result, although we already have certain cooperative devices, such as social security itself, group insurance plans, pension and other arrangements by private industry for its employees, medical help for veterans, and municipal and voluntary hospitals and clinics to cushion the effects of illness and age, and although the Federal Government is already committed to spending upwards of $3 billion a year in the health field, the public mood is such that it is almost a foregone conclusion that more is expected, if not, indeed, demanded.

It was our responsibility as legislators, as I see it, in trying to meet that demand, to seek to find and correct the certain inequities and shortcomings in the complex system of public-private efforts already existing in this field, but, at the same time, to only act if possible within the framework of existing governmental concern, preserving certain important values which would surely be lost—in terms of the quality of medical care, the personality of the individual and the effect upon the public purse—by any overall Federal commitment wherein Uncle Sam took upon himself the whole responsibility for the health care of everyone receiving social security benefits.

The Ways and Means Committee proposal, as embodied in H.R. 12580, answered, in my judgment, that call for such responsible action. It assigns to the Federal Government less responsibility and control than do any of the other proposals that have been advanced. It is a voluntary, not a compulsory plan, in its every aspect. It preserves the vital and traditional private relationship between doctor and patient. It leaves wide latitude to the States in their choice of a program to qualify for matching funds. It is the least costly of all the plans, and yet, if the States rise to the occasion, it will meet the present need. It makes no attempt to appeal to all the millions of aged persons, but instead seeks to meet the truest needs, which, after all, should be our aim. Perhaps that is its highest recommendation—that it is more responsive to need and less to political appeal than any other proposal that has yet been made.

I congratulate the committee, and particularly Mr. MILLS, for having brought this proposal to us. I have supported it, and the great majority of my colleagues have done the same. At the same time, I do not know what its fate will be in the other body. If, as rumors indicate, an attempt is made there and successfully, which carries on, through a conference, to the White House and the President's desk a bill which seeks to meet this same public demand through tampering with social security taxes a certain veto will ensue. In my judgment

that veto would be sustained, and perhaps that will make some people happier for they will then have, at the expense of the older citizen of America who needs and deserves our assistance, a "hand-forged" political issue which is not in the best interests of this Nation.

As for the rest of H.R. 12580, while a complex and lengthly measure, it would seem to have had due and proper committee study and to have likewise been fully worthy of our support. I do regret that the committee did not see fit to consider action on my bill, H.R. 2429, to raise the earnings limitation for retired persons from the present $1,200 to $1,800, which I think is long overdue, but I can understand that this perhaps cannot be done within the existing revenue limitations of the trust fund and the natural reluctance of the committee to raise the tax on earnings in this election year. Nevertheless, I hope that this particular issue will receive additional study and favorable action in the near future, as surely this would be one way in which to alleviate the problems faced by our senior citizens in areas broader than that posed simply by the need for adequate medical care.

I particularly approved the removal of the present 50-year restriction on disability benefits, which would bring into the benefit class an estimated 250,000 disabled workers whose need for protection, in many cases, is greater even than that of the older disabled person. That this can be done within the actuarial soundness of the program, and at the same time permit a saving in public-assistance funds estimated at $28 million in the first year is ample evidence of the wisdom of this move.

PUBLICITY ON EXPENSE ACCOUNTS OF CONGRESSMEN

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BURLESON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BURLESON. Mr. Speaker, all of you are aware of the unfavorable publicity recently heaped upon certain Members of this body, as well as the criticisms of the system of reporting and making public expense accounts of individual Members.

It is not my purpose to defend, excuse or reply to recent articles in newspapers and magazines which have attacked many of you and myself. In the first place, not many people are really interested in explanations, and second, it is our own fault that we have a system which permits the "bounty hunters" to sell half truths and insinuations to publications who have an ax to grind and an ulterior motive to accomplish.

Your House Administration Committee has now taken action to correct procedures, which not only should prevent indiscretions on the part of Members and committees, but which I think will be a greater guarantee of freedom of information.

As now provided, it is only practicable for a well organized group of newspaper and magazine reporters to make a proper search of the records. It is not possible for a single reporter to do very much in the way of getting a story for the paper he represents. The legitimate and conscientious reporter, which constitutes the vast majority here around the Capitol, is not only at a disadvantage but is in an impossible position in comparison to the "bounty hunters" who make it their special mission to only get the part of the story for sensationalism.

The House Administration Committee has now revised our rules and regulations in a way calculated to give full information to the public and all news media on equal terms. As adopted by the Committee on House Administration, the allowances for Members' expenses, when in a legitimate travel status, is the same as applicable to Government employees and the U.S. Senate. It provides for a per diem at $12 per day, with the provision that if the chairman of the committee of which the Member claiming expense belongs requests prior approval from the House Administration Committee, up to $25 a day may be allowed. In this instance it is necessary that the Member report in itemized detail the supporting data of his expenses to his chairman. When the chairman of the particular committee approves the account he submits it to the House Administration Committee. In such an instance the committee is asking that the General Accounting Office conduct a preaudit and recommend approval or disapproval by the committee before a check is issued on the voucher.

When accounts are approved they will again be audited within the criteria layed down by the committee for legitimate expenditures, and if approved, the check is issued to the payee. Thereafter, the General Accounting Office will again conduct their postaudit and the Clerk will make his annual report to the Speaker of the House, who will then refer the report to the House Administration Committee, as is now the procedure. The entire report of the Clerk of the House will be printed in one bound volume and made publicly accessible.

Mr. Speaker, the Committee on House Administration further proposes to have the current fiscal year expenditures printed in this manner, and also those for prior years as far back as it is indicated there may be interest. At the present time we expect to start with the fiscal year 1959.

As these efforts proceed we may find other actions appropriate which will give stricter accounting and more available information for the protection of every Member of this body. I know that the Committee on House Administration will have the cooperation of all Members, and especially the chairmen of the various committees upon whom devolves the responsibility of first authorizing the activity necessitating travel and expenses, and second, in carefully checking reports to see that they are within the criteria layed down and within the strict scope of activity which they previously authorized. There is no merit in placing the blame on staff people for having heretofore handled these matters in a somewhat routine matter. Our staff people have only done what we authorized and permitted. It would be most uncomplimentary and most unjustified to charge them with responsibility which can only be our own. We all have more than we can do with the duties imposed upon us by the Office, but it is simply a matter of doing more.

This is not a new proposition by any means. For more than 5 years we have considered these matters at intervals, with the knowledge that reforms should be instituted. Under the pressure of necessary business, we have delayed. I suppose we should give credit to the sellers of the type of propaganda lately published for lending impetus for the correction of this situation. It is unfortunate that by so doing, they are able to destroy a degree of confidence in the people's elected officials far greater than a subversive group working in our country toward that purpose.

In addition, Mr. Speaker, I have introduced two measures providing for the detailed accounting by individual Members of so-called counterpart funds spent in foreign travel. These measures have been referred to the Foreign Affairs Committee since they propose to amend the Mutual Security Act which, of course, is under the jurisdiction of that committee.

One of these measures is fundamentally the same as the amendment in the legislative appropriation bill just passed by the Senate. I have introduced this measure in the hope it will lend support to the Appropriation Committee conferees of the House to accept the Senate amendment. In the event the amendment is not accepted, then I propose it be considered separately by this body.

The second measure is applicable only to the House of Representatives and does not include the Senate, which gives a choice of procedures.

These two measures settle, once and for all, this particular controversy, although with experience neither may be found perfect. It does, however, differ from the present provision which requires that the committee submit a complicated report of total expenditures rather than by individual Members.

THE CITY THAT REFUSES TO DIE

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I rise to comment briefly on a bill I am introducing today and to pay tribute to a city which is exhibiting the sort of heart and spirit that is characteristic of the best in the American character. The city of Umatilla, Oreg., is located on the Oregon shore of the Columbia River. On occasion it refers to itself as the "hub city for the Columbia River Basin." It might also be called the city that refuses to die.

Ten years ago, Mr. Speaker, Umatilla was a relatively small but important

transportation center for its geographic area. It had terminal status for the main line of the Union Pacific Railroad and it was, as well, a terminal point for trucking, barge and oil transportation facilities, and the site of a major grain elevator. It was a city that could, with confidence, expect continued growth as the industrial potential of northeastern Oregon was developed. With its importance as a transportation center and its strategic location on the river, it could expect industry to look with favor on it as an advantageous site for locating.

Today, the city of Umatilla is in a fight virtually for its existence. Its terminal status for rail and truck transport is practically gone. Its population is greatly reduced and its local government has been faced with increasingly severe revenue problems as the city's economy has gone downhill.

What happened? Ironically, the very development of the Columbia River's resources which means so much to the growth of the area has had certain side effects which threaten to cut off the city of Umatilla from its logical part in that growth. It began with the construction of McNary Dam and the relocation, as a part of that project, of the rail facilities to a new route, some 13 miles east of the city. This move was unsuccessfully fought by the city and resulted, as they had feared, in a sharp blow to their economic situation. As I have indicated, river and trucking transportation facilities, and especially those concerned with petroleum distribution, have been virtually eliminated. New pipeline facilities in the area have also contributed to this result.

The consequences for Umatilla can be indicated by the following facts. Population has fallen by more than 25 percent in the past 10 years, while that of the rest of the county was increasing. The loss of employment and payroll consequent upon the relocation of the railroad, the severe cutback in other transportation facilities, and the completion of construction of McNary has naturally been substantial. The city's tax base suffered a major reduction at the same time that needs and costs here, as in other communities, were rising sharply. Total assessed valuation in the city itself fell by about 25 percent between 1952 to 1953 and 1959 to 1960. In the school district the effects were even more drastic, with assessed valuation dropping by nearly 50 percent. Coupled with increasing school costs, the millage for the district more than doubled in this period.

The people of Umatilla have not opposed continuing development of the Columbia. Though they feel that the construction of the project should have taken more account of adverse effects on the city, particularly in relation to the removal of the rail line, and that they should not be forced to suffer economic dislocation without some consideration, they recognize that change is both inevitable and desirable. Their spirit is exemplified by the way in which they turned their attention to the challenge of change and exerted their efforts to rebuild their economy and continue to take part in the economic growth of the region. After the completion of McNary Dam, the city secured, through legislation which we in Congress enacted, the land of the McNary townsite for use as an industrial development site. It was leased to a steel products firm which is manufacturing trailers there. In spite of the setback which had been suffered, Umatilla continued to face the future with courage and confidence.

The initiation of still another major dam on the Columbia, the John Day project, was seen by the city as a new challenge and opportunity. They had already set out to develop port facilities on the McNary pool and with the prospects of the John Day pool also reaching up to Umatilla's river frontage, it was felt that further development of the city's industrial potential would be possible. A new and even ruder shock awaited Umatilla, however, again stemming from what they justifiably feel is a lack of consideration for their legitimate interests in the way the project is being planned.

The John Day pool would flood out a portion of the present city. The people of Umatilla expected that, in the course of events, the Corps of Engineers would acquire the threatened acreage and the city would still be left with pool frontage which could be developed as further port facilities and that the adjoining area would constitute a natural industrial site. The corps determined, however, that it would cost less to protect the threatened acreage with a dike than to acquire it. Such a dike, though it would fulfill the corps' responsibility to protect the area from flooding, would completely cut off from the pool the portion of Umatilla lying behind it and destroy the city's hope for meeting this new challenge of change and turning it into an opportunity for economic growth and full development of the city's potential for again being a transportation and commercial center of some importance.

I have conferred at length with representatives of the Corps of Engineers on this problem. I fully understand that their choice of the dike is based on the existing general legislation covering the construction of such projects. At the same time, I feel that such a course, if continued in, would be grossly unfair to the people of Umatilla and would, in fact, not represent the best use of economic resources. Industrial development on the John Day pool front such as is hoped for by Umatilla would be valuable to the economy of the whole region. It makes economic sense, in my opinion. For those reasons, I asked the corps to prepare a draft of the necessary legislation to authorize a fill of the threatened area in lieu of a dike and to provide that this area, when so protected, would be returned to the city of Umatilla for its development in accordance with its plan to rebuild its economy and take a renewed lease on life.

I am today introducing a bill based on that draft legislation. In my opinion, this legislation is fully justified on two basic grounds. First, it represents appropriate recognition of the fact that in developing the resources of the Columbia River, we have threatened a city and its people with economic ruin. It should not be the policy of our great Nation to disregard the tangible and intangible effects of these projects on the city of Umatilla. To do so, would be, in effect, to saddle this community with an unfair share of the economic costs of river development. It is unfortunate perhaps that our existing legislation does not adequately provide for an allocation to a project of these indirect costs. Certainly, the total economic return from the projects is great enough to warrant their construction in spite of the temporary economic dislocation which may result. Umatilla recognizes this. They ask only that they not be forced to carry the full burden. They ask instead that the project be modified to eliminate this side effect on them and to furnish in its place an economic opportunity which they feel they are fully capable of utilizing.

Second, I regard this bill as desirable because, as I have indicated, it seems to me that the project with a potential for increased port and industrial facilities at Umatilla is a superior project, economically, to one that does not have such a potential. The traditional way of preparing a feasibility report may not allow for a specific dollar-and-cents accounting on this point, but it appears to me that its economic soundness is clear.

This legislation is not without precedent. This Congress last year enacted legislation relative to the city of Arlington, Oreg., to make possible a fill and a relocation of a portion of the city in place. The legislation introduced today is, in fact, patterned on this existing public law.

In conclusion, Mr. Speaker, I ask my colleagues to give careful and sympathetic consideration to the proposal I am making. It deserves favorable action, I believe, on the basis of equity and economics. It is, moreover, an opportunity for all of us to pay tribute to the initiative, courage, and tenacity of the people of Umatilla, a city that refuses to die and asks merely that we give it a chance to live.

COMMUNIST ACTIVITY IN THE UNITED STATES

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WALTER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WALTER. Mr. Speaker, the bill which I have just introduced, prohibiting Communist lawyers from practicing in the Federal courts, in executive departments and before congressional committees, is designed to cope with one of the serious problems of Communist activity in the United States.

Several months ago the Committee on Un-American Activities issued a report entitled "Communist Legal Subversion—the Role of the Communist Lawyer." In this report the committee points out

that there is an elite corps of Communist lawyers who use the legal instruments of our society for the destruction of the very government which sustains it.

In the past decade alone, our committee report states, identified Communist lawyers appeared in person before the U.S. Supreme Court or were on the principal brief in at least 32 important cases adjudicated by the Court on some vital issue affecting the operations of the Communist Party itself—but in none of these cases did the Court indicate its awareness that the lawyers who were practicing before it were themselves members of the Communist conspiratorial apparatus. In connection with our committee hearings on other subjects, more than 100 persons who have been identified as members of the Communist Party have also been identified as members of the bar.

I need not emphasize that a Communist operates under an iron discipline which places his party's subversive purposes above professional and personal loyalties. Here are words from a Communist pamphlet:

> A Communist must utilize a political trial to help on the revolutionary struggle. Our tactics in the public proceedings of the law courts are not tactics of defense but of attack. Without clinging to legal formalities, the Communist must use the trial as a means of bringing his indictments against the dominant capitalist regime and of courageously voicing the views of his party.

The Special Committee on Communist Tactics, Strategy and Objectives of the American Bar Association when confronted with these issues urged the disbarment of lawyers who are found to be members of the Communist Party or who invoke the fifth amendment regarding party membership.

RELOCATION OF PART OF CITY OF ARLINGTON, OREG.

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ULLMAN. Mr. Speaker, in the last session we enacted legislation to allow for the equitable relocation of a part of the city of Arlington, Oreg., which was threatened with inundation by the pool which will result from the John Day lock and dam project. As we all know, the usual procedure in such a case is for the Corps of Engineers to acquire the threatened land. This was not feasible in the case of Arlington because the surrounding terrain is such that the displaced people and businesses would have had no place to relocate their homes and establishments.

To meet the needs of the situation, it was provided under the law approved last year that the corps would acquire the land in question and then carry out a fill, raising the area to a safe level. Following this, it is to be returned to the city of Arlington so that homes and businesses can be relocated on it. In brief, it is a relocation in place.

Since enactment of that measure, an aspect of this procedure has developed which is of understandable concern to the city. As is true of most local communities, the city of Arlington has an outstanding indebtedness. In its case the current balance is about $19,000 in general obligation bonds issued to finance water facilities for the community. In addition to this fixed obligation, there are certain regular costs of local government which must be paid, month in and month out—police, fire protection, city administration, and the like.

Again, like most local governments, Arlington depends largely on property taxes as a source of municipal revenue. The problem which has developed is obvious. With the Corps of Engineers taking over for a period of time title to a substantial part of the land in the city, the major source of tax revenues is withdrawn and the city is left without revenues sufficient to meet its fixed obligations. It has been estimated that the land which will be taken over by the corps will account for nearly 80 percent of the taxable property value. This is clearly an impossible situation from the standpoint of the city.

Consultation with the Corps of Engineers reveals that existing law makes no provision for this sort of a situation. For that reason, I have had prepared and am today introducing legislation which would authorize compensation to the city in lieu of the taxes it will lose during the period that the Corps of Engineers has title to land within the city limits. The justice of this proposal speaks for itself, it seems to me. If the people of Arlington were, as is usually the case, relocating on new sites, they would be establishing new taxable property to offset that lost through acquisition by the Corps of Engineers. Legislation such as I am introducing would not be necessary.

In Arlington, however, this is not the case. The situation is such that we recognized last year the need, in equity, to allow for a relocation of the city in the same place. During the period that the fill is in progress then, there will be a temporary withdrawal from the tax base of a large amount of property and this will not be replaced until relocation is completed and title to the property is once more given up by the Corps of Engineers. During the transition period the city's government will have to continue to operate. It will continue to have expenditures which it must make. But where is the revenue to come from during this period? In all justice it must come, it seems to me, from the same taxable base as existed before and will exist again. This is just a part of the cost of carrying out the relocation. I thus regard the bill I am introducing as a necessary amendment to the measure passed last year. I hope that my fellow Members will give it the careful and sympathetic consideration which I know it merits. A failure on our part to act in this matter would put the city of Arlington, through no fault of its own but as a result of a Federal project authorized and directed by the Congress, in a most untenable position.

OUR ISTHMIAN POLICIES MUST BE DEFENDED AGAINST BOLSHEVIST ATTACK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, on many previous occasions I have addressed the House on the politically important question: Shall the sovereignty of the United States over the Canal Zone and Panama Canal be captured by communistic psychological warfare? So much has already been presented with careful documentation that there is little of prime historical or juridical value that would add to our understanding of the facts or law.

Yet, because of the failure of the psychological elements of our mass media, in what amounts to an effort to confuse our position through a method we are now familiar with and which may be called Communist propaganda, we find ourselves in a situation that is urgent and requires immediate attention. Also, the people of our country are not as well informed as they should be with respect to our obligations and rights at Panama because of a shortage of news circulation on the American side of the Canal Zone sovereignty question.

The failure, Mr. Speaker, has created an intellectual vacuum, which, in a psychological sense, has opened an unguarded field for subversive elements, eagerly engaged in their drives for wresting control of the Canal Zone and Panama Canal from the United States.

In an attempt to correct the situation into which we are drifting and to meet the barrage of violence directed against the United States to coerce our yielding to extortionate demands, I introduced in the Congress a series of concurrent resolutions. This I did acting on the conclusion that the work of combating this strange psychology is left to the Congress of the United States.

House Concurrent Resolution 33, introduced on January 9, 1959, provides for a reaffirmation of our treaty-based national policy of exclusive control of the Panama Canal. House Concurrent Resolution 445, introduced on January 6, 1960, provides for extension of the Monroe Doctrine to include foreign interference in American problems by subversive forces known as international communism. House Concurrent Resolution 450, introduced on January 11, clarifies the question of U.S. sovereignty over the Canal Zone granted under treaty and prohibits agents of our Government agreeing to a formal display of the Panama flag over the zone, unless or until, of course, the present treaty is so modified as to admit of it. Other Members of the Congress, in both House and Senate, have introduced similar measures and made many statements on the Monroe Doctrine and Canal Zone sovereignty questions, without these defensive efforts in our Nation's interests receiving display in our national press at least equal to that for efforts to overthrow our sovereignty by force backed up by mob violence.

The first result of these efforts was the introduction by Representative ARMISTEAD I. SELDEN, JR., of Alabama, of House Concurrent Resolution 459, and its passage on February 2, 1960, after a notable debate, by the overwhelming vote of 381 to 12.

This measure was worded to express the sense of the Congress, "that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters involving the provisions of such treaties concerning territorial sovereignty, shall be made only pursuant to treaty."

Though this resolution, House Concurrent Resolution 459, did not specifically mention the demand of Panama for the formal display of the Panamanian flag over the Canal Zone, which would clearly open up a Pandora's box of conflicting sovereignty under the 1903 treaty, this feature was covered by the terms of this resolution and was so intended. As such the passage by the House of this resolution was the first successful step in upholding the just rights of the United States in many years with regard to Isthmian policy matters.

But the House did not stop there. To defend the United States against lawless actions of employees of our Government, on February 9, the House adopted the Gross amendment to the Department of Commerce appropriation bill. This amendment provided that no part of its appropriations should be "used to construct a flagpole, platform, or any other device for the purpose of displaying the flag of Panama in the Canal Zone, the sovereign control of which is vested in the U.S. Government by virtue of longstanding treaty."

This provision has now been enacted into law and would be conclusive as a definite ending of the word battle on this subject if the agents of our Government and our people could be adequately informed through the usual means of communication.

Meanwhile, the Senate, under pressure emanating from the Department of State, did not act on House Concurrent Resolution 459. Nor has the House taken action on the three concurrent resolutions introduced by me, which are still pending before the Committees on Foreign Affairs and Merchant Marine and Fisheries, and which I now urge for action at this session in order that the Congress may do its part in bringing stability at the earliest possible moment in the Canal Zone.

The failure of the Congress to act on the various measures relating to the Monroe Doctrine and Panama Canal sovereignty questions has had unfortunate consequences. As predicted, this failure has been interpreted as weakness and indecision on our part. Also active propaganda against the United States has been revived in the Spanish language press of Panama, with agitations started for another mob invasion of the Canal Zone on November 3, 1960.

That, Mr. Speaker, must not be allowed to happen. I do not desire to have the sterile satisfaction of being a prophet any more regarding our relations with Panama.

Returning now to the three concurrent resolutions introduced by me, when it appeared likely that, because of the appeasement attitude of the Department of State, the Congress would not pass them, on May 3, 1960, I introduced a series of three House resolutions identical with the concurrent resolutions.

House Resolution 515 would extend the Monroe Doctrine to cover intervention through subversion. House Resolution 516 would reaffirm our policy of exclusive control over the Panama Canal, and House Resolution 517 would clarify the question of sovereignty and prohibit the formal display of the Panama flag over the Canal Zone.

Despite the fact, Mr. Speaker, that House resolutions do not require either Senate concurrence or Executive approval, the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from North Carolina [Mr. BONNER], referred House Resolutions 516 and 517 to the Secretary of State for recommendations.

In view of the notorious policy of surrenders at Panama fostered over many years by officials in the Department of State, any reasons for seeking its views as to what should be the sense and judgment of the House seem to be unnecessary. It is fortunate, however that these measures were so referred because the position of the State Department has been revealed.

In two replies, signed by Assistant Secretary of State William B. Macomber, Jr., dated June 2, 1960, and forwarded to me by Chairman BONNER, the Department of State opposed adoption of both of these House resolutions.

As to House Resolution 516 concerning reaffirmation of U.S. policy of exclusive control over the Panama Canal enterprise, Assistant Secretary Macomber stated:

> In the view of this Department, the United States does not have the right under existing treaties to transfer U.S. rights with respect to the Canal Zone to any international organization or to any other country.
>
> Further, should it be determined at any time by the appropriate authorities of this Government that it would be in the best interest of the United States to change the treaty structure between the United States and Panama with reference to the Canal Zone, the appropriate procedure therefore would be through the treaty process.
>
> The Department believes that this resolution is unnecessary and therefore recommends that it not be adopted.

With the statements of law and facts in this letter, Mr. Speaker, I heartily concur, but as to its conclusion, I emphatically disagree. The purpose of House Resolution 516 is not to establish our legal rights at Panama, but to make definite what the law is and to serve notice on the world of our firm intention to stand by our solemn treaty rights and obligations.

If the Department of State, by vigorous public statement about matters of our Isthmian policy of the quality of those of Secretaries Hay and Hughes, had made clear what our policies are, House Resolution 516 would, indeed, be unnecessary. But this the Department has not done and our position has become jeopardized by unanswered hostile propaganda aimed at wresting control of the Panama Canal from the United States. This, Mr. Speaker, I wish to emphasize is a prime Communist objective, which is apparently agreeable to elements in our Department of State.

The failure of the Department in this vital policy question makes imperative that the House, as a coordinate branch of the Congress, act along the lines outlined in House Resolution 516 to reaffirm our historic and tested policy of exclusive control of the Panama Canal. Without such policy the canal could never have been built and could not now be successfully maintained, operated, sanitated, and protected.

In this general connection, I do not mean to say that the Department of State intends to interfere with an established policy but I do say that it is incumbent on this Department to make clear whether such is or is not its intent. Its silence certainly encourages, in the greatest degree, the radical Panamanian policies on this subject.

As to House Resolution 517 clarifying Canal Zone sovereignty questions and prohibiting the formal display of the Panama flag over the zone, Assistant Secretary Macomber commented as follows, particularly with respect to the "resolving" clauses:

> So far as paragraph (1) thereof is concerned, it should be pointed out that on November 24, 1959, Under Secretary of State Merchant reaffirmed and made it clear that the United States recognizes that the Republic of Panama has titular sovereignty with respect to the Canal Zone.
>
> So far as paragraph (2) is concerned, it may be commented that the matter of the possession and exercise of sovereign rights, power, and authority within the zone mentioned in article II of the 1903 convention between the two countries is controlled by article III of the same convention.
>
> So far as paragraph (3) is concerned, the Department knows of no law, treaty, or international usage that would be violated by the United States formal display in the Canal Zone of the Panamanian flag.
>
> On behalf of the executive branch, the Department of State feels the necessity of calling to the attention of the committee the fact that House Resolution 517 bears very directly, and potentially injuriously, upon the relations between the United States and the Republic of Panama.
>
> It is the recommendation of this Department that the resolution not be adopted.

Now, Mr. Speaker, let us look closely at the contents of these two letters. In the light of our knowledge of Isthmian policy questions, they are truly shocking. They have little or no validity except as a rationalization of the belief on the part of their authors that the day of the United States as an independent power must end and that the struggle to maintain the principle that governments derive their powers from the consent to the governed must give way to autocratic dictatorship as the sole rule for the nations of the world to adapt to modern conditions.

More specifically, from these two letters it is obvious that the Department of State does the following.

First. Ignores the grimly grave conditions in the Caribbean, which has become a fourth subversive front with the Panama Canal as the key target.

Second. Intimates that undisclosed appropriate authorities of our Government have in mind a change in the treaty structure between the United States and Panama with reference to the Canal Zone, under an ill-conceived policy of appeasement and surrenders.

Third. States that Under Secretary of State Merchant reaffirmed and made it clear that the United States recognizes that the Republic of Panama has titular sovereignty with respect to the Canal Zone, but fails to define the word titular in its true sense of reversionary.

Fourth. Falls into the trap of political confusion over sovereignty and jurisdiction: by undiscriminating use of the terms "possession" and "exercise" of sovereign rights, power, and authority over the Canal Zone.

Fifth. Supports the formal display in visible evidence of Panamanian titular sovereignty over the zone, despite the prohibition by 1960 statute of the expenditure of Government funds for the purpose of displaying the flag of Panama in the Canal Zone and the oft-expressed opinion of Panamanian leaders that such display will mean full sovereignty by Panama with all its attributes.

Sixth. Expresses the opinion that for the House of Representatives to declare itself with respect to the sovereignty and flag questions would bear directly, and potentially injuriously, upon the relations between the United States and the Republic of Panama a view that contradicts the legal effect of the treaty and which, in the light of the tremendous responsibilities of the United States for the maintenance, operation, sanitation, and protection of the canal, makes it inadvisable to allow any controversies over the rights conveyed to the United States under the 1903 treaty.

Seventh. Recommends that House Resolutions 516 and 517, which are for the purpose of expressing the sense and judgment of this body, not to be adopted by the House of Representatives.

How are these facts, Mr. Speaker, to be interpreted? From the record of United States-Panama relations since 1953, they can only mean that influential elements in our Department of State in their announced efforts to appease, are determined to bring about further surrenders at Panama and to authorize the formal display of the Panama flag over the Canal Zone as an evidence of Panamanian sovereignty. This could only lead to unending controversies inherent in dual sovereignty.

As one who has been in close touch with the Isthmian situation over a period of years, I think that I voice that determination of the people of the United States and their Congress that such ignominious surrenders to political blackmail will not be tolerated.

Not only that, Mr. Speaker, growing numbers of thoughtful people in the United States, Panama, and other countries, have become alarmed by our sustained failures at Panama. They are now asking: What are the infiltrations and influences in the Department of State, which ignoring treaty, statute, international usage, and the imperative need for preserving stability in the Canal Zone, seem set on creating precedents that could only lead to disaster and eventual loss of the Panama Canal? Moreover, Mr. Speaker, there is a growing need for the Congress to identify these influences and the individuals who implement them.

In this connection, I would add that after return of Under Secretary Merchant from his November 1959 visit in Panama, the President, apparently fed inadequate information, did make some unfortunate statements along the lines indicated by Mr. Merchant. Later, however, after the President received more reliable reports, he seemed to return to our historic and tested Isthmian policies, and even urged the Monroe Doctrine before the Congress of Brazil during his trip to South America.

Now the President faces the situation where lower echelon bureaucrats in the Department of State are undermining his proposal for renewed application of the Monroe Doctrine. Such administrative sabotage, Mr. Speaker, is nothing new to experienced observers of Government operations but rather commonplace.

The condition clearly calls for a housecleaning of such elements in the Department of State and their replacement with officials more conscious of their oath of office, which binds them to support and defend the Constitution of the United States against all enemies, foreign and domestic, as well as the just and indispensable rights and authority of the Nation.

As an illustration of the stupidity of allowing the formal display of the Panama flag over the Canal Zone, let us assume that it is hoisted and that later Panama merges her sovereignty or independence in another government, union, or confederation. What flag would then fly?

Such a situation was clearly foreseen by the framers of the 1903 treaty, which specifically provided that in event of change of Panamanian sovereignty the rights of the United States over the Canal Zone and Panama Canal shall not be in any respect lessened or impaired. Why is it, Mr. Speaker, that our officials of today are not equally far visioned?

Corroborative evidence over a long period of time shows conclusively that we cannot expect proper leadership from our Department of State on Isthmian policy questions. The time for action is long overdue. The House of Representatives, as a coordinate branch of the Congress, should take the initiative without further delay and pass the House resolutions setting forth its view on these vital political policy matters.

Finally, let me say, that while the Department of State, for reasons that cannot be understood, takes the position that formal display of the Panama flag in the Canal Zone would mean no diminution of United States sovereignty over the Zone, the whole Panamanian movement for such display is based on the contention that the full sovereignty of Panama over the Canal Zone would be so recognized by the United States and that the final Panamanian objective of nationalization of the Panama Canal would thereby be advanced. In this connection, it is significant that the Department of State has never obtained and, in fact, can never obtain, an official statement from the Panama Government that such formal display of the Panamanian flag over the Zone would mean no more than a theoretical titular, or reversionary interest of Panama in the Canal Zone territory.

What is back of these situations? Is it cowardice on the part of our officials or the treasonable influence of the international Communist conspiracy on the formulation of our Isthmian policies?

In order that the texts of the three indicated House resolutions may be readily available, they are quoted:

HOUSE RESOLUTION 515

Whereas the subversive forces known as international communism, operating secretly and openly, directly and indirectly, threaten the sovereignty and political independence of all the Western Hemisphere nations; and

Whereas the American continents, by the free and independent position which they have assumed and maintained, are not subject to colonization or domination by any power; and

Whereas the intervention of international communism, directly or indirectly, or however disguised, in any American State, conflicts with the established policy of the American Republics for the protection of the sovereignty of the peoples of such states and the political independence of their governments; and

Whereas, such a situation extended to any portions of the Western Hemisphere is dangerous to the peace and safety of the whole of it, including the United States: Now, therefore, be it

Resolved by the House of Representatives, (1) That any such subversive domination or threat of it violates the principles of the Monroe Doctrine, and of collective security as set forth in the acts and resolutions heretofore adopted by the American Republics; and

(2) That in any such situation any one or more of the high contracting parties to the Inter-American Treaty of Reciprocal Assistance may, in the exercise of individual or collective self-defense, and in accordance with the declarations and principles of above states, take steps to forestall or combat intervention, domination, control, and colonization in whatever form, by the subversive forces known as international communism and its agencies in the Western Hemisphere.

HOUSE RESOLUTION 516

Whereas there is now being strongly urged in certain quarters of the world the surrender, by the United States, without reimbursement, of the Panama Canal, to the United Nations or to some other international organization for the ownership and operation of the canal; and

Whereas the United States, at the expense of its taxpayers and under, and fully relying on, treaty agreements, constructed the canal, and since its completion, at large expenditure, has maintained and operated it and provided for its protection and defense; and

Whereas the United States, following the construction of the canal, has since maintained, operated and protected it in strict conformity with treaty requirements and agreements, and has thus made it free, without restriction or qualification, for the shipping of the entire world; and, in consequence of which, with respect to the canal

and Canal Zone, every just and equitable consideration favors the continuance of the United States in the exercise of all the rights and authority by treaty provided, and in the discharge of the duties by treaty imposed: Now, therefore, be it

Resolved, by the House of Representatives, That (1) it is the sense and judgment of the House of Representatives that the United States should not, in any wise, surrender to any other government or authority its jurisdiction over, and control of, the Canal Zone, and its ownership, control, management, maintenance, operation, and protection of the Panama Canal, in accordance with existing treaty provisions; and that (2) it is to the best interests—not only of the United States, but, as well, of all nations and peoples—that all the powers, duties, authority, and obligations of the United States in the premises be continued in accordance with existing treaty provisions.

HOUSE RESOLUTION 517

Whereas, the United States, under the Hay-Bunau-Varilla Treaty of 1903 with Panama, acquired complete and exclusive sovereignty over the Canal Zone in perpetuity for construction of the Panama Canal and its perpetual maintenance, operation, sanitation, and protection; and

Whereas all jurisdiction of the Republic of Panama over the Canal Zone ceased on exchange of ratifications of the 1903 treaty on February 25, 1904; and

Whereas, since the time the United States has continuously exercised exclusive sovereignty and control over the Canal Zone and Panama Canal; and

Whereas, where responsibility is imposed, there must be given for its effectuation adequate authority; and with respect to the Panama Canal the treaty of 1903 so provided; and

Whereas the United States has fully and effectively discharged all its treaty obligations with respect to the Panama Canal and the only legitimate interest that Panama can have in the sovereignty of the Canal Zone is one of reversionary character that can never become operative unless the United States should abandon the canal enterprise; and

Whereas the policy of the United States since President Hayes' message to the Congress on March 8, 1880, has been for an interoceanic canal "under American control," that is to say, under the control of the United States; and

Whereas the grant by Panama to the United States of exclusive sovereignty over the Canal Zone for the aforesaid purposes was an absolute indispensable condition precedent to the great task undertaken by the United States in the construction and perpetual maintenance, the operation, sanitation, and protection of the Panama Canal, for the benefit of the entire world: Now, therefore, be it

Resolved by the House of Representatives, (1) That the United States, under treaty provisions, constitutionally acquired, and holds, in perpetuity, exclusive sovereignty and control over the Canal Zone for the construction of the Panama Canal and its perpetual maintenance, operation, sanitation, and protection; and

(2) That there can be no just claim by the Republic of Panama for the exercise of any sovereignty of whatever character over the Canal Zone so long as the United States discharges its duties and obligations with respect to the Canal; and

(3) That the formal display of any official flag over the Canal Zone other than that of the United States is violative of law, treaty, international usage, and the historic canal policy of the United States as fully upheld by its highest courts and administrative officials; and would lead to confusion and chaos in the administration of the Panama Canal enterprise.

In case anyone has any lingering doubts about Castro's Cuba, I include as part of my remarks just a few news notes on one page of the Evening Star, Washington, D.C., of Wednesday, June 22, 1960.

Also, as a further extension of my remarks today I include a column by Mr. George E. Sokolsky, entitled "Foreign Policy Setbacks," which appeared in the Washington Post on Wednesday, June 22, 1960, as well as a column by Mr. James Marlow, entitled "State Department Showed a Lack of Attention and Understanding," which appeared in the Plain Speaker of Hazleton, Pa., on Wednesday, June 22, 1960:

[From the Evening Star, June 22, 1960]

CASTRO LOOTS CUBA, EX-PUBLISHER SAYS

MIAMI, FLA., June 22.—A former Cuban publisher said yesterday that Fidel Castro not only has betrayed the Cuban people into communism but has robbed them unmercifully.

Writing in the Miami Herald, Amadeo Barletta, until a week ago publisher of El Mundo, influential Cuban newspaper, said:

"The man who strikes Christlike poses, talks of honesty, and is one of the biggest thieves in world history, is nevertheless only a pawn in the hands of the real brain of the revolution, the Communist Ernesto (Che) Guevara.

"Guevara, occupying the Banco Nacional and directing the economy of Cuba, has channeled more than $1 billion into pro-Communist avenues in the year and a half since the revolutionaries took over."

Mr. Barletta wrote that many millions have been hidden away in Switzerland and behind the Iron Curtain for the personal use of Guevara, Fidel, and Raul Castro.

Mr. Barletta said that in his opinion democratic countries should continue to recognize the Communist occupation forces in Cuba as though they were a government.

JAMAICA RAIDS CULT

KINGSTON, JAMAICA, June 22.—Two soldiers were killed and two were wounded yesterday during a military raid on a camp operated by members of the fanatical Rastafari cult. Officials say the group is subversive and has had contacts with the Castro regime in Cuba.

Prime Minister Norman Manley said the bearded cultists are followers of Claudius Henry, leader of a Jamaican-to-Africa movement, who awaits trial on treason and felony charges.

Mr. Manley said the heavily armed cultists opened fire on the soldiers when they entered the camp to search for arms and marijuana. The Rastafarians escaped in a truck and were being sought in the interior of the island.

Mr. Manley reported in a broadcast the raiders found large supplies of guns, dynamite, and knives at the camp.

RED EMBASSY DUE SOON

MEXICO CITY, June 22.—The Russian Ambassador to Mexico, Vladimir I. Baikin, said yesterday the Soviet Union will open an embassy in Cuba before Soviet Premier Nikita S. Khrushchev makes his visit here.

Mr. Baikin made this statement before leaving by plane for Moscow. Cuba and the Soviet Union agreed weeks ago to resume diplomatic relations, broken during the Cuban regime of Fulgencio Batista, but the appointment of ambassadors has not been announced.

CULTURE GROUP IN CUBA

HAVANA, June 22.—The Georgia ballet from the Soviet Union opened a series of appearances here today.

[From the Washington Post, June 22, 1960]

THESE DAYS—FOREIGN POLICY SETBACKS

(By George Sokolsky)

Recently our country has encountered three major international setbacks:

1. Cuba.
2. The Paris summit conference.
3. President Eisenhower's visit to Japan.

The State Department is the agency of our Government responsible for formulating foreign policy, for evaluating data which come to it from many sources; for knowing in advance what events are likely to transpire. The most important men in this mechanism are the deskmen, usually junior officials who are specialists in particular areas or matters and whose reports and memorandums eventually reach those who finalize policy. The State Department is therefore the responsible body that must answer to Congress and to the American people for whatever errors, misinterpretations, incompetences led to the disasters associated with the events. If the men at the top are badly informed, it is the deskmen who passed on incorrect data. The alibi usually is that a man used his best judgment. If his judgment is no good, he should not hold that job.

First, the Cuban disaster. Our Ambassador to Cuba at the time that Fidel Castro seized power by revolutionary means was Earl E. T. Smith. When he was appointed to this office, he was briefed as to State Department policy by officials of the Department and Herbert L. Matthews of the New York Times who has had the reputation of favoring revolutionary groups in Spain and in Latin America. Smith, who is a knowledgeable person, reported back to the State Department on the communistic characteristics of the Castro movement. His reports were ignored. Smith was retired because he was opposed to the extensive support given to Castro by the State Department which was principally responsible for putting Castro in power.

Second, prior to the holding of the Paris summit conference, I, and others wrote that it would come to nothing. Therefore, it is not hindsight to say that there was ample information available to indicate that Khrushchev would have to find a way out of that meeting. In fact various broadcasts from Moscow foretold failure. Nobody could have foretold that Khrushchev would have attacked Mr. Eisenhower with such brutality of language and manner but there was ample evidence in Russian, Red Chinese, and other satellite literature to indicate the course of Russian action. In charge of the desks in the State Department dealing with the summit conference and the President's trip to Russia were Hugh S. Cumming, Jr., Director of Intelligence and Research; T. Achilles Polyzoides, Director of Current Intelligence Indications; Charles E. Bohlen was Adviser on Russian Affairs; Edwin M. J. Kretzmann, Deputy Assistant Secretary for Domestic Affairs.

Third, the Eisenhower visit to Japan. I do not know enough about the current handling of the data from Red China and Japan in the State Department. Years ago, the Far Eastern Division in the State Department was one of the most competently organized and staffed.

It is impossible to believe that so great a storm could have been brewed in the Far East without some advance knowledge on the part of the State Department. What was done about it? What countermeasures were taken?

These questions need to be answered because faith in the efficiency and knowledge of the State Department is again disappearing in this country.

[From the Hazleton (Pa.) Plain Speaker, June 22, 1960]

STATE DEPARTMENT SHOWED A LACK OF ATTENTION AND UNDERSTANDING

(By James Marlow)

WASHINGTON.—The picture of the State Department which emerges from senatorial quizzing on the U-2 spy plane and the Tokyo riots is more than just the poor judgment now admitted.

Secretary of State Christian A. Herter and his Department showed a lack of attention to vital details and a failure to understand both human reactions and Communist tactics.

When the Central Intelligence Agency sent the U-2 on its mission over Russia—just 2 weeks before the summit conference—it was taking a chance, since the plane might be downed and American spying exposed.

The result could have been guessed in human terms. Premier Nikita Khrushchev, who had been preaching good will toward President Eisenhower and the United States, would be outraged. And no wonder.

Such an incident would make him look like a sap before the whole Communist world. While he had been pumping up hope for the summit meeting, the United States was violating Soviet territory.

This goes far to explain his violent reaction when the plane was downed and the pilot captured. He wrecked the summit, called off Eisenhower's trip to Russia, and began a campaign of ridicule against him.

It might have been expected of the State Department—with the summit meeting so close—that it would have been on top of every detail involving Russian relations.

But Herter told the Senate Foreign Relations Committee that neither he nor Eisenhower knew specifically of the disastrous spy flight although they had approved the spy program in general.

Eisenhower was to have gone on to Japan after his tour of Russia. There was good reason to believe that, even if he had a Russian triumph, he might have met with violence and riots in Tokyo.

Communists, laborites, neutralists, and even some conservatives were opposed to the new American-Japanese Defense Treaty. There had been mounting demonstrations against it for more than a year.

This alone—since Eisenhower's safety might be endangered and American prestige damaged—would have been reason enough to call off his Tokyo trip once Khrushchev had canceled his Russian visit. It would have been based on the idea of taking no unnecessary chances.

When Vice President RICHARD M. NIXON made his Latin American trip in the early part of 1958—and ran into anti-American riots—Khrushchev had just become Premier. He had not yet entered his love-America phase.

The Communists were blamed in big part for the anti-American riots against NIXON. That's understandable. The Communist world then was trying to embarrass the United States every way it could.

By the time Eisenhower made his Latin American trip this year, Khrushchev had visited him here, the summit meeting was just a few weeks away, and Khrushchev was soft-pedaling anti-Americanism.

It is probably more than accident that Eisenhower, unlike NIXON, ran into almost no anti-Americanism from Latin American Communists. Moscow, because of the mood prevailing at the time, probably told them to go easy on Eisenhower.

So, if the summit were not a bust and Eisenhower made a triumphal tour of Russia, it could have been expected Moscow would tell Communists everywhere to pipe down when Eisenhower arrived, including Tokyo.

That was about the only reason the State Department should have had for thinking Eisenhower might not run into trouble in Japan. But that reason went out the window once Khrushchev turned on Eisenhower.

Instead, the State Department could have realized the yearlong history of Tokyo riots was a signal to expect more of the same when Eisenhower arrived, particularly since now Moscow could be expected to stir up the Japanese Communists against him.

All these obvious things apparently failed to penetrate the State Department thinking.

Herter told Senators Tuesday his Department didn't expect the Tokyo riots to be so long drawn out or so huge.

"So our judgment was poor?" asked Senator LYNDON B. JOHNSON, Texas Democrat.

Herter replied: "Yes, we misjudged that."

THE NEED FOR MAKING A SWEEPING NEW APPRAISAL OF OUR NATIONAL STRATEGY BRINGS AMERICAN SEAPOWER ONCE AGAIN TO THE FRONT

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STRATTON. Mr. Speaker, shortly after the shooting down of the U-2 I took the floor of this House to point out to my colleagues that the demands which followed on that event that America get out of its oversea bases were likely to force a thorough-going reappraisal of our whole military strategy, and were inevitably going to increase the emphasis in future years on seapower and naval weapons, as the most reliable source of the military defenses we need against communism. I pointed out that if we were to be deprived of our oversea bases, then our mobile sea-going bases would become absolutely essential to us—not only Polaris submarines, with their tremendous nuclear retaliatory power, but also aircraft carriers with their ability to project American military power quickly into any trouble area, big or small, without the need to maintain a single shore base on foreign soil.

Today one of the Nation's great thinkers, Columnist Walter Lippmann, who, incidentally, once served for a year as a secretary to a former mayor and Congressman from my city of Schenectady, the late Honorable George R. Lunn, has touched on this same subject with an incisiveness and eloquence that I, of course, could never hope to emulate. I believe Mr. Lippmann's column should be carefully read and pondered by all of us who have a share in the responsibility for the safety and security of our Nation. America has built up her command of the seas over many years. It is one brand of defensive strategy where we cannot be bested by any Communist power. In the critical days that seem destined to lie ahead, I believe we must recognize the increased importance of our command of the seas and our naval forces. The alternative to the "peripheral strategy" that Mr. Lippmann seeks is already here at hand in our Navy. Let us be certain to do nothing to weaken this great military force at the very time we need it most for our defense.

The article, from the Washington Post of today, follows:

THE COMING REAPPRAISAL

(By Walter Lippmann)

In the short time remaining to him there is still one great work which the President is uniquely qualified to do. This is to promote and preside over the unavoidable reappraisal, which must in many ways—to use the words of John Foster Dulles—be agonizing. The uprising in Tokyo, which went far beyond mere rioting, and the highly significant demonstration in Okinawa, are unmistakable signs that we must reappraise one of the main conceptions which has shaped our strategy. This is the theory that in order to contain the power of the Soviet Union and of Red China the United States must establish forward bases on the frontiers of the Communist orbit.

The strategical policy of encircling communism with military bases on the periphery was conceived immediately after the Second World War, in the late 1940's, when the United States still had a monopoly of the atom bomb and was not only invulnerable itself but irresistible on the offensive. In 1949 the Soviet Union broke the monopoly, and in the years that followed acquired a nuclear stockpile and the airplanes and missiles to carry nuclear bombs. Then the strategical policy of peripheral containment was bound to become increasingly unworkable. This meant that the time had come for a reappraisal of the strategical policy which rested on our lost monopoly.

The reappraisal was not made and accordingly, the State Department and the Pentagon addressed themselves to the task of persuading and cajoling the peripheral countries to eschew neutralism in the cold war, to line up with us and against Russia and China, and to grant us military bases. A few countries, notably India, refused to participate. But all around the rim of Asia, encircling the Russian and the Chinese heartland, we made alliances and established bases.

To our surprise we found that as we established ourselves on this dangerous periphery, we became increasingly unpopular, and the more arms and money and personnel we pumped in, the more the masses of the people and the intellectuals to whom they listened became neutralist and anti-American and fellow-traveling.

It was stupid of us to be surprised, and very stupid to allow ourselves to think that these ungrateful people would be loving and loyal if it were not for the Communist agitators from Moscow and Peking. We refused to look at the stark and dominating fact that once the Soviet Union had become a nuclear power, the peripheral countries were defenseless. They could not be defended by "massive retaliation" because neither our European allies in NATO nor Canada and ourselves in North America were in a position to defend them against Soviet counterretaliation.

We may not like to say it out loud, or even to see it at all, but there is a profound weakness in a strategical policy which rests on bases that are indefensible. However much we may choose to ignore this brutal fact, the people of Japan are very much aware of it. So are the people of Okinawa, who could be knocked out with one hydrogen bomb. A policy which puts allies in such a position has to be reappraised. For bases are no good in a country which is terrified and in rebellion because of the danger they create.

Does a reappraisal of the obsolete strategical policy mean a retreat before the expansion of communism, and abandonment of our allies, and the withdrawal of American military power as a deterrent force inside Russia and China? The answer is that it need not mean any of these things, and it should not mean them if the reappraisal is penetrating and thorough, if the action that follows is bold and is wise.

Let us leave aside Europe where the situation is radically different because of the political and economic maturity and the inherent strength of the old nations. In Asia, in the presence of the two Communist giants, the normal and natural policy of a non-Communist country is to be unalined in the cold war. As long as there exists a balance of power among the giants, this is the best defense of the small and the weak against conquest and against intimidation.

Neutralism, with American approval, makes also for good will and influence. India and Burma, and I think Egypt also, show that if we do not try to force these countries to become our military satellites they will welcome our help and advice in their internal development and their resistance to communism.

Parallel with the evolution of our policy away from peripheral military containment, it is the task of the Pentagon to find substitutes for the obsolete and essentially indefensible peripheral bases. There is no real doubt that this can be done, and according to Mr. Louis Kraar of the Wall Street Journal, who has been at Quantico for the recent meeting, the military planners are working on the problem.

Rome, as the saying goes, was not built in a day, and our outdated Asian strategy will not be revised in a day. The rebellion in Asia against our peripheral strategy is undoubtedly mounting. To give the State Department time to reappraise and revise and readjust its relations, and to give the Pentagon time to implement a new strategy, the most effective thing to do would be for the President to put himself at the head of the reappraising. This alone offers some hope of reducing the virulence of the rebellion, a virulence which has its roots in the terror of being the victim of a more horrible Hiroshima.

For obvious reasons, the President is uniquely able to take the lead, and to make the reappraisal and revision his valedictory service to the Nation. It would be an act of magnanimity and statesmanship, and it would lift the task of reappraisal above the election campaign.

The alternative is a dreary one—to pretend with Mr. Hagerty that nothing has collapsed, to go along with Senator DIRKSEN and his nasty innuendoes. For if the President stands pat, and pretends that all would be well but for Mr. Khrushchev's bad manners and the agitators in Tokyo, he will be inviting new troubles as the American position in the Far East crumbles.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ANDERSON of Montana, for period June 24 to July 9, 1960, on account of attendance at Army Reserve field training under military orders.

Mr. MUMMA (at the request of Mr. DAGUE), on account of urgent personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RIVERS of South Carolina, for 1 hour, on Saturday next.

Mr. STRATTON, for 1 hour, on Wednesday next.

Mr. BRAY (at the request of Mr. CHAMBERLAIN), for 15 minutes, on June 30.

Mr. ROGERS of Florida (at the request of Mr. FLYNT), for 20 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BERRY.

Mr. FARBSTEIN.

Mr. RABAUT and to include extraneous matter.

Mr. HARRIS, to revise and extend his remarks made in Committee and to include extraneous matter.

(At the request of Mr. CHAMBERLAIN, and to include extraneous matter, the following:)

Mr. PILLION in four instances.

Mr. VAN ZANDT.

Mr. GUBSER.

(At the request of Mr. FLYNT and to include extraneous matter, the following:)

Mr. WALTER.

Mr. RUTHERFORD.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2388. An act relating to the separation and retirement of John R. Barker; to the Committee on the Judiciary.

S. 3319. An act to authorize the Administrator of General Services to release the recapture provisions contained in the conveyance of certain real property to the city of Little Rock, Ark., and for other purposes; to the Committee on Government Operations.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4964. An act for the relief of Mrs. Betty L. Fonk;

H.R. 6081. An act for the relief of M. Sgt. Emery C. Jones;

H.R. 6479. An act to provide for the conveyance of certain real property of the United States to the village of Highland Falls, N.Y.;

H.R. 8241. An act to amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress;

H.R. 9443. An act for the relief of Mrs. Ethel B. Morgan; and

H.J. Res. 688. Joint resolution for the relief of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1765. An act to authorize and direct the Treasury to cause the vessel *Edith Q.*, owned by James O. Quinn, of Sunset, Maine, to be documented as a vessel of the United States with limited coastwise privileges; and

S. 3019. An act to provide for certain pilotage requirements in the navigation of U.S. waters of the Great Lakes, and for other purposes.

ADJOURNMENT

Mr. FLYNT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, June 24, 1960, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2291. A letter from the Comptroller General of the United States, transmitting a report on the review of selected motor vehicle activities of the Post Office Department, October 1959; to the Committee on Government Operations.

2292. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of our report of operations for the calendar year 1959, pursuant to the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

2293. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a report relating to real property exempt from taxation in the District of Columbia, pursuant to Public Law 846, 77th Congress; to the Committee on the District of Columbia.

2294. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting copies of reports, which are under oath, showing the purposes for which the exempt property has been used during the calendar year 1958, pursuant to Public Law 846, 77th Congress; to the Committee on the District of Columbia.

2295. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

2296. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to provide for the withdrawal of certain public lands 40 miles east of Fairbanks, Alaska, for use by the Department of the Army as a Nike range"; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. GRANAHAN: Committee on Post Office and Civil Service. Part 2, Supplemental views on H.R. 12595. A bill to clarify

the law with respect to transportation of airmail, and for other purposes; without amendment (Rept. No. 1929). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Interstate and Foreign Commerce. H.R. 11545. A bill to amend the act of October 31, 1949, with respect to payments to Bernalillo County, N. Mex., for furnishing hospital care for certain Indians; with amendment (Rept. No. 1955). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. Senate Joint Resolution 170. Joint resolution to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes; without amendment (Rept. No. 1957). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 8732. A bill to amend the Internal Revenue Code of 1954 and incorporate therein provisions for the payment of annuities to widows and certain dependents of the judges of the Tax Court of the United States; with amendment (Rept. No. 1958). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. Report pursuant to section 4, Public Law 86-89; without amendment (Rept. No. 1959). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. Report on a long range program for the Panama Canal; without amendment (Rept. No. 1960). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLTZMAN: Committee on the Judiciary. H.R. 11897. A bill to amend section 1073 of title 18, United States Code, the Fugitive Felon Act; with amendment (Rept. No. 1961). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 11135. A bill to aid in the development of a unified and integrated system of transportation for the National Capital region; to create a temporary National Capital Transportation Agency; to authorize creation of a National Capital Transportation Corporation; to authorize negotiation to create an interstate transportation agency; and for other purposes; with amendment (Rept. No. 1962). Referred to the Committee of the Whole House on the State of the Union.

Mr. PROKOP: Committee on Post Office and Civil Services. H.R. 6743. A bill to provide for certain survivors' annuities in additional cases under the Civil Service Retirement Act of May 29, 1930; with amendment (Rept. No. 1974). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. Senate Concurrent Resolution 108. Concurrent resolution favoring the suspension of deportation in the cases of certain aliens; with amendment (Rept. No. 1956). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 2069. A bill for the relief of James H. Presley; with amendment (Rept. No. 1963). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 6709. A bill for the relief of Mike H. Kostelac; with amendment (Rept. No. 1964). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 10532. A bill for the relief of Carmelo Spagnoletti; with amendment (Rept. No. 1965). Referred to the Committee of the Whole House.

Mr. KASEM: Committee on the Judiciary. H.R. 11128. A bill for the relief of Dr. Hans J. V. Tiedemann and family; with amendment (Rept. No. 1966). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 11327. A bill for the relief of Chauncey A. Ahalt; with amendment (Rept. No. 1967). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 11354. A bill for the relief of James Delbert Hodges; with amendment (Rept. No. 1968). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 11460. A bill for the relief of Edouard E. Perret; with amendment (Rept. No. 1969). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 12398. A bill for the relief of Erwin P. Milspaugh; without amendment (Rept. No. 1970). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 12471. A bill for the relief of Capt. Lucien B. Clark, O2051623, MSC, U.S. Army; with amendment (Rept. No. 1971). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. House Resolution 235. Resolution referring H.R. 6226, a bill for the relief of Catalina Properties, Inc., to the Court of Claims; with amendment (Rept. No. 1972). Referred to the Committee of the Whole House.

Mr. WILLIS: Committee on the Judiciary. S. 2744. An act to extend the term of design patent No. 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution; without amendment (Rept. No. 1973). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H.R. 12784. A bill to increase the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the U.S. Park Police, and the White House Police, and for other purposes; to the Committee on the District of Columbia.

H.R. 12785. A bill to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children; to the Committee on the District of Columbia.

By Mr. HENDERSON:

H.R. 12786. A bill to amend section 205(c) of the Immigration and Nationality Act so as to provide for the denial by the Attorney General of any petition for nonquota status or preference with respect to certain aliens claiming such status or preference by reason of marriage to a citizen of the United States or to an alien lawfully admitted for permanent residence; to the Committee on the Judiciary.

By Mr. JOHNSON of Maryland:

H.R. 12787. A bill to provide that the grave of Anna Ella Carroll at old Trinity Church, Cambridge, Md., shall be a national shrine; to the Committee on Interior and Insular Affairs.

By Mr. MACDONALD:

H.R. 12788. A bill to amend the Federal Aviation Act of 1958 in order to provide for the certification of air freight forwarders; to the Committee on Interstate and Foreign Commerce.

H.R. 12789. A bill to amend the Federal Aviation Act of 1958 so as to clarify the status of air freight forwarders as air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PROKOP:

H.R. 12790. A bill to provide post office boxes without charge to certain patrons of post offices without delivery service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ULLMAN:

H.R. 12791. A bill to modify the John Day lock and dam project, Oregon, to authorize the Secretary of the Army to provide for the raising of the level of a portion of the city of Umatilla, Oreg., and to thereafter convey the filled lands to the municipality; to the Committee on Public Works.

H.R. 12792. A bill to provide for reimbursing the city of Arlington, Oreg., for the loss of taxes on certain property acquired by the United States in connection with the John Day Dam project; to the Committee on Public Works.

By Mr. WALTER:

H.R. 12793. A bill to amend the Subversive Activities Control Act of 1950 so as to prohibit members of the Communist Party from appearing as counsel before executive departments, congressional committees, or certain courts of the United States; to the Committee on Un-American Activities.

By Mr. BURLESON:

H.R. 12794. A bill to provide that additional information shall be included in certain reports relating to the use of foreign currencies, and for other purposes; to the Committee on Foreign Affairs.

H.R. 12795. A bill to provide that additional information shall be included in certain reports relating to the use of foreign currency required to be submitted to the Committee on House Administration of the House of Representatives, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOORE:

H.R. 12796. A bill to amend section 503 of title 38, United States Code, to provide that, at the election of the beneficiary, lump-sum payments of past due monthly payments may be considered as income for the months for which due; to the Committee on Veterans' Affairs.

By Mrs. PFOST:

H.R. 12797. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the State of Idaho as a Territory; to the Committee on Banking and Currency.

By Mr. CLEM MILLER:

H.R. 12798. A bill to provide for the conveyance of certain lands which are a part of the Fort Baker Military Reservation in California to the State of California; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. FEIGHAN:

H.R. 12799. A bill for the relief of Jozef Wypasek, Krystyna Wypasek, and Wladyslaw Wypasek; to the Committee on the Judiciary.

By Mr. MAGNUSON:

H.R. 12800. A bill for the relief of the estates of Ida Ella Floe, Stephen Floe, and Claudette N. Bline, and for the relief of Kerri Marie Bline; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 12801. A bill for the relief of Jose R. Marquez, M.D.; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 12802. A bill for the relief of Paul W. Busbey; to the Committee on the Judiciary.

By Mr. WILSON:

H.R. 12803. A bill for the relief of Josephine Abuan; to the Committee on the Judiciary.

H.R. 12804. A bill for the relief of Spencer E. Hewitt; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

507. The SPEAKER presented a petition of John J. Sandler, National Conference State Legislative Leaders, Albany, N.Y., expressing support for the establishment of a Center for Cultural and Technical Interchange between East and West in the State of Hawaii, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Congressman Farbstein Protests Insults to Tourists

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1960

Mr. FARBSTEIN. Mr. Speaker, there has been called to my attention a situation which has existed for the last several weeks in the national parks of this area which I deplore very much and which I think all decent-minded citizens, upon being made aware of it, would similarly deplore. Feeling very strongly about the foregoing, I communicated with the Honorable Fred A. Seaton, Secretary of the Interior, requesting that some affirmative action be taken to see that this condition be cleared up.

Following is the letter which I wrote to Secretary Seaton:

JUNE 23, 1960.

Hon. FRED A. SEATON,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: For many weeks my constituents, including schoolchildren who have come to see their Nation's Capital, have been insulted on a basis of religion and race by the so-called commander of the American Nazi Party as they made their way to the galleries and museums in the area known as the Mall. For over 2 months this man Rockwell has held these meetings regularly, their only purpose being to incite to riot and be offensive to others.

The use of the Nazi symbol, the taunting language, the threats of his henchmen in the audience, the caricatures portrayed, plus the insulting epithets employed are all designed to incite the populace to hatred and violence.

This un-American incitement to riot, these libelous, flagrant, and abusing statements are beyond the limits of free speech. The incitement is such that police have already been forced to make several arrests on various disorderly conduct charges.

The Supreme Court has ruled that such criminal libel does not come under the legitimate interpretation of free speech. Is it necessary that mayhem occur before the authorities stop this disgraceful spectacle? Not only does Rockwell exploit and abuse so-called free speech privileges so generously accorded him, but he deliberately and obviously incites to violence in a manner incompatible with the safety of my constituents who come to visit the national shrines as tourists.

While unnoticed, and as part of a lunatic fringe, his use of the National Parks for the purposes of spewing his poison was sufficiently evil. Now that public attention has been directed to this malefactor by the near riot in New York City when he made application for a permit to speak in that city, I believe it to be the duty of the Department of Interior and its law-enforcement agents to protect the rights of the schoolchildren and other tourists from my district when they visit their Nation's Capital.

As a member of the House Committee on Foreign Affairs, I am particularly shocked to know that the atrocious spectacle that has been permitted has been exploited by world Communist propaganda to discredit the United States. Agents of Communist embassies in Washington have photographed this thoroughly atypical and un-American display, including the seeming coddling of the neo-Nazis by the U.S. Park Police.

I think the time has come for you to take action to abate this nuisance. Will you be good enough to acknowledge receipt of this communication and advise me whether it is your intention to take any action in the circumstances.

Sincerely yours,

LEONARD FARBSTEIN,
Member of Congress.

Problems Don't Change—Just the Answers

EXTENSION OF REMARKS

OF

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 1960

Mr. GUBSER. Mr. Speaker, under leave to extend my remarks, I submit a speech which I recently gave before a combined meeting of the Kiwanis and Lions Clubs in San Jose, Calif.:

PROBLEMS DON'T CHANGE—JUST THE ANSWERS

When a modern-day politician looks backward it is considered almost sinful. Today I shall sin.

But by looking backward into American history and American heritage—even to the first inauguration of President Washington, we find meanings and answers which illuminate present-day times and problems.

Between 1789 and 1960 there are vast differences. We have come from the simplest of colonial societies to a complex civilization which leads the entire world.

But for all the differences that set 1789 apart from 1960 we can find many similarities in problems which confront us in either the colonial or atomic age.

For President Washington it was a time of beginning and despite all that has transpired, we too are concerned with beginnings in the nuclear and space age.

One of the first issues which faced Washington and his Congress was to establish the public credit of the United States. Another was to liquidate the Nation's debt. The third was to provide for defense. A fourth was to establish a fair system of taxation. And a fifth was to work out a place for America in the family of nations.

In 1960 the setting is much different and so is the magnitude of problems, but basically they are the same: How to preserve our credit, how to handle our public debt, how much of our resources to allocate to our national defense, what kind of tax structure will serve the needs of Government and our private enterprise system, and how best to win and hold the confidence of a troubled world in our own ideals and values. Listen for a moment to a portion of Washington's farewell address:

"As a very important source of strength and security, cherish the public credit. One method of preserving it is to use it as sparingly as possible * * * avoiding the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear."

This advice, after nearly two centuries of change is still as sound as the day it was spoken. Even today we know that if our society ignores economic realities we will fall like all nations and empires whose political and moral decay pushed them into economic bankruptcy.

A sound economy will not guarantee a great nation, but there can be no hope for greatness without it.

In this day of titanic government I raise the question, "Have we rejected the advice which Washington so profoundly gave us and come up with different answers to the same problems?"

No one would suggest that we return to the first Federal budget which Alexander Hamilton presented to the Congress in 1791 calling for appropriations of $740,232.14⅔. But there is something striking in the fact that the total expenses of the Federal Government in its first 150 years amounted to $157 billion—and we now spend more than that in two years of operation.

As a nation we followed Washington's advice for nearly 150 years through war and peace, boom and recession, and over the generations we gained in national vigor and stature. But in the space of the last 30 years our budgets have increased by 25 times and the consequences are reflected in the public debt and our future commitments.

This brings me to my theme. Problems haven't changed—just the answers.

Instead of following the advice of Washington to use the public credit sparingly and avoid accumulation of debt by shunning occasions of expense, we have blindly pushed forth laboring under two of the most unkind delusions which have ever captured the mind of man.

First, we have become fascinated with the "crash" technique for solving our national problems. We have been persuaded that money will buy anything, that tremendous expenditures will guarantee prompt and definitive results. And, of course, the more