

for a pension under existing laws. These 631,000 new pensioners must be earning a minimum of \$3,000 a year already and they will get, not just a portion of the \$102.37 as their needier brothers would get, but the entire \$102.37 a month.

So, from among the 631,000 proposed new pensioners, the very minimum case would be someone who now has \$3,001 a year in income. This veteran of World War I would receive an extra \$1,200 a year from H.R. 3745, bringing his income up to \$4,201 a year, not counting what he may be receiving from social security, from his union pension fund, from his company's pension fund, from railroad retirement or from whatever other pension income he may be getting. I might add that \$4,201, or the minimum income accruing to each new pensioner embraced by this absurd bill, is more than \$200 a year higher than the income level of 84 percent of the male population of 65 years of age or older.

And, if this bill were passed, who would be paying for it? The taxpayer, of course. Where do the taxes come from. Eighty-one and nine-tenths percent of all income taxes come from individuals and almost half of all the people in the United States paying income taxes reported an adjusted gross income of less than \$4,000.

If we were to approve of H.R. 3745 we would find ourselves in a morally indefensible position. And, frankly, the position would be politically indefensible as well. We would have to explain to our constituents why we voted for legislation which would force half the taxpayers of the United States to contribute to the support of those who are already making more money than they are.

Of course, I have been talking about minimum income allowable under H.R. 3745. The maximum income allowable under the bill would be \$3,600 for a World War I veteran with dependents. The extra \$1,200 a year would boost this man's income to \$4,800 a year, plus whatever pensions and annuities he might be receiving from any source whatsoever.

We will routinely have cases where the veteran has \$5,000 to \$6,000 and gets \$1,200 a year in pensions. As we all know, this income could be considerable. It is not rare in these days to find our senior citizens getting pensions or annuities from two or more sources. No matter what the size of these pensions, these people would still be eligible for the extra handout.

Let me cite an example close to home. Under certain circumstances, if a Member of this House were to retire he would receive, under our own pension plan, an annuity which the average citizen would consider not only adequate, but handsome. But if such a retired Member were also a veteran of World War I, even if he had only 3 months' service, he could collect this \$102.37 a month pension, just as long as he managed to keep his income from fees, rentals, dividends and other sources under \$3,600 a year. If this was a problem, he could shift some of it to his wife. I suggest that this is not the purpose for which any other pension plan conceived by the mind of man was ever intended.

Let me repeat, Mr. Speaker, this startling fact about H.R. 3745. Under its provision, all World War I veterans, over 65 and who are receiving less than \$3,000 a year in wages, and now on the pension rolls would receive very little help. All those receiving more than \$3,000, but less than \$3,600, would receive the entire \$102.37 extra a month and, of course, would not be required to count social security or other retirement payments. Under this weird reasoning, the less you are receiving now, the less you will get; the more you are receiving now, the more you will get. In other words—"them that has, gets."

The Veterans' Administration estimates that in fiscal year 1963 the present pension program will cost the taxpayers \$1,783,681,000, of which 78 percent or \$1,386,489,000 will go to World War I veterans, their widows and children. If H.R. 3745 were enacted, almost \$1 billion additional would be imposed on our pension bill.

The Internal Revenue statistics for the tax year 1959—the latest figures available for this purpose—show that there were approximately 21½ million individual returns filed showing a gross income of less than \$3,000. The revenue from this group amounted to \$1,665,759,000. This is \$118 million less than will be required to operate the pension program we already have and it is \$1 billion, 18 million less than it would take to pay for the pension program we would have if H.R. 3745 were passed and enacted into law.

H.R. 3745 is grossly unfair and discriminatory as between veterans. I think there are none who would deny that the service-connected veteran and surviving widow and children of service-connected veterans deserve first consideration. If a veteran is totally and permanently disabled from a service-connected cause he only receives \$2,700 a year. If he is 50 percent disabled, he receives \$100 a month. A widow who lost a husband in the war gets about \$87 a month. An orphan child who lost a father in the war and subsequently lost a mother gets \$70 a month. Two dependent parents living together, who lost a son in the war, get \$75 a month if their combined income is not over \$2,400 per year. Yet, we are being told that the present income limit of \$3,000 for the married, non-service-connected veterans, who served 90 days, is too low and that we must raise these income limits.

We have been trying since early last year to get a modest service-connected increase bill through the Congress. This bill would cost less than \$100 million, yet we have not been able to get it through. Now an effort is being made to get a \$1 billion non-service-connected pension bill passed which would give better treatment to the 90-day, non-service-connected soldier than the seriously disabled service-connected veteran receives. Mr. Speaker, this is grossly unfair and I do not see how this Congress could possibly accept such a proposal, regardless of the amount of political pressure that is applied.

## SENATE

TUESDAY, JUNE 26, 1962

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

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

Our Father, God, as for this quiet moment we look away from our mundane tasks to Thee, strip us of our illusions, create in us clean hearts, O God, and renew a right spirit within us.

In our hearts as we come is the grateful remembrance that Thy patience outlasts all our dullness of apprehension and all our stupid choices. In spite of the worst things in us, which we despise, Thou knowest that in our highest hours our deepest desire is to be true servants of Thy will in these troublous times, giv-

ing our best ability to the welfare of Thy children everywhere. May we rise above all bitterness by an unshakable belief in the shining splendor of humanity.

Gird us to stand in an evil day with principles never compromised and with integrity never sullied.

We ask it in the name of Him who is the way, the truth, and the life. Amen.

## THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 25, 1962, was dispensed with.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of

the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 2164. An act to authorize the Secretary of the Interior to cooperate with the First World Conference on National Parks, and for other purposes;

S. 3161. An act to provide for continuation of authority for regulation of exports, and for other purposes; and

S. 3203. An act to extend the Defense Production Act of 1950, as amended, and for other purposes.

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

H.R. 8738. An act to amend sections 1 and 5b of chapter V of the Life Insurance Act for the District of Columbia;

H.R. 9441. An act to exempt life insurance companies from the act of February 4, 1913, regulating loaning of money on securities in the District of Columbia; and

H.R. 9954. An act to amend the act of June 6, 1924, chapter 270 (43 Stat. 463), relating to the National Capital Park and Planning Commission, as amended by the National Capital Planning Act of 1952 (66 Stat. 781; 40 U.S.C. 71).

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 860. An act to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes;

S. 1834. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended, by providing for an increase in the authorization funds to be granted for the construction of hospital facilities in the District of Columbia; by extending the time in which grants may be made; and for other purposes;

S. 3063. An act to incorporate the Metropolitan Police Relief Association of the District of Columbia;

S. 3266. An act to amend section 2 of the act entitled "an act to create a Library of Congress Trust Fund Board, and for other purposes," approved March 3, 1925, as amended (2 U.S.C. 158), relating to deposits with the Treasurer of the United States of gifts and bequests to the Library of Congress and to raise the statutory limitation provided for in that section;

S. 3291. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury;

S. 3350. An act to amend the act of August 7, 1946, relating to the District of Columbia hospital center to extend the time during which appropriations may be made for the purposes of that act;

H.R. 3444. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes;

H.R. 7723. An act to amend section 303(a) of the Career Compensation Act of 1949 by increasing per diem rates and to provide reimbursement under certain circumstances for actual expenses incident to travel;

H.R. 10459. An act to provide for the conveyance of 39 acres of Minnesota Chippewa tribal land on the Fond du Lac Indian Reservation to the SS. Mary and Joseph Church, Sawyer, Minn.;

H.R. 11057. An act to declare that the United States holds certain lands on the Eastern Cherokee Reservation in trust for the Eastern Band of Cherokee Indians of North Carolina;

H.R. 11743. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; and

S.J. Res. 192. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 8738. An act to amend sections 1 and 5b of chapter V of the Life Insurance Act for the District of Columbia;

H.R. 9441. An act to exempt life insurance companies from the act of February 4, 1913,

regulating loaning of money on securities in the District of Columbia; and

H.R. 9954. An act to amend the act of June 6, 1924, chapter 270 (43 Stat. 463), relating to the National Capital Park and Planning Commission, as amended by the National Capital Planning Act of 1952 (66 Stat. 781; 40 U.S.C. 71).

#### LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. HUMPHREY, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

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

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

The Chief Clerk proceeded to call the roll.

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

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

#### COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the Permanent Subcommittee on Investigations, of the Government Operations Committee; the Constitutional Rights Subcommittee, of the Judiciary Committee, and the Subcommittee on Public Health of the Committee on the District of Columbia were authorized to meet during the session of the Senate today.

On request of Mr. HUMPHREY, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

#### RESOLUTION OF KANSAS STATE BAR ASSOCIATION

Mr. PEARSON. Mr. President, the Bar Association of the State of Kansas at its recent annual meeting at Topeka, Kans., urged their congress to remove monetary limitations upon the jurisdiction of the district courts in civil actions against the United States.

I request unanimous consent to have the pertinent resolution printed in the RECORD.

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

Whereas 28 U.S.C. 1346(a)(2) (popularly known as the Tucker Act) limits the jurisdiction of the U.S. district courts in contract actions against the United States to claims of \$10,000 and less, notwithstanding other grants of unlimited jurisdiction to such courts in tax refund and tort claim actions against the United States; and

Whereas this jurisdictional limitation is burdensome to lawyers and litigants in that it requires larger claims to be tried in the Court of Claims in Washington, D.C., rather than in the forum of the claimant's residence or in the forum where the contract may have been executed; and

Whereas a specialized tribunal has not been found to be necessary or desirable to determine Government liability in noncontract actions or in contract actions involving claims of \$10,000 or less; and

Whereas recent enlargements in the Federal judiciary should permit these claims to

be tried expeditiously in district courts if claimants could elect to bring them in such courts rather than in the Court of Claims: Now, therefore, be it

Resolved by the Bar Association of the State of Kansas at its annual meeting at Topeka, Kans., on May 10, 11, 12, 1962—

1. That the executive council memorialize the Congress of the United States to remove all monetary limitations upon the jurisdiction of the district courts in civil actions against the United States; and

2. That copies of this resolution be sent to Senators Frank Carlson and James B. Pearson; Representatives William Avery, Floyd Breeding, Robert Dole, Robert Ellsworth, Walter McVey, and Garner Shriver; Attorney General Robert Kennedy; and to the Honorable Alfred P. Murrah, chief judge, 10th Circuit Court of Appeals.

Passed unanimously by the general assembly of the Bar Association of the State of Kansas in its annual meeting on May 14, 1962, at Topeka, Kans.

HARRY O. JANICKE,  
President.  
JOHN W. SHUART,  
Executive Secretary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ENGLE, from the Committee on Armed Services, with amendments:

S. 1108. A bill authorizing the conveyance of certain property in the city of San Diego to the regents of the University of California (Rept. No. 1630).

By Mr. BYRD of Virginia, from the Committee on Finance, with an amendment:

H.R. 12154. An act to amend and extend the provisions of the Sugar Act of 1948, as amended (Rept. No. 1631).

#### BILL AND JOINT RESOLUTION INTRODUCED

A bill and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEFAUVER:

S. 3474. A bill for the relief of Cathie Lee Clark; to the Committee on the Judiciary.

By Mr. ROBERTSON (for Mr. STENNIS):

S.J. Res. 204. Joint resolution proposing an amendment to the Constitution of the United States to permit the use of prayer in public schools; to the Committee on the Judiciary.

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

#### AMENDMENT AND EXTENSION OF SUGAR ACT OF 1948—AMENDMENTS

Mr. MORTON. Mr. President, I send to the desk two amendments to H.R. 12154, which is the sugar bill, or act, to amend and extend the provisions of the Sugar Act of 1948, as amended.

These amendments will not both be adopted, since they appear at the same point in the bill. They are different means of achieving my purpose in offering the amendments, which is to protect the American consumer in the matter of the price of sugar.

I ask that the amendments to the bill be printed and lie on the desk, notwithstanding the fact that the bill itself will be reported to the Senate only tonight.



The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the desk.

**PRINTING OF REVIEW OF REPORTS  
ON J. PERCY PRIEST RESERVOIR,  
STONES RIVER, TENN. (S. DOC.  
NO. 102)**

Mr. METCALF. Mr. President, on behalf of the Senator from New Mexico [Mr. CHAVEZ], chairman of the Committee of Public Works, I present a letter from the Secretary of the Army, transmitting a report dated April 17, 1962, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the reports on the J. Percy Priest Reservoir, Stones River, Tenn., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted February 20, 1960. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

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

**THE CANADIAN FINANCIAL CRISIS**

Mr. GORE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "The Canadian Lesson," which appears today in the New York Times. I wish to call particular attention to the concluding paragraph of the editorial, which, for emphasis, I should like to read:

This does not mean that the Canadian crisis does not have its lessons for us. But there is no need to panic and cut back on programs vital to growth. Foreign confidence must be maintained; but this is best done by demonstrating that the American economy is competitive and increased efficiency depends on expansion. Our problem is not a question of living beyond our means but of insuring that we utilize all the resources in men and machinery that are now lying idle.

Mr. President, I am particularly struck with the cogency and pertinence of the concluding paragraph, because we have among us a few nervous individuals who feel that the sole solution to the economic problems before the country is to cut back upon programs which, in my opinion, are vital to the welfare of the country.

I agree with the thought expressed in the concluding sentence, that—

Our problem is not a question of living beyond our means but of insuring that we utilize all the resources in men and machinery—

And materials, facilities, and resources—that are now lying idle.

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

[From the New York Times, June 26, 1962]

**THE CANADIAN LESSON**

Canada's financial crisis is being pictured as an omen of what the United States faces if we do not get our own house in order.

The weakness of the Canadian dollar does illustrate the grave risks a nation runs when

it persists in living beyond its means. The Government has been pursuing an easy-money policy to stimulate domestic activity which has helped to increase imports, bringing about a deficit in Canada's balance of payments. But in recent years foreign demand for Canadian resources, principally mining and agricultural products, has dropped along with foreign investment in Canada. The amount of the payments deficit has thus increased.

Canada's Government has had ample warning that it was headed for trouble. But with an election in the offing, Prime Minister Diefenbaker was reluctant to lose votes by taking politically unpalatable measures. The electorate, however, did not give Mr. Diefenbaker a majority vote of confidence. And now, to defend the dollar, he has been forced to take a series of drastic belt-tightening steps. The Bank of Canada has raised its discount rate to 6 percent, which may help to attract foreign capital. New tariffs have been levied on foreign goods. Imports will be cut. Government spending will be reduced by \$250 million. And the Government has obtained over \$1 million in loans and standby credits from the International Monetary Fund, the United States and the British Governments.

These are harsh and humiliating measures that became inevitable after the earlier reluctance to take any action. And their severity reveals the depth to which the Canadian dollar, which once sold at a 5-percent premium over the U.S. dollar, has fallen. But they also are proof that Canada is determined to bring about a restoration of foreign confidence in its currency.

The U.S. dollar is itself under suspicion, and many are leaping to the conclusion that it will suffer the same fate as the Canadian dollar. But our position differs in many fundamental respects. Canada has been running a huge trade deficit which, until recently has been covered by an inflow of foreign capital investments; in contrast, the United States has a healthy surplus in its trade account. The Canadian budget is relatively much bigger than our deficit; and we have not experienced the continuing rise in prices that, through monetary inflation, has beset Canada. Finally, our currency reserves are much greater, and our economy much more resilient because it does not depend primarily on world demand for raw materials.

This does not mean that the Canadian crisis does not have its lessons for us. But there is no need to panic and cut back on programs vital to growth. Foreign confidence must be maintained; but this is best done by demonstrating that the American economy is competitive and increased efficiency depends on expansion. Our problem is not a question of living beyond our means but of insuring that we utilize all the resources in men and machinery that are now lying idle.

**AMA TO STUDY TOBACCO AND  
DISEASE**

Mrs. NEUBERGER. Mr. President, I am deeply gratified to be able to announce that the board of trustees of the American Medical Association has directed its council on drugs to study and report upon the relationship between tobacco and disease. The board's action is of the utmost significance in view of the eminence of the council on drugs in the fields of pharmacology and therapeutics.

The board's decision could not have been lightly made. The evidence of tobacco's effect upon the Nation's health has been shrouded in acrimonious con-

troversy, provoked in large measure by the ubiquitous tobacco industry. It would have been far simpler for the board to have declined to embroil the association in this controversy. They did not decline. For this, they are entitled to our profound respect and gratitude.

I am confident that the medical evidence thus far publicized will be reviewed dispassionately and objectively by the council, and I await with keen interest the issuance of their report.

I ask unanimous consent that a letter from Dr. Ernest B. Howard, assistant executive vice president of the American Medical Association, informing me of the board's decision, be printed in the RECORD at the conclusion of my remarks.

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

AMERICAN MEDICAL ASSOCIATION,  
Chicago, Ill., June 9, 1962.

HON. MAURINE B. NEUBERGER,  
U.S. Senate, Special Committee on Aging,  
Washington, D.C.

DEAR SENATOR NEUBERGER: The Board of Trustees of the American Medical Association considered your inquiry regarding the official position of the American Medical Association on the subject of smoking and health. I am happy to report to you that the board instructed the Council on Drugs of the AMA to study and report on the relationship of tobacco and disease. I shall keep you apprised of the progress of the council in its study of this important subject.

May I take this opportunity to congratulate you on the impetus you have given, both to the American Medical Association and the Public Health Service, on this important matter.

Sincerely,

ERNEST B. HOWARD, M.D.

**CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS**

Mr. RUSSELL. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives in regard to House bill 11131, authorizing certain construction at military installations.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 11131) to authorize certain construction at military installations, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. RUSSELL. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. ENGLE, Mr. CANNON, Mr. BEALL, and Mr. GOLDWATER conferees on the part of the Senate.

**FOREIGN POLICY**

Mr. TOWER. Mr. President, the Senator from Illinois, EVERETT MCKINLEY DIRKSEN, has suggested that Walt W.

Rostow, counselor of the State Department and Chairman of its important Policy Planning Council, be called before an appropriate committee to explain, as its reported author, a highly controversial foreign policy document which has been making the rounds at top levels within the administration, and here on the Hill. The document is 286 pages long, reportedly, and it is titled "Basic National Security Policy," as an outline of the administration's grand strategy for the conduct of foreign affairs for the coming years.

The Senator from Illinois has eloquently spoken here of Mr. Rostow's assumptions that the Soviet Union's policies are mellowing, and are even on the verge of becoming honorable, and asserts there is little or no intelligence support for the theories advanced in this new policy document, prepared for President Kennedy and the National Security Council. The Senator from Arizona [Mr. GOLDWATER] has similarly spoken, terming the theme of this foreign policy guide hazardous in the extreme, and worthy of the Senate's closest scrutiny and examination.

Mr. President, I wish to associate myself with these conclusions, and ask unanimous consent to have printed in the RECORD articles by Willard Edwards appearing in the Chicago Tribune on June 19, titled "Asks Senate To Question Rostow Plan," and on June 21, titled "Rostow Policy Plan Riddled by GOLDWATER," and editorials appearing in the Dallas News, in my home State, on June 20, titled "Mr. Rostow to the Stand," and on June 21, titled "The World Is Flat."

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

[From the Chicago Tribune, June 10, 1962]  
**ASKS SENATE TO QUESTION ROSTOW PLAN**  
 (By Willard Edwards)

WASHINGTON, June 18.—Senate questioning of Walt W. Rostow, State Department planner of a foreign policy guide for the Kennedy administration, was suggested today by Senator DIRKSEN, Republican, of Illinois, the minority leader.

DIRKSEN told the Senate that an appropriate committee should require Rostow to supply the intelligence data on which he bases an assumption that the Soviet Union's policies are "mellowing."

Intelligence agencies assert there is little or no evidence to support Rostow's theories, DIRKSEN noted.

#### READS TWO STORIES

"If this basic assumption is only opinion, I would suggest it is not proper ground on which to stake the entire future of the American people," he remarked. "I think a great deal more will be said on this Senate floor about this subject when the Senate has examined it in detail."

DIRKSEN placed in the CONGRESSIONAL RECORD two Chicago Tribune articles published yesterday and today which presented a digest of a foreign policy draft under preparation for more than a year and now ready for official inspection of President Kennedy and the National Security Council.

#### TOP FOREIGN ADVISER

This document, under supervision of Rostow, the President's top foreign policy adviser during the Presidential campaign and now Chairman of the State Department Policy Planning Board, proposes a conciliatory approach to the Soviet Union, based

upon the doctrine that "evolution" of the Communist state will soon permit meaningful agreements between the Communist and non-Communist worlds.

Senator HUGH SCOTT, Republican, of Pennsylvania, agreed with DIRKSEN that exposure of the Rostow draft's contents would arouse much floor discussion. He asked if there were not some "strong" thinkers in the Government to oppose the "fuzzy minded." DIRKSEN said many in the Pentagon remained of the opinion that a "tough line" should be followed in the cold war with Russia.

#### AWAITED WITH TREPIDATION

"Many of us, not unfamiliar with Mr. Rostow's thinking, have awaited the birth of this new strategy with considerable trepidation," DIRKSEN said. "Mr. Rostow has never been a very devoted disciple of the tough policy line toward Russia. It now develops that he holds some unique ideas about the Soviet Union that are considerably closer to the fuzzy thinking of the late and lamented 'Liberal Papers' than even the most liberal member of this body would be willing to accept."

The "Liberal Papers" were a collection of essays compiled some years ago by a group of so-called liberal Democrats in Congress.

#### SEES NO VICTORY

"The core of Mr. Rostow's proposal is that if we are only nice to the Soviets, they will drop all their suspicions of the free world and peace will finally bloom," DIRKSEN said. "His most amazing thesis is this: That both the United States and Russia are losing power and authority and that an area of 'overlapping interests' is developing between them."

"Mr. Rostow sees no victory by the United States over the Soviet Union, no victory by capitalism over communism. In fact, Mr. Rostow is a man of little hope and the last person in my opinion who should have been chosen for the all-important task of directing the continuing review of our foreign policy."

"The basic philosophy of successful conflict is always to pursue a winning course and always change a losing game. Every high school coach, every big league manager knows this. But apparently our State Department planners do not."

#### ANSWER IS OBVIOUS

"If Mr. Rostow's assumption, that the Soviet Union is softening is correct, then what caused it to mellow? To me the answer is obvious. The only times we have ever gotten anywhere with the Soviet Union—the only times it has ever mellowed—has been when the United States was tough. Logic would say that Mr. Rostow is recommending a course exactly diametric to American interests."

"How does Mr. Rostow explain the recent Russia breaking of the moratorium on nuclear testing, its recent announcement that they are now going to test a 100-megaton bomb in retaliation for our resumption of testing?"

"Does the presence of our Armed Forces in Thailand or Vietnam indicate the Communists are mellowing? I think the Senate is entitled to know."

[From the Chicago Tribune, June 21, 1962]  
**ROSTOW POLICY PLAN RIDDLED BY GOLDWATER—**  
**FRAUGHT WITH GREAT DANGER, SENATOR**  
**SAYS**

(By Willard Edwards)

WASHINGTON, June 20.—Senator BARRY GOLDWATER, Republican, of Arizona, told the Senate today that the United States would be launched on a new, hazardous and futile course if future foreign policy is based upon the assumption that Russian policy is mellowing.

This assumption, reported as the theme of a foreign policy guide prepared for Presi-

dent Kennedy by Walt W. Rostow, Chairman of the State Department Policy Planning Council, is fraught with great danger, GOLDWATER said.

He joined Senator DIRKSEN, Republican, of Illinois, the minority leader, in a demand that Rostow be questioned by a Senate committee "at the earliest possible time."

Chairman J. W. FULBRIGHT, Democrat, of Arkansas, of the Senate Foreign Relations Committee, to whom DIRKSEN's request was forwarded, was unavailable but other committee members guessed that Rostow would be called. He has said he will be glad to testify in a full and frank discussion of his document.

"We have long heard unofficial reports about this new strategy paper being prepared by Mr. Rostow," GOLDWATER said. "As I understand it, the document was prepared as a guide for future decisions by the President and the National Security Council."

"If this is the case, it undoubtedly must be regarded as an extremely important policy device and worthy of the Senate's closest attention. If it presages historic changes in American foreign policy, we should be told about it immediately."

#### MOST DANGEROUS DOCUMENT

"From what we know of the Rostow paper based on the unofficial but seemingly authoritative accounts appearing in the Chicago Tribune of June 17 and 18, it is based on a ridiculously false assumption that Russia is maturing in a fashion that would lend itself to honorable dealing with the United States."

"Apparently, through the medium of one paper, based largely on Mr. Rostow's hopes rather than the hard realities of the situation, the State Department would have the President and the National Security Council adopt a new, hazardous, and patently futile course in the cold war."

"As a policy device, the Rostow paper sounds to me like the most dangerous document in America."

#### MORE FUZZY THINKING

GOLDWATER said the Rostow line of reasoning resembled the "fuzzy-minded" thinking in the "Liberal Papers," a collection of essays by so-called liberal Democrats in the House, which was published recently.

"The idea seems to be that changes have taken place in the capital of world communism since [Russian Premier] Khrushchev took over and that we can make use of these changes through a calculated policy of appeasement and soft speaking. This dangerous concept rests on the assumption that now—all of a sudden—the Communists are interested in reducing world tensions and may be willing to follow us in a series of unilateral acts designed to this end."

GOLDWATER said this was "the worst kind of liberal wishful thinking \* \* \* alien to the thinking of Congress and the American people." He noted that Rostow conceded the new strategy would require a selling campaign to adjust the thinking of Americans to "this bold new approach."

#### PART OF BRAINWASHING

"Here we have another example of the administration's constant preoccupation with the idea that Congress and the American people don't know what is best for them or the country," he remarked. "It is part and parcel with the idea that American people must be brainwashed into changing their views for their own good."

"The American people may not have the same level of 'sophistication' that the New Frontier insists upon but they do know that Russia is not mellowing and that Communists cannot be trusted. They know that appeasement in the present world crisis is of one piece with a policy of surrender."



GOLDWATER placed in the record material published in 1957 about Rostow, then a professor at the Massachusetts Institute of Technology Center for International Studies, and his brother, Eugene V. Rostow, dean of the Law School at Yale University, who has been mentioned as a potential nominee for a Supreme Court appointment.

[From the Dallas Morning News, June 20, 1962]

#### MR. ROSTOW TO THE STAND

Ever since somebody—we think it was Senator STROM THURMOND, of South Carolina—first charged that the State Department was advocating a no-win policy, various congressional committees and individual Members of Congress have been trying to unearth the basic elements of policy which guide the State Department in foreign affairs. Most of these attempts have met with limited success.

Now Senator EVERETT M. DIRKSEN, Republican, of Illinois, has suggested that Walt W. Rostow be called to the stand to testify. Mr. Rostow is counselor of the State Department and Chairman of its all-important Policy Planning Council. If anyone can explain State's policy, he should be able to do it; Mr. Rostow, along with the President himself, has been a chief architect of that policy—whatever it might be.

The reason for Senator DIRKSEN's proposal that Congress call Rostow to the stand is that the State Department counselor is reported to be the author of a highly controversial document which has been making the rounds lately at the top levels of the administration. This document—286 pages long and entitled "Basic National Security Policy"—is said to be an outline of the administration's grand strategy for the conduct of foreign affairs over the next few years.

Three months ago the News reported the existence of this document. At that time all that was known of its contents was that it advocated the elimination of first-strike weapons in the U.S. arsenal.

For the past 3 months, the administration has refused to release the document—even to congressional committees which normally have access to such information. But in the past week several highly placed officials at the State Department and Pentagon who are displeased with the contents of the Rostow report have leaked its basic outlines to the press.

According to these reports and to the public revelation by Senator DIRKSEN, the core of Rostow's proposal is an assumption that the Communists are mellowing and will give us peace if we are nice to them. Specifically, the policy statement is supposed to include these startling recommendations:

Recognition of Red China by the United States and withdrawal of U.S. opposition to Peking's admission to the United Nations.

De facto recognition of East Germany as a separate nation.

Pulling back armed opposition to the Communists along the borders of the Soviet empire.

Coercion of Nationalist China to give up the offshore islands of Quemoy and Matsu.

Unilateral deemphasis of nuclear weapons and reliance primarily on conventional weapons and forces.

Attempt to contain the spread of communism but do nothing to stir up trouble behind its borders.

These are not simply suggestions for change in the administration's foreign policy. Many of them have been put into effect already at least in part. Moreover, the mere fact that they are being considered should have far-reaching impact on our allies and enemies alike.

Mr. Rostow's influence on the administration cannot be doubted. It is said that he

was responsible for the administration's opposition to the B-70 and Nike-Zeus programs, that he authored the proposal to appease the Communists in Berlin, that he had an important part in drafting the U.S. disarmament scheme which would have turned our arms over to a United Nations Peace Force.

Mr. Rostow should explain. The American people have a right to know exactly what the State Department is trying to do and who is responsible for its doings. And if they don't like what they find, the American people have a right to demand some changes.

[From the Dallas Morning News, June 21, 1962]

#### THE WORLD IS FLAT

On this page yesterday, the News made a brief analysis of the foreign policy proposals reportedly submitted to the President by State Department Counselor Walt W. Rostow in a secret 286-page report entitled "Basic National Security Policy." Since some believe that this report is an outline of the Kennedy administration's grand strategy for the conduct of foreign affairs, and since Mr. Rostow now occupies a position of great importance within the administration as Chief of the State Department's Policy Planning Council, we believe the Rostow report merits further editorial comment.

Willard Edwards, veteran Washington correspondent for the Chicago Tribune, has provided a detailed analysis of the proposals from which we have drawn most of the following information.

In addition to recommendations that we recognize Red China and East Germany, pull back our opposition to communism along the Soviet borders, force Nationalist China to give up its offshore islands, deemphasize nuclear weapons unilaterally, and limit our opposition to communism to a general policy of containment (all of which were mentioned in yesterday's editorial), the following recommendations have also been made in the report, according to Edwards:

Our treatment of Soviet satellite nations should be gentle—we should refrain from criticizing them, continue to give them aid, open up trade channels with them and encourage our Western European allies to be more cooperative.

In no event should we ever encourage or support armed uprisings against the Communists in the satellite nations.

If we can't come to an agreement with the Soviets over arms control or disarmament, we might advance a program which does not require negotiations.

American interests will be better served by leaning toward nations with modern ideas rather than sticking to old allies with outmoded ideas. The United States does not want allies; it wants only neutrals.

Foreign aid can be used as a weapon, but only against allies (with outmoded ideas). If they won't cooperate, take it away from them. (Rostow must have had more than a little influence over our Lao policy.)

"Rising tensions or pleas of our allies or of the American public must be ignored in any crisis with Russia. The temptation must be avoided to prolong or expand any crisis in an effort to degrade or embarrass the Soviets in the eyes of the world."

Our goal should not be victory over Russia ("no-win") but "victory of men and nations over the forces that wish to entrap and exploit their revolutionary aspirations." (That term "revolutionary" has always had an unpleasant connotation, as far as we're concerned.)

More than anything else, the United States must show the Communists that it has no aggressive intentions—that we only want peace.

What lies behind all of these incredible proposals? Apparently Mr. Rostow believes that the Communists have abandoned their longstanding goal of world conquest. Never

mind that military and intelligence sources have been unable to find a shred of evidence to substantiate this conclusion. Mr. Rostow is sure.

In fact, he has been sure that the Communist world and its leaders have been changing—"mellowing" is the word he uses—for about 6 years. In 1956, Rostow expounded his theory concerning the Communist "evolution"—and he even included Red China.

In his latest report to the President, Rostow admits that there isn't any real evidence to back up his conclusions. Since this is true, he says, it will be hard to convince Congress and the American people that he is right. But it must be done, he says. And in order to do it, an educational campaign must be started.

So sit tight, friends, we may be barraged with a bevy of propaganda from Foggy Bottom designed to convince us that the world is flat again.

#### SUPREME COURT DECISION ON PRAYERS IN PUBLIC SCHOOLS

Mr. BUSH. Mr. President, the decision of the Supreme Court yesterday respecting the matter of prayers in the public schools of New York has many distressing aspects, and I find myself very unhappy about that majority decision.

The minority opinion, expressed by Justice Potter Stewart, was printed in full in the New York Times this morning, and I ask unanimous consent that it may appear following my remarks this morning in the body of the RECORD.

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

(See exhibit I.)

Mr. BUSH. Mr. President, Justice Stewart points out the many instances in which prayer is required by Federal law. Every Senator, when he takes his oath of office, pledges himself to fulfill his duties with the help of Almighty God. The same is true in the House of Representatives. A few years ago—I think in 1954—in the Pledge of Allegiance to the Flag, we inserted the words "under God."

I think this decision of the Supreme Court is most unfortunate and divisive and quite unnecessary, and I hope that those who are interested in this subject will read the opinion of Justice Potter Stewart, because I think he puts the whole question in the proper perspective. I wish the majority of the Court had heeded his opinion on this issue.

#### EXHIBIT I

##### DISSENTING OPINION BY JUSTICE STEWART

A local school board in New York has provided that those pupils who wish to do so may join in a brief prayer at the beginning of each school day, acknowledging their dependence upon God and asking His blessing upon them and upon their parents, their teachers, and their country. The Court today decides that in permitting this brief non-denominational prayer the school board has violated the Constitution of the United States. I think this decision is wrong.

The Court does not hold, nor could it, that New York has interfered with the free exercise of anybody's religion. For the State courts have made clear that those who object to reciting the prayer must be entirely free of any compulsion to do so, including any "embarrassment and pressures." *West Virginia State Board of Education v. Barnette*, 319 U.S. 624. But the Court says that in permitting schoolchildren to say this

simple prayer, the New York authorities have established "an official religion."

With all respect, I think the Court has misapplied a great constitutional principle. I cannot see how an "official religion" is established by letting those who want to say a prayer say it. On the contrary, I think that to deny the wish of these schoolchildren to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our Nation.

The Court's historical review of the quarrels over the Book of Common Prayer in England throws no light for me on the issue before us in this case. England had then and has now an established church. Equally unenlightening, I think, is the history of the early establishment and later rejection of an official church in our own States. For we deal here not with the establishment of a state church, which would, of course, be constitutionally impermissible, but with whether schoolchildren who want to begin their day by joining in prayer must be prohibited from doing so. Moreover, I think that the Court's task in this as in all areas of constitutional adjudication, is not responsibly aided by the uncritical invocation of metaphors like the "wall of separation," a phrase nowhere to be found in the Constitution. What is relevant to the issue here is not the history of an established church in 16th century England or in 18th century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our Government.

#### PRAYERS IN GOVERNMENT

At the opening of each day's session of this Court we stand, while one of our officials invokes the protection of God. Since the days of John Marshall our crier has said, "God save the United States and this honorable Court." Both the Senate and the House of Representatives open their daily sessions with prayer. Each of our Presidents, from George Washington to John F. Kennedy, has upon assuming his office asked the protection and help of God.

The Court today says that the State and Federal Governments are without constitutional power to prescribe any particular form of words to be recited by any group of the American people on any subject touching religion. The third stanza of "The Star-Spangled Banner," made our national anthem by act of Congress in 1931, contains these verses:

"Blest with victory and Peace, may the  
Heav'n rescued land  
Praise the pow'r that hath made and pre-  
served us a nation.  
Then conquer we must, when our cause it is  
just, and this be our motto 'In God is  
our trust.'"

In 1954 Congress added a phrase to the Pledge of Allegiance to the flag so that it now contains the words "one nation under God, indivisible with liberty and justice for all." In 1952 Congress enacted legislation calling upon the President each year to proclaim a national day of prayer. Since 1865 the words "In God we trust" have been impressed on our coins.

Countless similar examples could be listed, but there is no need to belabor the obvious. It was all summed up by this Court just 10 years ago in a single sentence: "We are a religious people whose institutions presuppose a supreme being." *Zorach v. Clauson*, 343 U.S. 306, 313.

I do not believe that this Court, or the Congress, or the President has by the actions and practices I have mentioned established an "official religion" in violation of the Constitution. And I do not believe the State of New York has done so in this case. What each has done has been to recognize and to follow the deeply entrenched and highly

cherished spiritual traditions of our Nation—traditions which come down to us from those who almost 200 years ago avowed their "firm reliance on the protection of divine providence" when they proclaimed the freedom and independence of this brave new world.

I dissent.

#### DISCRIMINATION AGAINST IMPORTS OF U.S. PRODUCTS

Mr. MORTON. Mr. President, as we prepare to consider trade policy legislation, there is one item I should like to call to the attention of my colleagues. Under the Trade Agreements Act as extended in the past, we have gained certain tariff reductions from other countries in return for concessions we have made. However, one fact has been that devices other than tariffs and duties have been used by many foreign nations to discriminate against imported products.

I have done a brief research job—and a hasty one, I am afraid—but it points out some of the mechanisms used which are known by different names. For instance, permits are still used in Great Britain, which must be granted by the government before any foreign products can be imported. While there is no specific duty or tariff imposed, the necessity of securing a permit, for instance, effectively prohibits U.S. coal from being sold in that country.

I ask unanimous consent that a short analysis I have had prepared be printed in the RECORD following my remarks.

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

#### DEVICES, OTHER THAN TARIFFS AND DUTIES CURRENTLY USED BY FOREIGN NATIONS TO DISCRIMINATE AGAINST IMPORTED PRODUCTS

There is a tendency to assume that the negotiation of trade agreements between nations deals largely, or principally, with the arbitration of tariffs and duties. Listed below, therefore, are several devices which, even in the complete absence of any tariff or duty, serve effectively to restrict trade in a broad range of selected products and commodities.

Permits: A device, such as used in Great Britain, which must be granted by the Government before any foreign products are allowed to be imported. While there is no specific duty or tariff imposed, the necessity of securing a permit, for instance, effectively prohibits U.S. coal from being sold in that country.

Subventions: A device, such as used in Canada, to subsidize the transportation of fuels from domestic producers to domestic consumer so as to render the use of Canadian fuels economically competitive.

Subsidies: A device, such as used in Great Britain, to permit nationalized industries to selectively reduce prices, thereby replacing foreign products.

Import licenses: A device, such as used by most member nations of the General Agreement on Trade and Tariffs, which may effectively prohibit free trading on a broad range of protected domestic commodities.

Exchange controls: A device, such as used in Italy, which in effect controls imports through the restriction of sales of foreign exchange currency by the government.

Allocations: A device, such as used in Japan, which stipulates the amount of currency which may be spent on the purchase of certain imports.

Legalized certificates: A device, such as used in Brazil, which controls imports of selected raw materials by requiring a certificate to be legalized by the Executive Commission for the specified commodity group.

Road use tax: A device, such as used in Austria, which taxes automobiles on the cylinder volume basis. This tax falls most heavily on U.S. passenger cars which have larger and slower turning engines than their counterparts in most European cars to provide longer wear and more trouble-free operation.

Annual road tax: A device, such as used in Belgium and Luxembourg which, although it applies to both domestically assembled cars as well as imports, taxes automobiles on their fiscal hp. The rates are nonlinear, rising sharply to the higher hp. ranges, so that the tax payable on an American car may be several times that of a European car with a higher retail price.

Circulation tax: A device, such as used in Italy, where vehicles are taxed annually on the engine hp. The disadvantage to U.S. vehicles, with their larger hp., is compounded by the fact that this tax is constant and does not diminish with the age of the car.

Sales tax: A device, such as used in Portugal, where taxes are levied on the basic retail price of the import, separate and apart from duties or tariffs.

Import tax: A device, such as used in Greece, where a levy is made upon the c.i.f. (cost, insurance, and freight) value of the imported product.

Luxury tax: A device, such as used in Greece, where a tax is imposed on the c.i.f. value of certain foreign imports.

Primage tax: A device, such as used in Australia, where additional taxes are levied upon goods not considered essential. This device is usually not applied to imports from other Commonwealth nations.

Turnover equalization tax: A device, such as used in the Federal Republic of Germany, where a tax separate and apart from duties and tariffs is imposed on the duty paid value of the selected imports.

Customs stamp tax: A device, such as used in France, where a tax is imposed on the total of all customs charges.

Compensatory import tax: A device, such as used in Italy, where a tax on the duty and sales tax paid value is levied against selected imports.

Fiscal tax: A device, such as used in Spain, where a tax is levied against the duty paid value of selected foreign imports.

Value added tax: A device, such as used in France, where a levy, separate and apart from duties and tariffs, is laid upon the importation of certain selected items such as small motors and compressors.

Fiscal levy: A device, such as used in Switzerland, where a tax separate and apart from duties and tariffs, is levied upon the duty paid value of selected imports.

Stamp tax: A device, such as used in Switzerland, where a tax is laid upon all charges against selected imports, and which appears on the Swiss customs receipt.

Tariff quota: Under a tariff quota, imports of a commodity up to a specified volume are permitted to enter a country at a special low rate of duty but any imports in excess of this minimum volume are permitted to enter only through payment of a higher rate of duty.

Sanitary restrictions: Devices, such as used in Denmark, Sweden, and Great Britain, which effectively restrict and prohibit imports of selected items such as dairy and poultry products.

Bilateral quota: A bilateral quota is arrived at through negotiation between the importing country and a particular supplier country, or between the importing country and export groups with the supplier country. A common result is a rationalization of



the export market and the channeling of abnormal quota profits to special groups.

**Arbitrary interest rates:** A device, such as used in Italy, where low-interest loans are available to farmers who purchase domestic equipment but where higher interest rates are charged if foreign equipment is purchased.

**Mixing quota:** Numerous countries have in effect regulations which require producers to utilize domestic raw materials, up to a certain proportion, in the production of a finished product. These regulations, sometimes referred to as "linked-usage" regulations, have a quotalike effect in that they serve to limit imports to some relatively fixed ratio of particular domestic production.

**Remission restrictions:** A device, such as used in Afghanistan, where although an exchange license is not required, permission nevertheless must be obtained to remit foreign currency to exporters abroad.

**Cartels:** A device, such as used in Belgium, which may have as an effect the direct restraint of imports. For example, two cartels, the "Societe Generale de Belgique" and "Bur-fina," currently control a good deal of the mining, industry, and commerce of Belgium and, therefore, a large portion of the trade between these industries and the rest of the world. The Belgium Government actively and openly supports such cartels.

**Unilateral quota:** A device by which a country undertakes to fix an absolute limit upon the quantity of a commodity eligible for import during a given period. Such a quota may be formulated either in global terms or on an allocated basis. Under the global quota, imports are admitted from any country or countries up to the full amount of the quota. Under an allocated quota the quantity of imports allowable is apportioned among various supplier countries.

#### TRADING SYSTEM FOR HANDLING GRAIN

Mr. PEARSON. Mr. President, with a major share of our attention directed to the problem of agriculture and farm surpluses, we often lose sight of the very vital service performed for this segment of our economy by the grain markets.

For 88 years the Kansas City Board of Trade has made an important contribution to the efficient handling of the complex trading system developed to handle grain.

The Kansas City Star of June 10, 1962, paid a fine tribute to this excellent organization. It also summarized some of the board's current concern with matters before the Congress.

I ask unanimous consent that this editorial be printed in the RECORD.

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

##### HARVEST IN A RUSH, BUT SALES TAKE TIME

The wheat harvest season is here. Combines are rolling across yellow fields of ripened grain. Trucks speed from field to local elevator. By the trainload, the grain moves from the elevators to the vast storage bins at the terminal markets.

On the farm, this is the glamour season of the year. Obviously the completely mechanized operation is a big change from the old days of bundle wagons and steam threshers. The big dinners for thresher crews are only memories, yet there is still romance in the gathering of the grain. It is payday, too. The gold of the fields is turned figuratively into the gold of the realm. Literally, not figuratively, the harvested grain returns to growers, hundreds of millions of dollars.

Less apparent to the public than the harvest is the complex trading system that has been developed to handle the grain. Although it is sold today or tomorrow, or put under Government loan, the wheat currently being harvested won't be used this week or even next. It will be utilized throughout the year or it may even be 2 or 3 years before it is ground into flour.

Throughout the year, at the board of trade in Kansas City and at other major grain markets, groups of men will be standing in pits on the exchange floors shouting or signaling their bids or acceptances. Their eyes will be on a huge blackboard where prices of grain, both cash and futures, are posted. Changes seem to come by the minute. In Kansas City another 40 or 50 men on the same exchange floor will be running their hands through samples of grain in wood trays on tables. They are buyers or sellers. More men will be walking hurriedly to their offices. Messengers arrive and leave with important papers. Telephones ring and teletypes click.

The board of trade is a busy place. The casual visitor may look on the activity in complete perplexity.

As a matter of fact, there is a direct correlation between the harvest rush on the farms today and the activity on the grain exchange floor all year long. This is the business (at the board of trade) that handles the grain, gives it a value (price) and stores it. Businesses represented here maintain the quality of the grain and assume the risk. They will have it ready for delivery to consumers when they want it or where they want, tomorrow or next year, in this country or any place in the world.

It is a marketing system that has been developed over a hundred years in this country. Major changes have come in recent years through Government farm programs with supports which are the major factor in establishing wheat prices. But prices still change in response to market demands and the private trade has not been eliminated. It never should be.

The grain trade is under no direct attack from the Government, yet constant vigilance is required to maintain its free-enterprise status.

Even in the new farm bill which is now before Congress, a Senate amendment cautions the Commodity Credit Corporation not to circumvent the channels of private trade. This amendment is a reaffirmation of directions already in the farm laws. The repetition suggests that Congress sees a need for protecting private trade against Government intervention, even though none is contemplated.

Senator HUBERT H. HUMPHREY, of Minnesota, who introduced the amendment, spoke of it as a reminder to the Department of Agriculture. The amendment as adopted by the Senate reads:

"Sec. 405. Nothing contained herein shall be construed as authorizing sales of Commodity Credit Corporation-owned commodities, including sales against payment-in-kind certificates, other than in accordance with the provisions of section 407 of the Agricultural Act of 1949, as amended. Congress hereby reconfirms its longstanding policy of favoring the use by governmental agencies of the usual and customary channels, facilities, and arrangements of trade and commerce, and directs the Secretary of Agriculture and the CCC to the maximum extent practicable to adopt policies and procedures designed to minimize the acquisition of stocks by the CCC to encourage orderly marketing of farm commodities through private competitive trade channels, both cooperative and noncooperative, and to obtain maximum returns in the marketplace for producers and for the Commodity Credit Corporation."

A second amendment introduced by Senator HUMPHREY instructed the Secretary of Agriculture that it was the "sense of the Congress" that the Secretary should use the facilities of farmer cooperatives when feasible. Senator ALLEN J. ELLENDER, of Louisiana, chairman of the Senate Agriculture Committee, stated on the floor of the Senate that this amendment did not mean that cooperatives should receive preferential treatment.

There are unavoidable expenses and responsibilities in connection with the moving, storage and delivery of the grain. These expenses must be met. The responsibilities must be accepted, either by the private trade or the Government.

When statements are heard that it is costing the Government a million dollars a day just to store surplus grain, we should realize that these storage charges would accrue whether the grain was in Government or private hands. They become a part of the final cost of the product. Of course, the big surpluses add to the total storage costs.

Back in the 1920's, before this country ever had a farm program, the normal storage charge in elevators was 12 cents a bushel per year. Today, the Government is paying 13½ cents a bushel. Thus the tremendous storage costs today are the result of volume, not of big increases in storage charges.

Storage, of course, is only one part of the grain business. Ironically, although a large share of the payments for storage of huge surpluses has gone to the grain industry, the grain trade in general has opposed the farm programs. Even though Government storage has given them an assured income the grain people would prefer to go back to a completely free market. But few on the trading floor of the Kansas City Exchange expect to live long enough to see this happen. Nevertheless, they argue that the Government program is responsible for the wheat surpluses which confuse farmers, the trade, and Government alike.

An important part of grain trading is the futures market. It is complicated and often misunderstood, yet because of it, trading can be done swiftly and economically on standards that are accepted anywhere in the world.

In handling wheat over long periods, risk is a major factor. There are risks which include all natural hazards such as fire, wind or floods, and product deterioration, but the major and overshadowing risk is price change. The futures market provides a means of shifting this risk—to those who are willing to shoulder it, hoping, of course, to make a profit.

Boards of trade provide facilities for members to trade in futures. Explanations of futures trading reveal that the actual "commodity" bought or sold on a futures market is a contract. This contract is a promise to deliver or accept delivery of a specified quantity of grain at a specified time and place. The grain doesn't actually change hands until the contract becomes due.

An example of the use of the futures markets can be taken from a practice of flour mills, a practice that might be likened to insurance. A mill which has contracted to deliver flour in September, for instance, buys a corresponding amount of wheat on the futures market to protect itself against a price change until the flour is delivered. Or a mill, as it fills its bins with wheat which will be milled later, sells futures as a hedge against a drop in the price of the grain.

The futures market also provides the mechanics for fulfillment of promises to deliver or receive products at a specified time in the future. Such a system is a necessary part of handling a commodity that is harvested in a matter of weeks, yet consumed throughout the year. Futures also have the very im-

portant function of giving a value on grain harvested today that is somewhere near the value it will have when it is finally sold for consumption. The futures market acts to equalize the price throughout the year.

Theoretically, the difference between a cash and futures quotation would be the cost of holding the commodity from the date of the futures purchases until the contract was completed. But prices on the commodity itself change as a result of many factors. This brings speculators into the market, a necessity if hedging is to be carried on successfully. These speculators are willing to assume a part of the risk of price changes, a very large and essential function in the marketing process.

The charge once made that speculators were gamblers seldom is heard today. The functions of the trade have become better understood and abuses have been eliminated through regulations.

In addition to providing the facilities for hedging, the futures market encourages an efficient information system. Supply and demand factors are continuously analyzed and price quotations are widely disseminated. The machinery is set up for a uniform system of weighing, grading, inspection and the settlement of trade disputes.

The proponents of the grain trading system in the United States maintain that it is the most efficient in the world. It is not, however, the only method of handling the marketing of grain. In fact, it is not duplicated in any other country of the world.

The futures markets are regulated by the Government's Commodity Exchange Authority and by the exchange organizations themselves. Such regulations are necessary and merit the support of the trade.

What the trade fears, and legitimately, is a gradual encroachment of the Government into the marketing system itself. The Government, for instance, owns facilities for storing a billion bushels of grain, space that was acquired under the pressing growth of surpluses. Congress has instructed the Department of Agriculture to utilize private storage facilities wherever feasible, in preference to Government-owned bins. But it is not difficult to surmise the development of a demand for the Government to use its available bins before it adds big storage costs by paying commercial elevator people.

In the last year the Department of Agriculture has sold millions of bushels of corn from its bins in order to control the corn market. It even went so far as to get a railroad rate reduction on the shipment of corn to the southeast part of the United States. Its purpose was to hold prices below the regular market values in that area.

The corn sales functioned as a pressure on farmers, forcing them to join the Government's acreage reduction program. It was Government policy to hold down prices on corn grown by farmers who did not choose to join in the program. The Government, not the market, set the price on corn by the amount it released for sales from day to day.

Thus the trade wonders what the next step in Government intervention in the market will be. It welcomes such pledges from the Government as the one contained in the Humphrey amendment to the Senate's farm bill. Yet private business can't completely uncross its fingers. The trend to Government intervention always seems to be in one direction—toward more and more.

Kansas City is at the hub of the greatest grain-producing area of the world. It is one of the Nation's largest storage and processing centers. Grain is one of our biggest industries, year in and year out. We are especially aware of its importance at harvest time. Kansas City has a vital interest in the grain trade and its future as a part of the free enterprise system.

## DISTORTION OF THE CONSTITUTION BY THE SUPREME COURT

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may be permitted to speak for 8 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, for some years now the members of the Supreme Court have persisted in reading alien meanings into the Constitution of the United States. Through interpretations which cannot be sustained by either the language of the Constitution or the intent of its framers, they have sought, in effect, to change our form of government.

But never in the wildest of their excesses, Mr. President, have they gone as far as they did on yesterday when—in a gross distortion of the first amendment—six of the Justices decreed that the voluntary saying of nondenominational prayers in public schools is unconstitutional.

It was an outrageous edict which has numbed the conscience and shocked the highest sensibilities of the Nation. If it is not corrected, it will do incalculable damage to the fundamental faith in Almighty God which is the foundation upon which our civilization, our freedom, and our form of government rest.

Mr. President, the first amendment is so clear that any fourth grade student can understand it. It says simply that: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Congress has made no such law. No Member of Congress has proposed such a law. And, in the absence of such a law, the Supreme Court is without authority to act on the subject.

In fact, Mr. President, a true interpretation of the spirit of the Constitution would hold that the Supreme Court, not the State of New York, has violated it. That is true because the effect of yesterday's ruling was to prohibit the free exercise of religion by the schoolchildren of the State of New York.

The renowned and respected minister, Dr. Billy Graham, put the matter in its proper perspective with his observation that the Constitution of the United States guarantees freedom of religion—not freedom from religion.

No historical fact is more clearly established than that this country was settled by men and women of great faith who were seeking a home where they and their posterity might worship God in freedom. Every President of the United States from Washington to Kennedy has sworn before God to uphold the Constitution and the laws made under it. Every Member of Congress from the first through the 87th sessions has taken a similar oath.

Both Houses of Congress begin their daily deliberations with prayers. A crier opens the sessions of the Supreme Court itself with the declaration: "God save the United States and this Honorable Court." Our coins feature the motto, "In God We Trust," and we sing the same words

in our national anthem. Our "Pledge of Allegiance to the Flag" has been amended to include the phrase, "one nation under God." All branches of the armed services have chaplains of all faiths whose salaries are paid with tax funds. Congress has enacted legislation calling on the President to proclaim a National Day of Prayer each year.

Mr. President, I submit the Supreme Court of the United States on yesterday violated every tenet of American law and every principle of the spirituality of man. It has dealt a blow to the faith of every believer in a Supreme Being and it has given aid and comfort to the disciples of atheism by whatever name they may call themselves.

Mr. President, it is the earnest hope of the junior Senator from Georgia that this unconscionable edict will prove to be the event which arouses the American people to demand action by their elected representatives to put an end once and for all to the ever-broadening judicial encroachments which are destroying freedom and constitutional government in this country.

The psalmist of old declared that "Blessed is the nation whose God is the Lord." The junior Senator from Georgia believes with all his heart, Mr. President, that the overwhelming majority of the American people will agree that that man of God was a greater authority on the subject than six politically motivated members of the Supreme Court of the United States.

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

Mr. TALMADGE. I am delighted to yield to my friend from Virginia.

Mr. ROBERTSON. Mr. President, I warmly commend my distinguished colleague from Georgia for the sentiments he has expressed. I fully concur in the condemnation he has made of the decision. Later today I plan to discuss it at some length, because it is a subject in which I have been interested over a period of years.

Mr. President, our colleague has pointed out that the first amendment relates to an act of Congress. Is that not true?

Mr. TALMADGE. The Senator is correct.

Mr. ROBERTSON. In this case, no act of Congress was involved.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. ROBERTSON. May we have 1 additional minute?

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield for 1 more minute to the junior Senator from Virginia.

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

Mr. ROBERTSON. I am sure my colleague remembers that James Madison was a very religious man. He did not wish to take religion out of Government, but he wished to keep the Government out of religion. He wished to put into the first amendment a prohibition against State laws to establish religions. He could not get that adopted, so the States can go far beyond what New York



did. New York only authorized a brief prayer. Is that not correct?

Mr. TALMADGE. The Senator is eminently correct.

Mr. ROBERTSON. It is correct that the decision yesterday related to a State law, and a brief prayer only was involved. As my distinguished friend said, the Supreme Court has again, by judicial fiat sought to amend our Constitution.

Mr. TALMADGE. The Senator is eminently correct. I commend him for his view, and I agree wholeheartedly with it.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the distinguished Senator from Georgia may have an additional minute.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

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

Mr. TALMADGE. I yield.

Mr. DIRKSEN. Has it occurred to the distinguished Senator that on the gallery floor of the Capitol, within a stone's throw of where we stand in this Chamber today, there is a chapel furnished by public funds, where a Member of this body or any other person can go to indulge in prayer, to energize his faith, and to find his Maker in his own way?

Mr. TALMADGE. The junior Senator from Georgia is aware of that fact. I compliment and commend the distinguished minority leader for pointing it out during this colloquy.

I call the attention of the distinguished minority leader to the fact that underneath the clock on the wall of this very Chamber is engraved "In God We trust."

I thank the distinguished Senator from Illinois and the distinguished Senator from Virginia for their valuable comments in this discussion.

#### RECORD OF SERVICE OF PHILIP COOMBS

Mr. HUMPHREY. Mr. President, Mr. Philip Coombs, Assistant Secretary of State for Educational and Cultural Affairs, has resigned. He has given our country good and faithful service.

I have known Mr. Coombs for many years and consider him an extremely able and dedicated person. He brought new life and vitality into the Office of Educational and Cultural Affairs and made a significant contribution to the total foreign policy of our country by building educational and cultural affairs into a more vital and effective component of U.S. foreign relations.

A careful study of Secretary Coombs' record will reveal the broad scope and the wide range of activities of the educational and cultural affairs program. Mr. Coombs is to be congratulated for his leadership, his dedication, his imagination, in developing and improving the program.

In late April, Mr. Coombs addressed the Annual Conference of the National Association of Foreign Student Advisers. I ask unanimous consent to have the transcript of his address printed in the RECORD.

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

TRANSCRIPT OF INFORMAL REMARKS BY THE HONORABLE PHILIP H. COOMBS, ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS, AT THE ANNUAL CONFERENCE OF THE NATIONAL ASSOCIATION OF FOREIGN STUDENT ADVISERS, MAYFLOWER HOTEL, WASHINGTON, D.C., WEDNESDAY, APRIL 25, 1962

Dr. NEAL. Our next speaker has probably been responsible more than any one individual for the recent concern of the Federal Government with the unsponsored foreign student. The framer of the famous Ten Points familiar to NAFSA, he also has brought into international educational exchange, vigor, imagination, and, above all, close liaison with this association and the institutional spokesmen among its membership.

I present to you now with great pleasure the Honorable Philip H. Coombs, Assistant Secretary of State for Educational and Cultural Affairs. [Applause.]

Secretary Coombs. Thank you, Joe Neal. I think I should address you as friends and stockholders [laughter], although this year we have to omit the box lunch. [Laughter.]

When I attended the very good reception last night and met so many old friends who had the patience to listen to my remarks on earlier occasions—all the way from New York to San Francisco and even as far away as Athens—Greece, that is—[laughter]—I realized that this was the toughest challenge I have had since coming to Washington. Most of you have heard my standard speech by now and I must try to give you a new one.

I would like to give you a kind of stockholders' report which may help you see in broad perspective what you and other voluntary organizations in the academic community have been accomplishing and what the Government has been doing this past year. I will try also to suggest some of the things that remain to be done next year and thereafter.

I think it can be said in summary—and you people could present much of the evidence—that in the last year the whole question of foreign students in the United States has moved up to a much higher point on the public agenda for discussion and attention and action. The press and other mass media have certainly given the subject more attention—oftentimes, unfortunately, to the more dramatic problem side, thereby getting the picture somewhat out of focus. Nonetheless, it is good that people are thinking more about this important question.

We all know a good deal more than we knew a year ago about the nature of the problems. Certainly I do. I have had some good teachers. I overheard one of your colleagues saying to another last night, "We just got this guy half educated and now we have to start all over again." [Laughter.]

Certainly more than ever before is being done about foreign students to improve their academic and personal experience, their selection, their placement and following up on them when they return home. Much more remains to be done, and there do exist today a good many concrete plans which have been thought out with the help of a great many competent people. Some of these plans are already in motion; others are ready to roll.

I would like to break my remarks into two main parts. First, to give you a panoramic picture of the activities of my office, the Bureau, and other agencies of government. As practitioners with respect to one important aspect of our educational and cultural activities, it is important that you see clearly where your particular important function fits into a larger context.

I know that you think of the Bureau of Educational and Cultural Affairs and of my own separate office as being very much concerned with foreign students, which we are. But you should know about some of the other problems and activities we are also concerned with because this will help you relate yourself more effectively to the total picture.

#### 1. THE NEW OFFICE

You will recall that in February, 1961, when President Kennedy and Secretary Rusk established a new Office of Assistant Secretary for Educational and Cultural Affairs, they made it clear that their purpose was to enhance the general role of these activities as a vital component of American foreign policy. They were anxious, among other things, to achieve a greater unity of purpose and direction among the various Federal activities impinging on this area and to achieve a firmer relationship and greater cooperation between the Federal Government and the private sector. It was with this general mandate that we started out.

My own office was set up separately from the Bureau of Educational and Cultural Affairs, a fact still not generally understood even within Government. One reason for separating the offices was that the Bureau is a large operating enterprise doing a \$50 million a year business in grants, contracts and other forms. The Bureau requires a full-time top manager.

Clearly, if the new Assistant Secretary was to perform effectively his other duties, which go well beyond the operations of the Bureau, he could not also give fulltime attention to managing the day-to-day operations of the Bureau. We were fortunate, first, in having Saxton Bradford head the Bureau, until he was transferred to Mexico. Now we have Alfred Boerner, an equally able manager, who was called home from Italy to direct the Bureau.

The Assistant Secretary's office is much smaller than the Bureau. It has 9 officers and 6 secretaries; the Bureau has over 300 persons. Attached to the Assistant Secretary's office is also the UNESCO National Commission's Secretariat and the Secretariat for the new U.S. Advisory Commission on International Education and Cultural Affairs.

The office has four principal responsibilities. First, to provide general policy direction and supervision to the Department's own Bureau of Educational and Cultural Affairs. Secondly, to provide leadership and policy guidance to all Federal agencies engaged in any way in international educational and cultural activities in order to encourage a greater coordination of their efforts and to stimulate a strengthening of those efforts. There are, incidentally, seven Federal agencies that receive direct appropriations for one kind of activity or another in this field. And beyond that, there are well over a dozen additional Federal agencies that cooperate or do contract work in this field.

A third responsibility is to develop U.S. official positions and to maintain relationships with international and regional organizations with respect to educational and cultural matters. At the moment this means primarily UNESCO, the OAS in Latin America, and the newly created Organization for Economic Cooperation and Development (OECD), covering the Atlantic Community.

The fourth assignment, and I suspect in the long run the most important, is to develop a broader and deeper basis for close cooperation and complementary action between the Federal Government and all non-Federal organizations and institutions around the United States.

#### 2. ESTABLISHING RELATIONS

Carrying out these four assignments effectively requires the development of a very complex pattern of working relationships. We have spent a good deal of time this year

laying out these lines of communication and cooperation, first, within the Federal Government itself, secondly, with the international organizations and foreign governments, and thirdly, with the American academic community, voluntary organizations, foundations, and the like. It required many meetings, discussions, trips, speeches, articles, broadcasts, to get these lines of cooperation established.

I hope you will pardon some personal references here since it is the only way I know to give the stockholders a full report. In addition to the extensive activities of my colleagues, my secretary informs me, I have personally clocked over 75,000 miles of international travel and 30,000 of domestic travel in the past year or so. This involved representing our Government at 5 international conferences and visiting 13 of our overseas missions ranging from Ethiopia, Greece, Thailand, Lebanon, Egypt, Peru, the United Kingdom, Spain, France, Uruguay, India, Chile to Japan. So, if nothing else, I have seen the world this year. [Laughter.]

It involved working with literally dozens of private American organizations and taking on, perhaps foolishly, some 30 speeches at conferences and meetings. We have contributed seven different magazine articles and given about a dozen TV and radio broadcasts. In short, we have been trying to develop a broad educational and cultural community with some common concepts and common goals, cooperating across private and governmental lines and across international boundaries.

I remember an incident a few months ago when a new secretary whom I had not yet met was assigned to our reception office. When she finally asked which man was Mr. Coombs, another girl replied, "He is the man who always comes through with the suitcase." [Laughter.]

What a terrible reputation to have.

### 3. MAIN POLICY OBJECTIVES

But the year was spent in more than just talking and traveling. We evolved some central policy themes, central objectives, that would guide our efforts and provide a framework within which specific problems and opportunities could be handled. Six principal objectives emerged.

The first and overriding objective was to place these international educational and cultural activities into the mainstream of American foreign relations. In the past they have all too often been regarded as fringe benefits to American foreign relations, good things to do if you can afford it, but not having to do directly and importantly with the serious business of foreign policy. We have endeavored, with much help from others, to give these activities a more important role in foreign affairs.

Now, this took more than just talking about it. It required a series of actions. The first was to deemphasize within the Government's own exchange programs the great emphasis on categories, on quotas, on procedures, and to get much more attention focused on the practical objectives of particular exchanges. We have underscored the fact that an exchange is not in itself an end, it is merely a means to getting some important job accomplished. And the jobs to be accomplished are extremely varied in this exchange field. We are dealing with an array of important U.S. needs and objectives, and with the differing needs and conditions of about 120 other nations and political units.

It required also trying to render these exchange programs much more flexible. There is naturally a tendency—where you have a complex logistical operation involving the movement of many persons and of many checks and the like—for the operation to become too mechanical. It seemed to us that these exchanges should be made much more flexible so that we in Washington and

especially our posts in the field could tailor them to fit individual country situations, rather than treating the exchange program as a kind of monolithic worldwide mechanism.

Thus, another step toward putting these activities into the mainstream was to place more emphasis on country planning, on the part of our cultural attachés, the binational commissions and others. This means relating the exchange programs to the particular needs and priorities and objectives applying to each individual country with all of its special characteristics, and also achieving a greater integration of these activities with other relevant activities, such as the AID program, in each country. This is entirely in harmony with the philosophy of the new AID program, with its emphasis on country planning.

It means also strengthening the liaison between the people operating the exchange programs and those engaged in broader analysis of country situations, such as the desk officers and the regional officers in the State Department, the officials in USIA who are responsible for particular regions and countries, and similarly the AID officials.

Both in Washington and the field, it means achieving closer collaboration and joint planning between the exchange activities and other related activities of USIA and AID, and the Office of Education, the National Science Foundation and other Federal agencies, as well as private foundations that operate overseas.

Well, this, then, was the first broad policy theme and objective: to put educational and cultural affairs into the mainstream of U.S. foreign relations.

The second objective was to improve the quality and the effectiveness of these exchange activities, as distinct from expanding the quantity. It is always more dramatic to expand the quantity of something, such as enrollments, but it is sometimes more important to elevate the quality. But how to do this?

Well, one example is an effort in which you people are directly involved, namely, this so-called 10-point program for improving the quality of the experience of foreign students. We will come back to that.

In the leader and specialist program, where several hundred foreign leaders and specialists are brought here each year, there are many points at which the quality of their experience can be and will be improved. For example, we need to use here more flexibility, more freshness, in the programming of foreign visitors. We need, in some cases, to improve hospitality and to improve the quality of the escort and interpreter services. We need to follow up better with these foreign visitors so they won't simply come and go and be forgotten.

Another area where improved quality is needed concerns the American-sponsored schools overseas that serve both foreign students and the children of American employees abroad, both governmental and non-governmental. These schools are extremely important. First, they demonstrate to other countries the high value we attach to the education of our children and the best practices in American education. By educating foreign youngsters we strengthen our international relationships. Most important of all, however, it is crucial that we be able to assure people going overseas in the service of their country that their youngsters can have at least as good an education overseas as they could get in the best of our public schools at home. This has not been the case in the past. We are endeavoring to make it the case in the future.

Then there are opportunities for quality improvement in the kinds of people we send overseas under our exchange programs. Many extremely able and effective people—students, professors, teachers, specialists—

have gone overseas under these programs and rendered great public service. But it is increasingly important, I think, that more of them go to the less-developed countries that know us least and that we know least. Those who go should not only be competent in their own special field but they should understand the American society well and be able to represent it effectively. Whether they like it or not, they are not going to be regarded merely as experts in psychology or economics or literature. They are going to be ambassadors in their own right to another country. They are going to be educators about the United States. I think this point has been well underscored by the Attorney General only 2 days ago, and before then, following his experiences in visiting the Far East recently.

Likewise, we need in the American specialist program, which sends a few hundred people overseas each year, to send our best, the cream of the crop. We can afford nothing less.

Many of these improvements in quality cost money, but not all. If we are going to improve the quality and effectiveness of these exchanges, we must pay modestly higher unit costs. An increment of funds spent in this direction would buy more results.

The third policy objective has been to achieve a selective quantitative expansion to bring the world pattern of exchanges into a better balance with the pattern of world requirements. The latter pattern has been shifting very rapidly in the last 10 years as new nations have evolved, as U.S. commitments and responsibilities have expanded and shifted. For example, in 1951 there were 62 countries involved in our exchange programs. Today there are 120, nearly a doubling, yet the number of exchanges, in terms of individuals, has gone up only 29 percent in the same period. To be sure, the AID agency, particularly, has moved up in bringing more trainees here, but by and large their objective and function is not the same as that of the Department's exchange program.

This failure of the exchange program to keep pace with evolving world conditions—such as the emergence of new nations in Africa and increased U.S. concern with Latin America—has meant that programs of exchange are seriously underdeveloped with respect to some very important areas of the world. We are therefore seeking to rectify this imbalance by putting greater emphasis in the coming year's program on Africa and Latin America.

To give you an example of this gap between needs and performance, in 19 African countries this year we had funds for only four or fewer leaders and specialists to be invited to visit the United States, at a time when clearly it is important for them to get to know us better and for us to get to know them better. It is vital to our national interest and theirs for them to see for themselves what we are really like in contrast to the misconceptions that our foreign friends so often have of us.

A fourth major policy objective has been to give greater emphasis to the key role of human resource development in the total process of national economic and social development.

The whole theory of economic development is still in its infancy; it has engaged the serious attention of economists only in the last 15 years. The tendency—and I say this as one of those strange animals called economists—has been quite understandably to focus attention upon those factors of economic growth which can most easily be measured—physical resources, such as power dams, highways, harbors, and the like. These are certainly essential ingredients of economic development, but they do not in themselves constitute an adequate approach. Unless a nation also develops its human



resources, in balance with its physical resources, much investment in physical resources will go down the drain because there will not be the people there to utilize them or to manage them intelligently.

Thus, our office has sought to work with many economists to emphasize that educational expenditures in a developing country are not simply consumption expenditures, not simply social overhead, but are an investment in the true economic sense of the term. Preliminary research done by eminent economists such as Prof. Theodore Schultz of the University of Chicago strongly suggests that in our own national history the yield on investment in human resources through education has been substantially higher than the yield on investment in factories and other physical facilities. Of all nations we should be convinced of the efficacy of investment in human resource development.

The implications of this thesis for economic development overseas are, first, that educational development planning must be integrated with overall economic and social development planning in the developing nation. Steps have been taken to improve the techniques and the concepts of educational development planning.

The second implication is, as I have suggested, that education must be regarded as an investment, although at the same time it yields important consumption results.

The third implication is that there must be a careful balance in any country's development plan between human resources and physical resources.

The fourth implication, and one which I think as educators we need to take most seriously, is that it is not enough even in our own country—not to mention these less developed countries—simply to spend more money on education, to expand the status quo, to do on a larger scale what we are already doing, because what we are doing here and abroad in education is not good enough. The present models of education in many underdeveloped countries are thin carbon copies, obsolete carbon copies, of somebody else's educational system, including the curriculum. It is not fitted to the needs nor the pocketbooks of these countries.

So we require in education—by "we," I mean education all over the world—vast and imaginative internal changes in the curriculum, in the methods of instruction, in the organization of education, in the training of teachers, in the architecture of education, in virtually every aspect. We all need an educational revolution as sweeping and productive as previous revolutions in agriculture, industry, transportation, and other sectors. I am hopeful that our private foundations, as well as the Government, UNESCO, and others, will take strong initiative in launching this revolution to reshape the whole character of present educational systems.

We had opportunities during the year to engage in international discussions along these lines: at the Addis Ababa conference on African education, sponsored by UNESCO; at the recent Santiago conference on Latin American education and the Alliance for Progress; at the recent UNESCO conference on Asian education in Tokyo; and at a quite significant conference held here in Washington last fall by the OECD, which brought together some of the top economists of Western Europe and the United States with some of the top educators (and they got along famously).

This emphasis on the development of human resources and on a comprehensive approach to educational development has also been embraced by the AID program and is already being put to important use. In Africa, for example, the AID program in 1962 has allocated more than \$50 million

to educational development projects, which is nearly double last year's level.

And under the Alliance for Progress, the AID agency has evolved a series of specific policies compatible with this general thesis. At the recent conference in Santiago, in collaboration with the AID people, we were able to announce a whole series of specific actions the United States is prepared right now to take to promote educational development in line with the Punta del Este resolution, if the Latin American countries will do their share.

A fifth policy objective has been to do more, and do it more consciously, to strengthen American education through the exchange programs. Clearly there has been great benefit in the past, through the Fulbright and Smith-Mundt programs and others, to American education in helping to lift our national competence in world affairs, through language and area studies and the like. But there are opportunities to do more of this through a more conscious effort to engage in joint planning and joint operations; for example, between the Department's Exchange Bureau and the Office of Education and its programs under the National Defense Education Act.

This year we have entered into agreements on six specific such opportunities with the Commissioner of Education, including a joint effort to strengthen the linguistic and area centers and the other international activities in American colleges and universities.

Beyond this, the Department has given greater encouragement to imaginative junior-year-abroad programs of American colleges.

Another example is the Department's cooperation with a consortium of 15 American universities concerned with Asian studies, to establish in India a new American-India Institute, which is to serve primarily not the Indians but our own scholars, graduate students and professors who want to go to India to do research on south Asia. We hope that that organization will come into being shortly. It is also an example of collaboration between the Government and private philanthropy—the Department providing support with U.S.-owned rupees, the Ford Foundation providing necessary dollar support.

Finally, the sixth basic policy objective is to achieve a greater complementarity between public and private actions in this whole area. Part of this job involves trying to clarify the natural division of labor between government and nongovernment organizations. I think we have made some headway there, though it is a problem that requires continuing attention. There are some things that private philanthropy, voluntary organizations, and universities can do that the Government simply cannot do and should not try to do. There are other things that only Government can do. And then there is a gray area, in between, where actions by both parties are required to get the job done.

It is clearly important to preserve the integrity of both parties, so that the freedom of choice and decision remains with an individual institution or foundation and so also that the responsibility for Government decision-making rests with responsible Government officials. But this preservation of integrity is not at all incompatible with a harmonizing of public and private activities. This has been clearly demonstrated.

For example, going back to the 10 points, you will recall that one of them had to do with trying to improve curriculum arrangements, especially in the transitional period for foreign students coming for the first time to the United States. I would say this is a problem which clearly the Government cannot handle, and should not try. This is the business of the colleges and universities. Thus, in this case we turned to a committee

of the American Council on Education and asked them to give it their attention, standing ready to assist where we could, but giving them the proper responsibility.

Another small example: The U.S. Government in the past has made contributions to American-sponsored higher education institutions in the Middle East, such as the American universities at Beirut, Cairo, and Robert College in Turkey. It seemed to us that these colleges would benefit in terms of better use of their resources and could be more persuasive to donors, private or public, if they engaged in the kind of long-range planning which some of our domestic institutions have lately been engaging into their benefit. Here again, we did not feel that the Government could properly tell them how to do their planning since they are private institutions. In this instance a private foundation stepped in and provided help to them to develop their own long-range plans. The hope is that they will be in better shape to seek private financial assistance and such governmental assistance as they may wish to seek because they have done a better job of planning.

One of the most important examples of cooperation between the Government and private groups in the past year has been with respect to African students. I won't go into the details, but I think you are all aware that it became highly desirable last spring for my office to call together all of the major private organizations concerned with African students, to get them to harmonize their activities with one another and with the Government, to tackle this very important problem. They did a good job and they are continuing to. I think as time goes on, the fusion of effort here can be even more effective.

#### 4. A CROWDED AGENDA

This, then, was the general framework of policy and objectives of the past year. But within this framework there were carried on a great many more specific activities which ended up in one way or another on a very crowded agenda of important items. Many of these actions were initiated by our office. Others were brought to us. And then there were those bureaucratic foundlings that had never previously had a home and ended up on our new doorstep. So we developed quite an agenda.

Let me run down, to give you a more concrete sense of the nature of the activities, a number of the items which took a good deal of our energy. They are highly diverse but I think you will see that they all represent separate strands in a strengthening fabric of educational and cultural affairs in relation to world affairs.

First, of course, there was the new Fulbright-Hays Act. That took a good deal of work, first to suggest changes in the original bill which in the view of the administration would make it a better bill. There were long hours of hearings and preparations for hearings. Since the passage of the act in September there have been many follow-up actions, though the act does not become fully operative until July 1 of this year.

There had to be an Executive order drafted and negotiated with various Federal agencies, which I can assure you is a very long and arduous process. There had to be established a new U.S. Advisory Commission on International Educational and Cultural Affairs, which is more or less the "board of directors" for all activities under the Fulbright-Hays Act. I am happy to say that the President succeeded in persuading and appointing a very distinguished group of citizens, headed by Dr. John Gardner of the Carnegie Corp., to take on the responsibilities of this new Commission.

At the same time, other Commissions, such as the Board of Foreign Scholarships, the U.S. National Commission for UNESCO, required replacements. Here again the

sights have been held high and the quality of the people appointed to these important Commissions is outstanding.

Another major item on the agenda, which I won't go into in detail, is of course again this matter of African students. I think they have done more to put the whole subject of foreign students on the map than anything else. To hear the talk, you would think that well over half of the foreign students were from Africa. Only 3.7 percent, in the latest count, are from there.

By the way, we received only yesterday some preliminary figures from IIE's "open doors" census, which indicate that in the current academic year, there has been an overall increase over the previous year of something like 40 percent in the number of students from Africa, including north Africa, studying in the United States.

The third topic was the whole matter of educational development in Africa, which is in a sense a balance to the bringing of African students here. Our office established a task force of eminent private and Government experts to develop long-range guides to helping new African nations develop their educational systems. We have been to two international conferences on the subject, worked closely with private foundations, with the AID program, with the American Council on Education (which has a special committee on Africa), and we have cooperated with groups such as Educational Services, Inc., at MIT to develop new techniques of instruction and programmed learning for Africa. This has been a most exciting enterprise.

A fourth and quite different topic has to do with the teaching of English abroad as a second language. We got into this primarily because there were five separate Federal agencies engaged in this business, which may sound silly but actually there is a very good and justifiable reason why there should be five. But, being five, it is important that they follow the same road map and have some reasonable division of labor.

In this field also the British are very active and are anxious to harmonize their efforts with ours, because the rapidly rising worldwide demand to learn English is fast outstripping the combined capacity of the United States, the United Kingdom and other English-speaking countries to meet the demand. This suggests that in this field also there needs to be technological innovation, because the highest input requirement for teaching English is skilled manpower, which is in very scarce supply. We have been working closely with the Center for Applied Linguistics and other groups, encouraging them to devise a new technology of instruction in English.

I have mentioned also the fifth item, the U.S.-sponsored schools abroad. This has involved us in much detailed work with other agencies, especially AID.

A sixth item has involved working with the international organizations to help strengthen their role in education and culture, and to help get their programs properly meshed so that they would neither conflict or run off fruitlessly in separate directions. Here we have worked especially with UNESCO, the OECD, and the OAS.

A seventh important topic has been the role of education in the Alliance for Progress, which I have just mentioned. Here again we established a task force of expert people outside and inside the Government. We went to Punta del Este, in the American delegation, and achieved with the help of our colleagues in the other American Republics a comprehensive resolution at Punta del Este on educational and cultural and scientific development. It was that resolution that provided the groundwork for the recent conference at Santiago, where the ministers of education and other experts throughout Latin America came to grips with

how to translate that general resolution into concrete action and progress.

The eighth topic, which I have alluded to already, is the stimulation of new technologies, fresh imaginative approaches in education, where we have worked again closely with UNESCO. We participated for example in the Purdue international conference on the use of instructional television. We have worked with AID, with the Office of Education, and with various private groups on this subject. I believe that over the next 10 to 20 years this can be one of the most significant subjects in the whole field of international education.

A ninth closely related topic was the whole matter of mass media for education and for cultural development. One side of this problem is that the products of American mass media—films and television programs—are rapidly spreading around the world and having an enormous educational impact, even though they were intended to be entertaining.

Some of you have heard me tell the story, a true one, of the Nigerian villager being interviewed a while back by a BBC researcher who was looking into the impact of television of the Western World on less-developed areas, and the villager said, "When are you people going to get automobiles like we have? All you ride is horses." [Laughter.]

And the average person on the street in Japan can tell you he doesn't have to come to the United States to learn about us. He knows all about us now. He has seen our movies and our television programs. Something like 40 percent of television time in Tokyo is canned American entertainment programs. Now, it's fine for entertainment, but it seems to me we need to work hard to get more educational programs of a good quality, cultural programs of a good quality into international circulation—to show a different side of American life, and sometimes a more significant and loftier side. So we have done what we could to encourage a further flow.

One other item which I have mentioned already has been the integration of the State Department's exchanges with the work of the Office of Education to help develop greater competence among Americans in world affairs and to help strengthen American educational institutions. Educational exchanges are a two-way matter, and this country can benefit greatly from the foreigners who come to study and work with us.

Just to skip down a few other items without comment, to show the variety, we put a good deal of effort into evolving and following through on the foreign student services program. We have put much time in on developing improvements of management and organization, both in the Bureau and in my own office. We have worked on strengthening American studies in foreign institutions that are interested in adding this dimension to their curriculum.

A good deal of attention has been required for the reorientation and strengthening of our cultural presentations program, under which American performing artists, entertainers, and athletes are sent to other countries. We were engaged in the planning and negotiation of the extension of the United States-U.S.S.R. Exchange Agreement. One of the high-water marks of the year was the agreement to admit Benny Goodman to the Soviet Union. This is the first time the Soviet Government has been willing to have a jazz orchestra, even though a relatively moderate one. [Laughter.]

And evidences now are that, having made the decision, they are very enthusiastic about it. There is something profoundly important about having Benny Goodman and his colleagues play in the Soviet Union.

Another focal point of attention has been the new East-West Center in Hawaii, which I believed all along had a great potential for

contributing to the national interest and to the interests of Asian countries; it was just getting started a year ago and needed help to get on a firm track. I think in the past 12 months the East-West Center, with help from distinguished American educators on the mainland, has gotten on a firm track. It has an outstanding new chancellor, who has already assembled a strong staff of deputies. Improvements have been made in the selection process, both overseas and in the United States. The program has been sharpened up to focus on those things which can be done with distinction. The ties with American mainland universities are being laid out and I think the Center is now well on its way to a distinguished future.

Also, speaking of Asia, we gave a good deal of attention to strengthening American-Japanese educational and cultural relationships, which is certainly one of the most important forms of relationship between Japan and the United States. There was a highly successful conference in Tokyo in January pursuant to an agreement reached between Prime Minister Ikeda and President Kennedy when the Prime Minister visited here last summer. The American delegation to that conference was made up, significantly, with a majority of private and nongovernmental people. It contained such representatives of the arts and literature and cultural affairs as Aaron Copland, Robert Penn Warren, and Arthur Schlesinger, among other distinguished and accomplished people in these fields. That conference resulted in spelling out a series of specific steps that can be taken—and will, we hope—by the governments and private sectors in each country in cooperation with one another to build broader bridges of understanding through cultural and educational interchange.

Another task was to put together, for the first time, a consolidated overall picture of this whole field of exchanges. That has been done. It needs to be further spelled out, and we need to strengthen further the consultation among these agencies that is required for better coordination.

Another big topic has been the whole matter of books. We feel that the Alliance for Progress, for example, should have as one of its major ingredients a strong effort to develop a large flow of low-cost books, textbooks, technical books, good literary books, and the like for Latin America. This will do much to encourage a great engagement of the intellectual groups in Latin America and the rest of the Western World. Progress has been made, and further progress will be made in this effort.

We have been putting greater emphasis on young people in all of the exchanges, and more emphasis on women leaders. These emphases will be reflected in the coming year's program. We spent considerable time, of course, developing the 1963 plans for the Bureau and for my own office. And these are reflected in the budget that is now before the Congress.

One of the more esoteric problems which I inherited quite unwittingly was the preservation of the Nubian monuments. And one of the more delightful aspects of our work involved the bringing to the United States from the U.A.R., for the first time anywhere, of some of the precious relics from the tomb of King Tutankhamen—some of you will remember him as King Tut. This collection is now touring the United States and is, incidentally, breaking museum attendance records everywhere along the way.

We have even gotten into the whole question of the exchange programs, the training programs, of the Department of Defense, which brings over each year a substantial number of young officers for technical training. It has been our objective to try to help broaden the character of their social experience and their intellectual opportunities while they are in the United States.



So much for the general report to the stockholders. I don't want to hold you longer, but I think I am obliged to tell you with respect to the 10-point program—which gets down to the brass tacks of your field—that since that program was announced a whole series of actions have been taken and a whole series of concrete plans have been made. We hope these plans will roll into action with the new budget year.

I am indebted primarily to Donald B. Cook and to Harold E. Howland for having picked up this ball and run with it, and to many others in the Bureau who have helped. We have had help from other Federal agencies too. A special staff unit was set up in the Bureau to focus on foreign students. A series of advisory meetings was held. Some of you have been there. Foreign student advisers, leaders of community service groups, government people, business and labor officials, and university officials met with us in Washington to tackle different points on the agenda, to advise on Government action, and we hope to be stimulated to even greater action on the private side.

There have been a number of conferences and other general meetings at which this subject has been discussed. We have had some broadcasts on the subject and those of you who can get to a radio at the proper time, Monday night, can hear a broadcast which was taped only recently by one of your colleagues, Father Yates, Justice William O. Douglas, and Al Sims of IIE and myself on this whole question of foreign students. And we hope that the CBS station in New York (WCBS) will pass that same program on to some of the other CBS-owned stations in your areas of the country. Maybe you should ask them to.

The Bureau prepared an up-to-date bibliography on the best materials available on student counseling and circulated it to all of the cultural attachés overseas. Work has been done toward evolving a system of overseas counseling offices. Two, as you may know, have already been set up under private support through the Institute of International Education, one in Africa and one in Latin America. They will be good test cases, and I hope that in the next few years we will see the evolution of a whole pattern of good counseling offices overseas.

Summer employment and training opportunities for foreign students has been a major item on our recent agenda. We have conferred with business and labor leaders. We have identified 50 communities that have a high proportion of foreign students in them and made a contract with IIE to try to get something going for this summer in these areas on employment opportunities for foreign students. IIE has sent three people into the field to work with these communities.

The U.S. Employment Service has cooperated fully, and its 2,000 regional and branch offices around the country have been given briefing materials and instructions to do everything they can for foreign students. The Secretary of State has addressed a letter to college and university alumni through the American Alumni Council and the alumni magazines represented by its members, to call attention to the need for summer jobs for foreign students and the national opportunity this presents.

Another development has been the preparation of a how-to-do-it book for individual communities to give them suggestions, based on the experience of other communities, on how they can play a larger and more effective role in relation to foreign students.

Some time ago, as many of you know, we sent a letter to 1,200 college and university presidents telling them all we knew about the problems and the opportunities relating to African students. We felt that their institutions necessarily had to take much of

the responsibility for the selection process, for the curriculum, for the general care and guidance of the African students. We got a very good response to this advisory letter from the presidents.

We are in consultation with experts on the development of better English proficiency tests. We hope that out of that will come another instrument to improve selection. Incidentally, the college entrance examination board has entered this field now. It has sent a competent person to Latin America to see if they can't help evolve an indigenous college board screening test in Spanish that would provide American institutions a much better tool for evaluating Latin American applicants.

We have worked with the National Student Association, with the Red Cross and others to try to get stronger student-to-student efforts going—not to orient foreign students to Americans, but to orient American students to foreign students. This, by the way, ought to be added to the 10-point program to make it an 11-point program. It was an oversight.

We have worked with the Immigration and Naturalization Service to try to make the visa process less complicated, but also more effective in guiding the universities and the foreign students. There is a new form I-20 which, I am assured, will give our officers in the field a much better basis for evaluating the position of a foreign student financially and otherwise. That isn't to say they evaluate their quality as students but rather their eligibility for receiving a visa.

A variety of plans for foreign student services have been evolved, at least in preliminary form. They will take a great deal more working out, with the help of people like yourself. But they have been outlined during our budget hearings and a substantial sum requested to get started in this whole field of foreign student services during fiscal year 1963, which begins on July 1.

Now, these are things which the Government has been involved in. We are aware that there have been many other things going on outside the Government. We know, for example, that some of the foundations have assisted on the African student problem far more than they had before. They have also contributed to the setting up of counseling offices overseas.

I have mentioned the initiative by the college board in getting into this area of selection of students from overseas. We know that many colleges and universities have quickened the pace of their own actions and put more resources into this whole effort. We know that in various communities the voluntary organizations have been pulling themselves more closely together for a stronger combined effort—in areas such as Boston, New York, through the Greater New York Council, and Chicago, and a number of others.

One of the most significant things, I think, is that national conferences of educators and of professional societies and the like are putting this subject on the agenda of their discussion meetings. This is something you can do something about. I think that if you can get such discussion when groups that can do something about it get together—if you can urge them to get the subject of foreign students on the agenda—it will help the whole thing along. One way to help it along is by working within your own colleges or universities where various professors and administrators are officers of these organizations.

One of the most gratifying reports I have heard came from a young lady who works with the Fulbright Commission in Paris. Last summer in Paris I mentioned that one of the big things we wanted to do was to encourage better overseas guidance and

counseling. Frankly, I had reference largely to Africa, Asia, and Latin America; but the first report I have heard—of an initiative taken in the field to follow through on this—concerns what's now going on in Paris. There is underway a real effort to get better guidance and counseling there.

Looking at the year as a whole, I think it can fairly be said there has been a good deal of activity in and out of the Government and also overseas. There is certainly a new sense of movement in this whole area, including foreign students. There is a greater sense, I think, that this field is important, that the Government thinks it is and that private people think it is. Old programs have been undergoing appraisal, reappraisal and reorientation, and new plans have been evolved. Some have already been put in motion. Others will be soon. There have been some very real practical accomplishments.

But more than anything, I think there is a stronger and clearer recognition than ever before of the enormous amount of work that still remains to be done.

One thing I would say in closing is that I have learned more about voluntary private organizations this year. I have felt a little like De Tocqueville going around our country and, you remember, characterizing us as a nation of voluntary organizations. I think that without these organizations this effort could never have developed over the last 50 years as it has. And it certainly won't get far in the next 5 years without a concerted effort by voluntary organizations.

There are hazards that need to be faced. There is a great need for a system of consultation among voluntary organizations, a division of labor among them, and a continuing effort for them to find ways to coordinate their efforts. The hazard I spoke of is one of fragmentation. There are many natural built-in forces of fragmentation in this field that have to be guarded against. I think it's extremely important that all of the voluntary organizations maintain a broad view of the total context in which their activities occur, not only the context within which foreign student activities fit.

I think, in a final statement to the stockholders, one can say the same thing that one can say to a conference of college presidents: that the most heartening thing any business can look forward to is a booming market. In education the booming market has always worried the educators terribly, though after all it really offers a very great opportunity. I think in the whole field of foreign students you have a booming market to look ahead to.

Thank you. [Applause.]

#### ACTION IN STATE DEPARTMENT

Mr. HUMPHREY. Mr. President, some time ago I read an article in the local press which indicated that a very important facility and operation of the State Department, known as the Crisis Center, was being abandoned.

The Crisis Center was established during the Eisenhower administration in order to facilitate and expedite information and reporting in the State Department. At the time of its establishment, the Crisis Center received considerable favorable comment and justly so.

My concern over the alleged abandonment of this project prompted me to write a letter to the Assistant Secretary of State for Congressional Affairs, Mr. Fred Dutton. I have received a reply from Mr. Dutton, and I ask unanimous consent that both of the communications referred to be printed at this point in the Record.

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

APRIL 30, 1962.

The Honorable FRED DUTTON,  
Assistant Secretary, Department of State,  
Washington, D.C.

DEAR FRED: I wish to call to your attention a clipping that has been on my desk for several months.

What has happened to the Crisis Center? I have understood for some time that the oldline State Department offices have fought this Center because it cuts across bureau lines and apparently violates some of the traditional concepts of an organizational chart.

As I recall, this Crisis Center was established because of the need for prompt action and response in the State Department. The long delay in getting action through the normal channels of any big Government department has necessitated some form of ad hoc organization to give attention to urgent matters. I know that the Crisis Center was established because there simply had to be a way for this huge Government of ours to respond quickly and intelligently to developments which were taking place so rapidly and unexpectedly that it was literally impossible for the regular bureaus and agencies of Government to cope with them.

I ask that you give me a report on the Crisis Center, what is its status, how many persons are assigned, what is their rank, what do they do, what are the plans for it? I am keenly interested in this matter, and I believe that this letter should be brought to the attention of the Secretary.

Sincerely,

HUBERT H. HUMPHREY.

MAY 8, 1962

The Honorable HUBERT H. HUMPHREY,  
U.S. Senate.

DEAR SENATOR HUMPHREY: I have reviewed your letter of April 30 with Mr. William Brubeck, Executive Secretary of the Department, who is now responsible for the direction of the Operations or Crisis Center.

As you know, the Operations Center was set up a year ago as an experiment in order to assure rapid coordination in the development of policy to meet critical situations. As the Center evolved over the ensuing months, it became increasingly apparent that the unit's functions to a considerable extent overlapped those of the Executive Secretariat, which is the instrument of the Secretary for operational management of the Department. A decision was consequently made to place the Operations Center directly under the Secretary so that its activities could be more effectively coordinated with the other elements of the Secretariat. This was done in mid-January 1962 and formalized in the attached departmental circular of March 7.

A meaningful round-the-clock watch is now being maintained in the Operations Center as the central command post for rapid communication and coordination of urgent matters in the Department. This watch is manned by five teams of three officers, each ranging in grade from FSO-3 to FSO-8. Each watch is responsible during its tour of duty for monitoring telegrams from abroad and communicating fast alerts to action officers and, where appropriate, key officers of the Department at any time of day or night. In addition, the watch maintains continuous liaison with its counterparts in the White House, Defense Department, and intelligence community in order to assure full exchange of information on critical, quickly developing situations. The watch also maintains secure and rapid telephonic contact with certain of our principal posts abroad and, through these contacts,

is able to keep senior officers informed. The watch staffs, supplemented by the services of three midcareer officers working on rotating schedules, prepare various highly classified summaries of immediate interest to the key officers in the Department and in other elements of the executive branch.

The foregoing activities are under the general direction of the Executive Secretary of the Department and specific direction of a senior officer who has been designated as Acting Director and has been with the Operations Center since its inception.

As of today, there are 19 officers directly assigned to the Operations Center to carry on the activities described above. There is also backstopping potential from the entire staff of the Executive Secretariat.

In order to improve the conduct of these activities, a small consultative group has been brought together with representatives from the Defense Department and the intelligence community cooperating. It is also anticipated that requests will be made in the very near future for the development and purchase of technical equipment and technical support principally in the field of communications. I believe these steps suggest the careful attention being given to this operation.

The Secretary will be most interested in your letter, and it will be shown to him immediately upon his return from his present trip abroad.

Sincerely yours,

FREDERICK G. DUTTON.

OFFICE OF THE EXECUTIVE SECRETARY—  
REORGANIZATION

1. Direction of the Operations Center has been assigned to Lucius D. Battle, the Executive Secretary of the Department of State. In addition to functions previously performed, the Executive Secretary is responsible for watch operations and for service and support to task forces and similar working groups.

2. In connection with these assignments, the Office of the Executive Secretary is reorganized as follows:

2.1. Under the Executive Secretary, the Operations Center (S/S-O), will maintain a 24-hour, 7-day week global watch and will perform related briefing and alter functions for top officers of the Department, for task forces, and for bureaus, as appropriate. For this purpose, the former Reports Section of S/S-RO has been integrated into the Operations Center. S/S-O has been assigned Reports Section responsibilities for screening and distribution of cables and other traffic for the Secretary and other departments, and for preparation of the top secret, summary, and other reports.

2.2. Permanent deputies of the representatives of other agencies, formerly detailed to Headquarters, Operations Center, are attached directly to the Office of the Executive Secretary (S/S), Office of the Secretary of State.

2.3. The Operations Section of the Reports and Operations Staff (formerly S/S-RO) is redesignated Secretariat Staff, S/S-S. Under the Executive Secretary, S/S-S will continue to perform the previous functions of S/S-RO (other than reports functions discussed above): coordination, followup, and support of work presented to and actions directed by the Secretary, the Under Secretary, the Deputy Under Secretary for Political Affairs, and the Deputy Under Secretary for Political Affairs; provision of secretariat support for these officers at international conferences, for high-level visits and other major meetings, etc.

2.4. The follow-up responsibilities formerly divided between S/O and S/S-RO have been assigned to a single S/S-S Followup Section, under the direction of the Chief, S/S-S.

2.5. S/S-S will provide the service of a Secretariat officer to task forces and similar

working groups. Certain existing task forces will be given additional support as required.

3. Appropriate changes in the Organization Manual will be issued at a later date.

Mr. HUMPHREY. Mr. President, it will be noted that while the Crisis or Operations Center has been phased out, it has actually been absorbed in the office of the Executive Secretariat. The Department circular of March 7, 1962, describes the reorganization. It appears to me that the new Operations Center fulfills all of the tasks previously performed by the so-called Crisis Center and is better organized insofar as the State Department administrative structure is concerned. The letter from Secretary Dutton, along with the Department circular on the subject "Office of the Executive Secretary—Reorganization," gives the complete story.

I wish to commend the Secretary of State and his Department on the reorganization and express my thanks for the prompt attention to my inquiry.

(At this point Mr. METCALF assumed the chair as Presiding Officer.)

THE PEACE CORPS CELEBRATES AN  
ANNIVERSARY

Mr. HUMPHREY. Mr. President, I noted with pleasure an editorial and article which appeared in the New York Times of June 25 noting that today is the first anniversary of the start of training for the first Peace Corps recruits. Although the year has not been a painless one—every new organization has its growing pains and periods of trial—the worst fears of those skeptics who opposed the program remain unfounded and the best hopes of its supporters are well on their way to fulfillment.

In fact, the Peace Corps has shown a striking ability to turn initial skepticism and hostility into more or less fervent enthusiasm. The reason is plain to see. Beatniks and "youthful idealists" have found no opening in the program. At the present time there are 973 volunteers in 16 countries, and over 1,300 recruits are now in training. In the countries where Corps men and women are now stationed, they have been warmly received and have done admirable work in helping the people of these countries to build toward the future. Frequently unorthodox in their methods, the Peace Corps volunteers have never lost sight of their purpose: to help the people among whom they are serving. In teaching, nursing, agriculture, construction, young Americans have made vital contributions to the development of the human and material resources latent in the countries to which they are sent.

As the Times editorial states about the program:

The training at home has been rigorous; in the field the young people have been expected to live as do their native counterparts, often on a fairly Spartan regime; it is the host country and not Washington that decided what shall be done where; and hard work rather than glamour has been the key expression.

May the Peace Corps have a healthy and prosperous future.



Mr. President, I ask unanimous consent that the article by Peter Braestrup, entitled "Peace Corps Thrives in First Year Abroad," and the editorial "The Peace Corps' First Year," both appearing in the New York Times of June 25, be printed in the RECORD at this point.

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

**PEACE CORPS THRIVES IN FIRST YEAR ABROAD—NATIONS ASK MORE AS 1,000TH RECRUIT HEADS OVERSEAS**

(By Peter Braestrup)

WASHINGTON, June 24.—The Peace Corps expects to send overseas this week its 1,000th newly trained volunteer.

There are no special plans to celebrate the occasion. The event is regarded as merely another sign that "the push is on" this summer, as one Corps official said. "We're moving from a penny-ante operation into big business," he commented.

Sargent Shriver, the Corps Director, predicted that the current total of more than 2,000 volunteers in training or overseas would climb to 5,000 by the end of 1962 to meet the mounting requests from the aided countries. The new volunteers will include retired people as well as recent college graduates.

Already, in its first year in the field, the Corps has had teams of American men and women teaching school in the Philippines, surveying roads in Tanganyika, working in clinics in Malaya, and showing farmers how to raise geese on the West Indies island of St. Lucia.

Almost every week this summer and fall, new contingents will head overseas, usually for more language training in the "host country" before they go to work with local people.

A sign tacked on the door of Mr. Shriver's office says: "There is no place on this club for good losers." The Corps Director is pushing his staff hard to keep recruiting, selection, and training of volunteers on schedule.

Plans must be coordinated with the "host" countries (who request and assign the volunteers), the Agency for International Development, and with the colleges and private groups that do the basic training under contract.

The coordination is seldom painless. Each organization and each foreign country has its own notions of how the Peace Corps should be trained or employed.

But so far the buildup has got off to a good start.

Most of the increase will come between now and Labor Day, as the recruits pour into American universities for training. Mr. Shriver expects to have 10,000 volunteers by the fall of 1963.

There will be midwives in Bolivia, tractor operators (replacing Czech technicians) in Tunisia, agricultural extension workers in Chile, fisheries experts in West Africa, and thousands of college graduates of all ages teaching school in a dozen lands.

"All the countries that have thus far received volunteers," Mr. Shriver said, "have asked us to double, triple, and even quadruple the numbers."

In short, the Peace Corps, despite dark fears expressed by congressional critics a year ago, has become a success.

The Corps was first created by President Kennedy's Executive order March 1, 1961, on a "temporary pilot basis" as a branch of the State Department. Congressional approval for a permanent Corps came last summer. Mr. Shriver's mission is to supply volunteers to help the world's underdeveloped nations catch up in education, agriculture, health, and other fields. The first of the 2-year volunteers began training June 26, 1961.

"The payoff is performance overseas," William F. Haddad, an associate director and "inspector general" of the Corps, said.

**CONGRESS AUTHORIZES EXPANSION OF CORPS**

The organization has had a year's hard-won experience with a \$30 million program, which currently involves 973 volunteers overseas in 16 countries and 1,379 more in training.

It is on the basis of this experience that President Kennedy has asked—and won congressional authorization—for expansion of the Corps to a \$63,750,000 level in the year starting July 1. The Appropriations Committees have yet to match the go-ahead with the actual funds, and no monetary action is expected until late in the congressional session.

From interviews here, and from special reports by correspondents of the New York Times abroad, a picture emerges of the strengths and weaknesses of the Corps performance overseas since the first two groups of volunteers arrived in Tanganyika and Colombia last fall.

The first point that becomes clear is that two problems forecast last year by critics have not cropped up.

These were: That the Corps would become a haven for "beatniks" and "fuzzy-minded idealists" unable to cope with Spartan living and the realities of life in the bush, and that Communist agents would score easy victories in ideological debate with naive volunteers before the impressionable people of the aided countries.

On the contrary, the volunteer who emerges from the Corps training program is not a "beatnik"; if he is an idealist, he is a tough-minded one.

The Corps screening system has resulted in an 18 percent dropout rate among the men and women who actually started training. The training includes language and work instruction for specific projects on American college campuses ranging from Utah State to New York University. Many of the volunteers also go through a tough jungle camp in Puerto Rico. Their average age is 24 years, but seven persons older than 60 have also made the grade.

The Peace Corps volunteers come from every State in the Union, and from Puerto Rico, the Virgin Islands and Guam.

So far, Corps headquarters in Washington has received 26,807 applications for duty. About 20,000 of these applicants have taken entrance tests. Of these, 4,000 have started training or are scheduled to start. Two hundred and sixty-seven have been dropped from training for various reasons.

**SEVENTY-FIVE DOLLARS A MONTH BANKED FOR EACH VOLUNTEER**

Most of the volunteers have had at least a year in college.

They are reimbursed for living expenses at a rate that is intended to make them live like their local counterparts, for example, teachers or farm extension agents. This rate varies from \$60 a month in the Philippines to \$160 in Tanganyika. In addition, each volunteer gets \$75 a month, banked for him by the Corps, which is paid him after his 2-year tour. In every case, the Corps man works where the host country wants to put him.

Dr. George Guthrie, a Pennsylvania State University psychologist, commented as follows on a training group bound for teaching assignments in the Philippines:

"The majority of these people were in the upper half of their class at college. But there aren't many Phi Beta Kappas. Many of their schools had no chapters of Phi Beta Kappa. They aren't Ivy League or beatnik. They come mostly from small schools and small communities. Most of them are from middle class families. More easily than some, they can afford to make the sacrifice."

This portrait does not ring true for every overseas group. The 35 surveyors, engineers, and geologists working in Tanganyika, for example, are far more of a professional type than the Philippine group.

The attitude overseas, once the newness has worn off, can be summed up in these words by Donald Goodyear, of Cedar Rapids, Iowa, who is teaching school in Enugu, Nigeria: "Despite all the glamorous talk and publicity, we have a perfectly straightforward job to do here. We're teachers—just as we would be at schools anywhere."

Premier Khrushchev recently denounced the Peace Corps as "imperialist." Similarly, most local Communist opposition has been limited to words, and it has been ineffectual. The Communist Party in Chile earlier this year, for example, denounced Peace Corps volunteers working in rural education and health as "imperialist agents" and ordered Communist youths to "confront" the volunteers. Nothing happened.

In India's Punjab, 22-year-old Justin R. McLoughlin of Garrettsville, N.Y., recalled that an Indian farmer one day planted a hammer and sickle emblem on the chicken coop that Mr. McLoughlin was helping him build. "I persuaded him to take it down, at least until the coop was finished," the volunteer said.

**STUDENTS IN NIGERIA STILL SNIPE AT AMERICANS**

In Nigeria, university students still snipe at the Corps' 108 volunteers, who teach in the country's schools. It was in Nigeria that Miss Margery Michelmore, a newly arrived volunteer, created the Corps' one major "incident" last fall by inscribing her adverse impressions of the local scene on a postcard, which was intercepted and made public in the African country.

"I'm convinced," said Dr. Samuel D. Proctor of Norfolk, Va., Corps representative in Nigeria, "that given a few more months, the Nigerian students will discover the Peace Corps volunteers are not here to direct their political thinking. This will reduce some of the tensions."

The Peace Corps effort has shown other strengths and weaknesses. Most of the latter stem from the hasty, experimental nature of the first dozen programs set in motion last year.

All told, only seven volunteers have been shipped home, three of them returned because of health or family reasons. Yet Mr. Shriver has pointed out that "anybody who wants can get out."

The Corps' one overall strength is that the volunteers are making friends for the United States, in places that their parents had never heard of and where few whites have ever set foot. Much of their success is simply a result of their lack of condescension or self-importance. As a result, there has been a lack of serious racial incidents.

In Ghana, for example, the 51 Americans teaching in British-model boarding schools do not drive cars to work. In fact, unlike other non-Africans and more prosperous Ghanaians, they ride packed "mummy lorries"—trucks used as local buses—along dusty country roads in sweltering heat.

At Kotpindas, a village outside Lahore, West Pakistan, James Mackay, of Hornell, N.Y., a Peace Corps volunteer, organized his fellow volunteers and some Pakistani friends to repair a 300-year-old Mogul bridge. The middle-class Pakistanis confessed they had never used shovels, but joined in anyway. A group of villagers came up and asked, "What, no coolies?" Then, seeing the "sahibs" working, they too pitched in with cries of "shabash"—"well done."

A Times correspondent wrote from New Delhi, India:

"The image the Corps men create generally is that of earnest young Americans who know what they are talking about and who are not afraid to get their hands dirty. Most volunteers here are farmers and look it."

As one official said: "Their heart is really in the Indian rural areas."

The real benefits of the volunteers' labor vary widely from country to country. In India, the tiny Peace Corps contingent is swallowed up in the multitudes; in other, smaller nations, the impact is less localized.

In Malaya, for example, Peace Corps nurses are helping to solve one of the biggest problems of the Health Ministry: staffing rural clinics in the "ulu," Malaya's backwoods. The 36 Peace Corps men and women in the team in Malaya have made a dent in several vital areas, including volunteer work in a 2,500-patient leper colony.

In Tanganyika, the 36 American surveyors, geologists, and engineers are not only creating good will, but, alongside local helpers, are doing a job that a local official described as absolutely vital. They are working on surveying the country, and developing farm-to-market roads to open up isolated hamlets, thus enabling farmers to sell their produce at good prices.

The volunteers dismissed the old British notion that Africans would not work. On safari, when their African helper sat down, saying he could not go on, Thomas Katus, of McIntosh, S. Dak., and Jerry Parsons, of Albany, N.Y., sat down too. "OK," they told their friend. "It's your country, so why should we bother." This got the team going again.

Prime Minister Rashidi Kawawa, of Tanganyika, paid this tribute to the volunteers: "They have done a very good job, mixing with the people and encouraging self-help measures. We hope to get more of them."

Teaching is the biggest single specialty in which the Peace Corps is engaged. In Ghana, Nigeria, and Jamaica, the volunteers are especially welcome, if only because their services are relatively cheap or even free. In many cases, the volunteers serve where local teachers do not want to go.

Another major effort has been in agriculture.

In Brazil, 43 volunteers drove jeeps into the field last month to work with the Brazilian Association for Rural Credit & Assistance on farm assistance and home economics through the local version of the 4-H Clubs.

The Peace Corps in Brazil is dovetailing its work, particularly in the country's poverty-stricken northeast, with the Agency for International Development, which finances the \$2 million project of the rural aid association.

In Colombia, the Peace Corps has attempted one of its more ambitious assignments. Something called "community development."

Although the 62 men volunteers who arrived in Colombia last September have built roads and schools, set up health stations and patched up first-aid cases, their basic function has been to work with Colombian representatives to get mountain villagers to help themselves despite poverty, illiteracy, and the paternalism of the landlords. The task has not been an easy one.

#### PRIEST LINKS SUCCESS WITH ECONOMIC FREEDOM

In Santander, Colombia, a volunteer told a village priest:

"We want to solve these problems without giving orders. We want to motivate people to work. Maybe we'll build a health center or a road, and then, when we leave, they'll tell themselves 'we need a school,' and they'll shout and argue and laugh and finally build a school."

The priest replied quietly: "You will achieve that when you have economic freedom here." By this he meant freedom from malnutrition, illiteracy, and the lack of opportunity for sharecroppers.

In Chitareaque, in the Colombian department of Boyacá, a hard-working Peace

Corps team was pulled out 3 months ago to avoid its getting into a local dispute over land reform with hostile landowners, who discouraged peasants from attending community meetings.

Nevertheless, the volunteers have made do. One volunteer, Davis Grubb of Westport, Conn., took a bus into Bogotá, called on the Minister of Public Works and came back with a bulldozer, which his village used to build an 8-mile road to market.

Another volunteer, David Downing of Los Gatos, Calif., got a course in midwifery going and prevailed on his friends back home in California to send him midwifery kits.

The villagers are enthusiastic, if every harassed Colombian official is not. The volunteers, sometimes to their annoyance, are besieged with offers of coffee, liquor, or sweets.

So far, the morale of the volunteers is high. But some of them get depressed. "Maybe frustration is built within the boys themselves," said Leon Lane, deputy representative for CARE, Inc. (Cooperative for American Relief Everywhere), which is handling the project for the Corps in Colombia. "They've got 2 years and they want to go too fast too soon. A job like this isn't going to be completed for years and years."

In Chile, 45 men and women trained at the University of Notre Dame and local centers have been in the field since December with the long-established Institute of Rural Education. They are scattered in ones and twos for 1,000 miles in the Chilean interior. Their work is more formalized and more specialized than that of the Colombian team. They work as carpenters, social workers, in rural husbandry, as dental assistants, home economists, nurses, homebuilders.

"These Peace Corps volunteers are striving for a better understanding between peoples," the Chilean newspaper *La Estrella* said.

More volunteers are on the way to Chile. But, as in the case of Colombia, the impact of the Americans is muted by the vastness of the problems they have tackled.

Despite such frustrations, both Latin American officials and the Peace Corps see rural development as a way to make good use of young Americans with or without special talents. Several hundred counterparts of the volunteers in Colombia and Chile are being picked for work in Ecuador, Peru, Bolivia, Cyprus, British North Borneo, and Sarawak.

Besides the occasional frustrations, the Peace Corps has had other problems. One of the most severe was the lack of proper language instruction—a fault that has been corrected.

For example, the first group of 128 volunteers sent to the Philippines last fall spent weeks learning Tagalog, the national language. Then they were assigned to non-Tagalog-speaking areas. Roughly the same mistake was made in training the 28 volunteers sent to West Pakistan, where the state languages, along with English, are Sindhi, Punjabi, and Pushto. The 26 men and women sent to India's Punjab just could not master Punjabi in 10 weeks at Ohio State University.

#### SOME OF THE PROJECTS POORLY DEFINED AT FIRST

A second problem has been projects that were either poorly handled or badly defined at first. Roger Ernst, of New York, former Corps representative in New Delhi, commented that all the volunteers sent to India should have been assigned to a single endeavor, such as agricultural work, instead of being scattered in a variety of jobs. In both India and West Pakistan, local officials were initially not quite sure what to do with the volunteers.

In the Philippines, the 128 volunteers were assigned as teachers' helpers. This aroused

suspensions of local teachers that the Americans had been sent to spy on them and complaints by the volunteers that they had not been given enough work to do. In Pakistan, India, and Nigeria some unhappy volunteers were assigned initially to office jobs instead of getting out in the field.

Yet, even where the official assignments were unsatisfactory, the volunteers, with Mr. Shriver's blessing, launched a host of extra-curricular projects on their own. Examples:

In the Philippines, 16 volunteers organized a month-long summer "camp brotherhood" at Mambucal, on the island of Negros, for 600 indigent boys. Others set up "little theater" groups, conducted demonstration courses on the use of fertilizer and ran summer schools.

In Ghana, as in other countries, the volunteers have been writing home to schools and civic organizations asking for books, and have opened their public libraries in their own cramped quarters.

In East Pakistan, Robert W. Taylor, of Los Gatos, Calif., invented a machine to parboil rice cheaply and efficiently, using the rice husks themselves as fuel, of which there is a critical local shortage.

In doing their varied assignments and carrying out their self-made projects, the Peace Corps volunteers have experienced few serious health problems. Three Corps volunteers have died—two in an airplane crash in Colombia and one under surgery in Manila.

#### ONE PEACE CORPS BABY IS BORN IN NIGERIA

On the happier side, there have been about 20 Peace Corps marriages—either between volunteers or between a volunteer and a citizen of the aided country. So far, all the newlyweds have continued their duties. The first Peace Corps baby was born May 16 to a young volunteer couple teaching school in Nigeria.

That the Corps' problems have not been more serious is attributed here to several things, besides the hard work and the quality of the volunteers themselves.

The first is Mr. Shriver's determination not to make a bureaucracy of the Peace Corps, but to keep all hands giving top priority to people, rather than "policy" and "procedure."

The second is the work of the "inspector general" system, which provides for frequent flying trips to hear the volunteers' complaints. The language problem was unearthed early in this fashion.

"The volunteers have a very definite idea about how the Corps should be run. They won't take any second-rate stuff. They keep us on our toes," an aid to Mr. Haddad said.

The greatest danger, as the Corps grows, according to officials here, will be that it might lose its lively nonbureaucratic spirit. The jargon of the social scientist and bureaucrat—volunteers are "object-oriented" for example—is already creeping into ordinary speech at the Corps' busy headquarters here at 806 Connecticut Avenue, across Lafayette Square from the White House.

On the other hand, as President Kennedy told the Corps staff here last week:

"You have brought to Government service a sense of morale and a sense of enthusiasm and real commitment which has been absent from too many governmental agencies for too many years."

This summer, the Corps' recruiting and selection of qualified people to go overseas will continue to pose headaches as commitments increase. Some teams of volunteers will go overseas under their prescribed strength, especially where certain key skills cannot be obtained. But it is expected that, in the main, the commitments will be met.

#### WHERE VOLUNTEERS SERVE

WASHINGTON, June 24.—The following lists the Peace Corps projects underway and planned, including the countries aided, the



number of volunteers on duty or assigned, the projects and training centers:

#### PROJECTS UNDERWAY

Ghana, 51; teaching, secondary education, University of California (Berkeley).  
 Nigeria, 40; secondary education, Harvard.  
 Nigeria, 45; secondary education, University of California at Los Angeles.  
 Nigeria, 24; university education, Michigan State.  
 Sierra Leone, 37; secondary education, Columbia.  
 Tanganyika, 35; road surveying, mapping, Texas Western.  
 Colombia, 58; rural development, Rutgers.  
 Colombia, 44; rural development, Arizona State.  
 Chile, 45; rural development, Notre Dame.  
 St. Lucia, 15; agriculture extension, education, Iowa State.  
 Philippines, 272; primary education, Pennsylvania State.  
 Malaya, 67; rural development, health, education, Northern Illinois University.  
 India, 26; agriculture extension, industrial education, Ohio State.  
 Pakistan: East, 29; agriculture extension, health, education, Experiment in International Living (Putnam, Vt.). West, 28; agriculture extension, health, education, Colorado State.  
 Thailand, 45; university education, malaria eradication, University of Michigan.  
 Brazil, 43; 4-H, 4-H Foundation.  
 El Salvador, 25; agricultural extension, home economics, rural development, New Mexico State.  
 Venezuela, 5; university teachers, Experiment in International Living.  
 Jamaica, 39; vocational education, Research Institute for Study of Man (New York).

#### PROJECTS PLANNED

Afghanistan, 13, teachers, mechanics, Georgetown.  
 Nepal, 69; education, agriculture extension, George Washington.  
 Venezuela, 41; 4-H, 4-H Foundation.  
 Venezuela, 18; YMCA, Experiment in International Living.  
 Iran, 48; education agriculture, Utah State.  
 Chile, 20; YWCA, Experiment in International Living.  
 Ecuador, 74; community development, Inter-American University (Puerto Rico).  
 Peru, 90; community development cooperative credit, Cornell.  
 Peru, 27; community development, Catholic University (Puerto Rico).  
 Peru, 53; nutrition, Catholic University (Puerto Rico).  
 Dominican Republic, 21; rural development, University of Puerto Rico.  
 Bolivia, 46; health and sanitation, University of Oklahoma.  
 Ceylon, 53; teaching, University of Pennsylvania.  
 Philippines, 82; science, mathematics—University, San Francisco State.  
 Tunisia, 78; multipurpose, Indiana University.  
 Somalia, 48; teaching, New York University.  
 Honduras, 28; social welfare, St. Louis University.  
 Sierra Leone, 70; teaching, New York State College.  
 Liberia, 100; secondary and rural education, University of Pittsburgh.  
 North Borneo/Sarawak, 14; health, University of Hawaii.  
 North Borneo/Sarawak, 56; rural development, University of Hawaii.  
 North Borneo/Sarawak, 31; teaching, University of Hawaii.  
 Thailand, 64; health, education, University of Michigan.  
 Ghana, 115; teaching, Berkeley.  
 Philippines, 200; teaching, San Jose State.  
 Ivory Coast, 45; education, University of Wisconsin.

Niger, 8; teaching, Howard University.  
 Senegal, 6; teaching, Howard University.  
 Togo, 20; education, University of Maryland.

#### THE PEACE CORPS' FIRST YEAR

A year ago tomorrow the first of the 2-year recruits for the Peace Corps began their training. Some critics of this plan for a kind of civilian AEF feared that young idealists with weak characters, unfounded illusions and beards might be attracted. But beatniks got no welcome. The 1,000th trained volunteer will soon go overseas. Performance reports are good enough to justify Director Shriver in planning to have 10,000 Peace Corps recruits abroad by the fall of 1963. Some of these facts are set forth in a news report in the Times today.

The training at home has been rigorous; in the field the young people have been expected to live as do their native counterparts, often on a fairly Spartan regime; it is the host country and not Washington that decides what shall be done where; and hard work rather than glamour has been the key expression. Applicants were carefully screened, with the result that only a few wanted to come home prematurely, or had to be asked to do so.

Last year the Peace Corps made out with \$30 million. This year about twice this amount has been authorized, though not yet appropriated. The larger amount would be a good investment. One can hardly think of a better way of making friends, spreading democratic ideas and helping people. Some day the Nigerians, the East Indians or the Colombians may reciprocate by sending their own young people to work with us on projects they can handle better than we can. Why not?

#### MIGRATORY LABOR

Mr. WILLIAMS of New Jersey. Mr. President, some of the Nation's most powerful farm interests have launched a massive and deliberate campaign of half-truths and distorted facts aimed at arousing the entire farming community against one of the most important and needed migratory bills now before the Congress.

The facts suggest that behind this attack are a small number of growers who are the major users of Mexican farm labor supplied through the bracero program under Public Law 78. These growers, along with policymakers in a few farm associations use paid lobbyists in Washington to campaign against S. 1129, a legislative measure to provide farmers a reliable, qualified domestic labor supply and make fuller employment possible for qualified American farmworkers. Worth reiterating, however, is that fact that not all farm associations or lobbyists oppose S. 1129; many have worked hard to assure that the employment service procedures under S. 1129 will be available to farmer and farmworker alike.

Doom-filled prophecies and distorted logic make up the syntax of the assault upon S. 1129. In a story as imaginative as "Little Red Riding Hood," farmers are aroused about an imagined agricultural welfare state in which the Secretary of Labor will act as an ally of union organizers to bludgeon farmers. The National Farm Labor Users Committee of El Paso, Tex., has distributed a document consisting of a 3-page fact sheet, 6 pages of suggested news releases, 7 pages of suggested editorials, and a suggested 5-

page speech. The document is full of stratagems which exemplify the techniques by which the powerful few rule the many weak. This document states in part:

You are aware of the danger to agriculture posed by S. 1129, the proposal in Congress by Senator HARRISON WILLIAMS, of New Jersey, to turn over control of the domestic farm labor force to the U.S. Department of Labor.

The enclosed material has been prepared for your use. . . . As you will see, this consists of suggested news releases, editorials, speeches, radio and television releases, and a general fact sheet.

To be most effective, this material should be localized so as to make it more attractive to the various news media in your area. As a consequence, we would suggest the following:

Do not simply reproduce and mail this material to your local news outlets. Instead (a), wherever possible, substitute the name of a local association and individual for the name of the national users committee and its spokesman; (b) have some well-known individual in your organization who is familiar with the issues hand-carry your revised release and suggested editorial material to your local news media. Have him present it to the editor as being of vital concern to the entire community, and, therefore, of significant news interest; and (c) if you have additional material which you would like to include in the localized material you give to your local news media, fine.

See to it that prominent members of your organization personally present your localized story to their service clubs, church groups, influential representatives of allied industries, and your elected State and Federal representatives.

Fear resulting from such distortions and techniques is as unnecessary as it is avoidable—especially when the fear is manufactured by those holding themselves out as having the only antidote to allay these fears. In short, I am charging these few paid Washington lobbyists with being self-proclaimed protectorates and then generating fear among the farmers to entrench themselves as the bastions against an imagined enemy-Congress.

#### AN UNPARALLELED GRANT OF POWER TO GOLDBERG A FALSE CHARGE

Another document spuriously charges that S. 1129 grants the Secretary of Labor an "unparalleled grant of broad discretionary power" and cites sections 204(b), 205(2) and 206(a) as proof. Examination of this so-called proof, however, shows it to be without merit in that these sections of S. 1129 have parallel provisions in existing law, or implementing regulations and agreements.

Fiction: Section 204(b) is an unparalleled grant of power.

Fact: This section of S. 1129 is similar to section 503 of Public Law 78—1951—and regulation 602.10 of the Wagner-Peyser Act—1933—both of which provide that foreign workers will not be available to farmers who have not made reasonable efforts to obtain domestic farmworkers.

Fiction: Section 205(2) is an unparalleled grant of power.

Fact: This section of S. 1129 is similar to regulation 602(9) of Wagner-Peyser which conditions the interstate recruitment of American farmworkers upon as-

surances that local workers are not available.

**Fiction:** Section 206(a) is an unparalleled grant of power.

**Fact:** This section of S. 1129 is similar to article 15 of the 1951 labor agreement under Public Law 78 which authorizes the Secretary to determine the prevailing wage to be paid Mexican farmworkers.

#### MISLEADING STATEMENT ABOUT HOUSING STANDARDS UNDER S. 1129

This document also asserts:

Housing provided farmworkers under the S. 1129 employment service must conform to standards \* \* \* irrespective of \* \* \* State law.

The assertion is in direct conflict with the language of S. 1129; section 205(a) (5) of S. 1129 does not contain the statement, "irrespective of State law." Moreover, the Secretary of Labor has indicated that an adequate housing code will be considered a legitimate standard.

#### INNUENDOS ARE COMMONPLACE

The document distributed by the National Farm Labor Users Committee of El Paso, Tex., asserts that—

in testifying for (S. 1129), the Secretary declared "I do not want any extraordinary dictatorial powers." Are we to assume—

The document continues—

then, that he would be satisfied with ordinary dictatorial powers?

Taking a statement out of context is not a legitimate mode of persuasion—it is pure flubdubbery. Overlooked or ignored in the hearing record on S. 1129 was this meaningful discussion:

Senator BURDICK. Do you feel that section 204 or 206 grants you any extraordinary or dictatorial powers?

Secretary GOLDBERG. I do not.

No clearer disclaimer seems possible; clearly, Secretary Goldberg will not be granted any dictatorial powers, ordinary or extraordinary. Moreover, our system of Government would not permit such power to be vested in any individual.

#### THE OPPOSITION, THE ANOMALY, AND UNFAIR COMPETITION

Absent from the recent assault against S. 1129 is a discussion of the smoothly functioning bracero program under Public Law 78, a program almost identical to S. 1129, except that the latter involves American farmworkers rather than Mexican farmworkers. While severe underemployment among domestic farmworkers plagued this Nation, as many as 450,000 Mexican braceros were imported in a single year to work our Nation's farms. Oddly enough, however, the farm associations did not contend that the bracero program would ensnarl the entire farming community in a "Federal bureaucracy" or an "agricultural welfare state," the slogans used to discredit S. 1129.

"A czar," that is the derogatory term applied to the Secretary of Labor who will assist American farmers obtain qualified American farmworkers. While he assists farmers obtain Mexican farmworkers under the bracero program, however, no such term is applied to the Secretary. Since the Secretary of Labor is the same person and will administer

similar employment service provisions, to call him a czar only when he administers S. 1129 is a pristine example of doublethink.

Key to the anomalous position taken by those attacking S. 1129 lies in the fact that these associations do not truly represent the entire farming community as claimed. Accustomed to economic benefits gained through the bracero program, a few growers seek to retain this advantage at the expense of the small farmer.

Seriously disadvantaged from an economic viewpoint is the small farmer who is not equipped to utilize Mexican farmworkers supplied under the bracero program. He must rely upon his own efforts and ingenuity to attract qualified reliable farmworkers to harvest his crops. Too often, however, enough farmworkers cannot be obtained when needed or they may not be qualified or reliable. Meanwhile, the large commercial farming operations participating in the bracero program are able to obtain a sufficient number of reliable farmworkers. These workers, carefully selected and transported under a highly efficient program, will arrive when needed and will be qualified and productive.

The large bracero user, moreover, receives an additional economic advantage over the nonbracero user. Federal funds, raised through taxes, are used to pay part of the costs of operating the bracero program. In this connection, it is noteworthy that the farmers in Texas and California alone utilize 75 percent of the annual importation of braceros.

Also victimized by the assault on S. 1129 are the long-suffering domestic farmworker and his family. The loss of an adequate, well-functioning, and voluntary farm employment service envisioned under S. 1129 would perpetuate the existing barriers against matching farmworkers to farm jobs. To leave such employment problems to chance is irrational and imposes an unnecessary burden upon the farmer and the citizen farmworker alike.

Moreover, the importation of hundreds of thousands of Mexican farmworkers puts them into direct job competition with our already underemployed rural citizen farmworkers. Originally the bracero program was enacted as a stop-gap measure. Over the years, however, it has become the major source of seasonal farmworkers. It is now time for the American public, farmer, and non-farmer alike, to modify the bracero program so that it is used to supplement—but not supplant—the American farm labor force.

#### DELUSION ENTAILS SELF-DELUSION

The growers seeking to discredit and abort the possibility of a stable, productive domestic farm labor force are deluding themselves. The extension of the bracero program in Congress in 1961 was accomplished only by great pressure. Furthermore, when President Kennedy signed the 2-year extension, he said:

The adverse effect of the Mexican farm labor program \* \* \* on the wage and employment conditions of domestic workers is clear and cumulative in its impact. We do

not condone it. Therefore, I sign this bill with the assurance that the Secretary of Labor will \* \* \* use the authority vested in him under the law to \* \* \* make the determinations essential for the protection of the wages and working conditions of domestic agricultural workers.

Given the uncertain future of the bracero program, it is absurd for the large bracero user to block the passage of S. 1129. To accomplish this end is tantamount to destroying one of the most useful and needed pieces of legislation ever designed to provide farmers, large or small, with an increased number of qualified, reliable seasonal farmworkers.

#### A MODEST PROPOSAL TO REASONABLE MEN

Once it is clear that the attack on S. 1129 is being undertaken only for the benefit of a small number of large bracero users, and on an accurate appraisal, not even in the best interests of these growers themselves, rational farmers who will benefit from the proposed voluntary employment service envisioned under S. 1129 should carefully examine S. 1129 and the benefits it will provide. This is a modest proposal to reasonable men.

To assist the farming community in this task, I have prepared a fact sheet which will provide an accurate analysis and explanation of S. 1129. I hope the farming community will make use of this fact sheet; I also hope those representing the farmers will read it with a view toward assisting the farmer, the migrant farm family, and the national interest. Once this is underway, and some of the wrong-headed slogans and mythology are replaced by rational discussion, I will welcome ideas for making the employment services provided under S. 1129 as effective and helpful as possible to farmers and farmworkers.

Mr. President, I ask unanimous consent that the fact sheet to which I referred, containing the true purposes of S. 1129, together with a description of the bill and how it would operate, be printed at this point in the Record.

There being no objection, the fact sheet was ordered to be printed in the Record, as follows:

**FACT SHEET ON S. 1129, TO AMEND THE ACT OF JUNE 6, 1933, AS AMENDED, TO AUTHORIZE THE SECRETARY OF LABOR TO PROVIDE IMPROVED PROGRAMS OF RECRUITMENT, TRANSPORTATION AND DISTRIBUTION OF AGRICULTURAL WORKERS IN THE UNITED STATES, AND FOR OTHER PURPOSES**

(The statements in this fact sheet are based on the version of the bill, S. 1129, on which hearings were held by the Subcommittee on Migratory Labor on February 8 and 9, 1962, and on consultation with the U.S. Department of Labor concerning the prospective operation of the program.)

#### 1. What is the purpose of S. 1129?

S. 1129 is designed to remedy inadequacies that exist in the present farm labor situation from the viewpoint of both farm employers and farmworkers. Many farmers cannot now obtain adequate numbers of seasonal farmworkers. Many more cannot rely on the workers (1) to arrive when they are needed, (2) to have the appropriate qualifications, and (3) to stay on the job until its completion.

For these farmers, S. 1129 is intended to make available an assured, reliable labor force. S. 1129 will also make fuller employment possible for qualified farmworkers and,



by providing workers placed under the program with certain minimum assurances, will increase the number of qualified, reliable workers in the farm labor force.

2. How will S. 1129 affect the present farm placement system?

Use of the placement program provided by S. 1129 will be voluntary for both farmers and workers. The program will supplement the present Federal-State placement system; it will not replace present procedures. For the farmer, the voluntary nature of the S. 1129 program means (1) he will be free to use the program or not, as he sees fit, in filling his domestic labor needs. It will be for the farmer alone to determine whether he prefers to rely on existing governmental or private procedures for this purpose; (2) he may choose to obtain a part of his work force through the S. 1129 program and the remainder by existing methods.

3. How will the farmer be assured of getting only qualified, willing, and able workers under S. 1129?

Through a process of careful screening, in which the farmer will have the right to participate, if he wishes to do so, from the beginning. Each worker hired will enter into an employment contract in which he promises to perform the work required of him with proper application, care, and diligence.

Effort will be made to enable farmers who have obtained satisfactory workers under S. 1129 to reemploy the same workers in subsequent seasons.

4. Where will the workers supplied under the S. 1129 program come from?

Under the authority given in S. 1129 for positive recruitment, it will be possible for the employment service to tap new sources of agricultural labor in addition to making referrals of workers who, through crew leaders, or otherwise, now find their way to farm placement offices. Seasonal farm employment away from home would be profitable for many farmworkers and small family farmers who now lack year-round work. Recent surveys, made in rural Mississippi and Arkansas, strongly indicate that this will be an important source of qualified workers for the S. 1129 program. Another source will be American Indians, among whom there is extensive unemployment although they often are skilled and reliable farm employees. Still other workers recruited under S. 1129 will be persons who have acquired special skills in training programs such as the Area Redevelopment Administration program in Hammonont, N.J., which recently graduated 20 new farm tractor and machine operators.

In addition to making farmworkers available from new sources, S. 1129 will increase the total number of available man-hours through fuller employment of workers already in the migratory stream. Many present migrants, reluctant to travel until they know that work is available, now frequently delay their departures so long that they do not arrive in harvest areas until the peak need has passed. Other migrants now seek work without guidance, or travel unnecessarily long distances to obtain employment. By assuring transportation to the work and back to the home base, and by making possible the most effective use of information on the locations of men and jobs, S. 1129 will promote the full utilization of workers such as these.

5. What will it cost the farmer to obtain workers under the S. 1129 program?

For each job filled, the farmer will pay a fee of no more than \$15. This fee will be the Government's reimbursement for the costs of the following functions, which S. 1129 authorizes the Secretary of Labor to perform (1) transporting the workers from the area of recruitment to an area of employment, and return; and (2) providing necessary subsistence, housing, and emergency medical care for workers and their families during transportation and while

arrangements are being made for their employment in or their departure from an area of employment.

Should a worker hired under S. 1129 fail, without good cause, to fulfill his employment contract, the farmer will be supplied a replacement worker at no charge. If the farmer does not desire a replacement, a proportional part of his original fee will be refunded. As a result of these replacement and refund provisions in the bill, it will be the Government, not the grower, that bears the risk of any loss of transportation expenses through a worker's leaving the job before the end of the agreed-upon period of employment.

6. What are the obligations of a farmer to a worker he obtains under S. 1129?

As is now required with respect to housing for workers referred by the U.S. Employment Service through interstate clearance, the employer's housing for workers referred under S. 1129 will have to meet minimum standards. Where there are effective State housing regulations, however, additional requirements will not be imposed.

The employer's other obligations will be: to pay the worker as much as local workers receive for similar work; to pay him at least every 2 weeks; to promise him the equivalent of full-time employment during the agreed-upon work period; and to furnish him with workmen's compensation or comparable insurance coverage.

In the event, of course, that a worker breaches the employment agreement, the employer's obligations under the agreement will terminate.

7. Will workers placed in jobs under S. 1129 be accompanied by their families?

They may be when it is feasible in the general circumstances and the available housing is adequate to accommodate families.

8. How will a farmer go about hiring workers under the S. 1129 program?

Orders for workers under S. 1129, like orders under present placement procedures, will be placed through the local office of the employment service. Workers will be brought into the area under S. 1129 only if sufficient qualified workers who are permanent residents of the area are unavailable.

The transportation of workers by the Secretary of Labor will terminate at a distribution center in the area of employment. These centers will be located in the areas of heaviest demand for agricultural workers. Tentative plans call for distribution centers in Florida, California, Indiana, Texas, and Virginia, and in addition, for several overnight rest stops for migrants which can be used as supplementary distribution centers.

From the distribution center to the farm where S. 1129 workers are to be employed, transportation will be the farmer's responsibility. Accordingly, the practical availability of workers under the program will depend on the existence of a center within a reasonable distance of the farmer's property.

9. What happens when the harvest is completed?

To the extent that crop cycles permit, workers will be scheduled for continuous employment in a series of jobs. Consecutive jobs in the vicinity of a single distribution center will be scheduled where possible. In its emphasis on preseason scheduling, the S. 1129 program will be comparable to the employment service's annual worker plan.

When workers have completed their employment on one farm, the grower will be responsible for returning them to the nearest distribution center, or, if the next job is closer than the distribution center, he may take them there instead. When all scheduled jobs in the area are finished, the workers will be transported to a new area of employment. After all seasonal work away from home has ended, the workers will be returned to the area in which they were recruited.

10. What will be the relationship between S. 1129 and present programs for the temporary importation of foreign farm labor?

With the enactment of S. 1129, farmers will have a new procedure for recruitment of domestic workers. In appropriate circumstances, the use of this procedure would be considered one of the reasonable efforts to attract domestic workers that must be made before a need for foreign workers can be certified. The availability of the S. 1129 procedure will not, however, increase the time required to process requests for foreign worker certifications.

It is to be expected that the S. 1129 program will result in the replacement of some foreign workers by domestics. The domestic workers, of course, receiving assurances concerning their employment somewhat less extensive than those required for foreign workers, will cost no more than foreign workers for farmers to employ.

The decline in the number of foreign workers certified will be limited, however, by the extent to which S. 1129 increases the number of qualified domestic workers available. In other words, there will be a reduction only where (1) the number of qualified, reliable domestic workers that can be made available with the aid of S. 1129 is larger than the number the farmer has previously been able to obtain; and (2) suitable housing for the S. 1129 workers is available.

Where growers have housing facilities only for bachelors, the S. 1129 program, to affect the use of foreign workers, will in general have to provide bachelor domestics. No expensive housing modifications to accommodate families will be required. If the S. 1129 program can provide only family groups, the number of foreign workers may be reduced where on- or off-farm family housing can be furnished without any unreasonable burden on the farm operator. A reduction in the size of a grower's labor force, for example, may mean that his bachelor housing, with slight modifications, could accommodate a labor force including families.

11. Does S. 1129 provide for the unionization of farm workers?

No. The bill makes no change in existing law and regulations, either to promote or to discourage union organization. S. 1129 simply continues in effect the present rule, applicable to both the U.S. Employment Service and the State agencies, that a worker will not be referred to aid in filling a job which is vacant because of a labor dispute or the filling of which is an issue in a labor dispute.

#### OUR 1962 THOREAU CENTENARY

Mr. HUMPHREY. Mr. President, Henry David Thoreau, who died a century ago this year, has become recognized as one of our great Americans—writer, walker, philosopher, moralist, poet-naturalist, conservationist, leader in wildlife protection and wilderness preservation. He studied most how best to live in our American environment. His findings, as set forth in his writings and shown in his living, have seemed more and more pertinent to his successors. We do well to honor him.

One of the most fitting of the observances that have taken place this centenary year was held here in Washington, D.C., on May 11, 1962, when the Secretary of the Interior and the executive secretary of the Wilderness Society joined in sponsoring on the grounds of Dumbarton Oaks an outdoor gathering that heard remarks made by a great poet and an Associate Judge of our Supreme Court.

That morning the Washington Post set the tone of the day in the Nation's Capital with an editorial entitled "Immortal Yankee," pointing out among other comments that—

The most fitting memorial to Thoreau on the centenary of his death would be the passage in Congress of the wilderness bill, designed to keep some of our land forever wild as a national treasure.

The Public Lands Subcommittee of the House of Representatives Committee on Interior and Insular Affairs was that afternoon concluding hearings on the measure to which the Washington Post referred. That was the wilderness bill, S. 174, passed last September 6, 1961, by the Senate with a vote of 78 to 8 and now pending in the House of Representatives with the urgent endorsement of the President.

It is a wise comment of the Washington Post that enactment of this wilderness legislation can be viewed as a "most fitting memorial to Thoreau on the centenary of his death."

Mr. President, I ask unanimous consent that the editorial "Immortal Yankee" from the May 11, 1962, issue of the Washington Post be printed in the RECORD at the conclusion of my remarks.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, for the great benefits that can be afforded us as we move forward with our responsibilities here in the Congress, and for the inspiration to be communicated to our fellow citizens I should like to make a matter of record the remarks at the Dumbarton Oaks gathering.

The meeting was opened by Howard Zahniser, executive secretary of the Wilderness Society and editor of the Living Wilderness. Dr. Zahniser, who also is a past president of the Thoreau Society, presented Secretary of the Interior Stewart L. Udall as the occasion's master of ceremonies. Secretary Udall introduced our great poet, Robert Frost, and Associate Justice William O. Douglas, who were the speakers for observance.

Mr. President, I ask unanimous consent that the text of the remarks made at this centenary observance of the death of Henry David Thoreau be printed in the RECORD at the conclusion of my remarks along with accounts of the gathering as reported in both the Washington Star and the Washington Post on May 12, 1962.

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

(See exhibits 2, 3, and 4.)

I also invite the attention of Senators to the fact that the commemoration of the centennial of Henry David Thoreau reminds us of some unfinished business in the Congress. The unfinished business is referred to in yesterday's Washington Daily News. The article is entitled "Unfinished Business: The Wilderness Bill." The editorial states:

The wilderness bill is designed to preserve in its primitive state some 35 million acres of American scenic grandeur.

Against the carefully and conscientiously drawn Senate bill the arguments of those with a commercial ax to grind weigh light on the scales of public interest, which clearly requires that America's dwindling heritage of wilderness grandeur be preserved to inspire and instruct future generations.

I compliment the Washington Daily News editorial staff for the excellent editorial, because it is in the public interest and it is a great public service. My colleagues know that for many years I have been associated with an effort in the Congress to protect the great, fine, and vast areas of wilderness territory so that future generations might experience some of the wholesome recreation which is made available because of those public lands. We are deeply indebted to the Senator from New Mexico [Mr. ANDERSON] for his work in the field and for piloting the measure through the Senate, as well as to the Senator from Idaho [Mr. CHURCH], who was the Senator in charge of the bill when the measure was passed by the Senate.

#### EXHIBIT 1

[From the Washington Post, May 11, 1962]

#### IMMORTAL YANKEE

The man was impossible, his ideas eccentric, and his career by every conventional standard a failure. He was a writer, but he published only two books and a few magazine articles during his lifetime. Nobody read them. Indeed, when New England flowered, Henry David Thoreau seemed to his contemporaries a species of crabgrass—a pawky hermit who seemed as indifferent to society's opinion as mankind was indifferent to him.

But from the time of his death on May 6, 1862, the world's respect for Thoreau has steadily increased and it is wholly appropriate that his memory will be honored today at Dumbarton Oaks. Thoreau speaks to both the private and public man, and to both he has something replenishing to say. Curiously, Thoreau's ideas seem more relevant to our world today than they were in his own time, when it was relatively so much easier to put his principles into practice.

In 1845 he went to live at Walden Pond, "to live deep and suck out the marrow of life," and his experiment in solitude yielded a classic statement on the importance of escaping the clutter of civilization. The clutter has spread with awesome speed and threatens to swallow up the remaining wilderness—as it has Walden Pond itself. The most fitting memorial to Thoreau on the centenary of his death would be the passage in Congress of the wilderness bill, designed to keep some of our land forever wild as a national treasure.

To the public man, Thoreau speaks in demanding accents. In 1849, not long after Marx and Engels published the "Communist Manifesto," Thoreau wrote "Civil Disobedience" a textbook for a different kind of revolt. Thoreau spent a night in jail rather than pay a petty tax to a state then engaged in the Mexican War. His essay sought to justify his defiance by appealing to a higher law beyond government.

Manifestly, no rational society could be organized along the principles of Thoreau. But a humane society cannot exist if it wholly lacks those principles. Occasions arise when only civil disobedience can serve as a remedy for wrong. Gandhi, when he was a lawyer in South Africa, read both Thoreau and Tolstol, and from their writings derived the tactics of passive resistance that brought an end to imperial rule in India with a minimum of bitterness.

By a circular process, Gandhi's ideas returned to the United States and are used by southern Negroes and white freedom riders to eliminate the humiliations of second-class citizenship. The philosophy of their defiance springs not from Marx but from Thoreau, whose appeal is to the conscience of men and not to their stomachs. The spirit of Thoreau is very much alive in a country he would otherwise scarcely recognize.

#### EXHIBIT 2

[From the Washington Post, May 12, 1962]

#### THOREAU'S DEATH MARKED IN WOODS

(By Dorothy Butler)

A group of eminent American Americans went to the green woods yesterday to pay tribute to a simple lover of nature.

"This is a place Thoreau would have loved. It's just like a picnic place," Robert Frost said to Louis Untermeyer as they strode along a birch-shaded stretch of path in Dumbarton Oaks Park.

Earlier, Untermeyer had whispered: "I think Thoreau would have been a bit staggered by the beauty and magnificence of it."

The occasion was a ceremony marking the death of Thoreau in his Concord home a hundred years ago this week.

The ceremony was a project of Interior Secretary Stewart L. Udall and the Wilderness Society of Washington.

Frost told some 100 persons gathered in the park's woodland meadow:

"Whenever I'm weary of considering, and I can stand things no longer, I always say: Give me the woods, I've always wanted to be \* \* \* lost in the woods."

He called Thoreau's slim volume, "Walden," one of America's greatest storybooks. "It has everything," he said.

Another Thoreauvian, Supreme Court Justice William O. Douglas brought along Chief Justice of the United States Earl Warren.

Thoreau, who built himself a hut in the woods and lived happily in it on a weekly budget of 27 cents, would be "alarmed at America's present trend toward conformity," said the Justice. He did not think like the crowd \* \* \* But he knew the quiet desperation in which most people live their lives."

But despite Thoreau's frequent preachments of the virtue of ridding one's life of complexities, he would have been "flattered," that the "great of the Nation" had penetrated the woods to honor his memory, said Untermeyer, consultant-in-poetry at the Library of Congress.

"You see, he was kind of an off-stage statesman," he said.

#### EXHIBIT 3

[From the Washington Evening Star, May 12, 1962]

#### THOREAU CENTENNIAL NOTED AT DUMBARTON OAKS GROVE

(By Janet Koltun)

You'll not meet a more devoted clan than lovers of the American philosopher, Henry David Thoreau, who call themselves "Thoreauvians," and sometimes "Thor-OY-ans."

But the Thors are sophisticated in their hero worship. You won't catch a one of them wearing a sweatshirt emblazoned with the mug of their hero, as do Beethoven lovers.

There wasn't a sweatshirt in evidence, only proper business garb, as 60 Government officials, diplomats, and at least two poets hied into Dumbarton Oaks Park yesterday to celebrate the centennial of the burial of Thoreau, who preferred solitude to congregations.

Displaying a true Thor esprit de corps, many dignitaries hiked the half mile into the park, including Nicaraguan Ambassador Guillermo Sevilla-Sacasa.

Interior Secretary Udall and Poet Robert Frost fudged a bit on the Thor tradition. They rode in Mr. Udall's limousine part of the way, then walked the rest. Chief Justice Warren and Justice Douglas elected to ride into the glen.

#### TRIBUTE READ

Secretary Udall read a tribute to Thoreau and the Wilderness Society secretary, Howard Zahniser, noted that Thoreau advocated primitive forest areas around every town. He suggested that Thoreau also advocated committees to look after the wilderness.



Mr. Zahniser and Mr. Udall differed on what to call themselves. Mr. Zahniser pronounced it "Thor-OH-vians," while it came from Mr. Udall's western tongue as "Thor-OY-ans."

Introduced by Mr. Zahniser as "captain of our huckleberry party," Secretary Udall in turn introduced Poet Bill Meredith of New London, Conn. He read at the Library of Congress last year and suggested the gathering.

Another poet, Mr. Frost, told the Thors: "I sorta glory in the chance to revel in great names." Touching on the names of Washington, Jefferson, Madison, and Emerson, he came to Thoreau, calling his autobiographical book, "Walden," one of the "greatest storybooks ever written."

#### PRaise FOR COURT

Justice Douglas rose from his official bench, a brown wooden one he shared with Mr. Warren, to praise the Thor-minded Massachusetts courts for rulings which helped to clear Walden Pond of beer cans, baby food jars and thumbs of leather gloves.

Touching on the problems of mass invasion of wilderness areas all over the country, Justice Douglas intimated darkly that Thoreau wouldn't have liked a bit the messes that people leave.

Secretary Udall closed the Thorship by suggesting that "Thoreau's reputation has grown more in recent years than that of any other American." He added: "It is the hope of the Wilderness Society that this walk in the woods has relieved some of your quiet desperation."

#### EXHIBIT 4

COMMEMORATION OF THE HUNDRETH ANNIVERSARY OF THE DEATH OF HENRY DAVID THOREAU, DUMBARTON OAKS, WASHINGTON, D.C., MAY 11, 1962

PRESENTATION REMARKS INTRODUCING SECRETARY UDALL BY HOWARD ZAHNISER

Dr. ZAHNISER. Honorable Poet, Your Honor Mr. Justice, Mr. President (Lewis Leary) of the Thoreau Society, Mr. Secretary, fellow Thoreauvians of the second century, I am Howard Zahniser, executive secretary of the Wilderness Society, and along with Paul Oehser and Carl Bode, here present, a past president of the Thoreau Society.

A hundred years ago last Sunday Henry David Thoreau died, at 9 o'clock in the morning, at his home in Concord, Mass.

Today is the day after tomorrow of the first century since his burial, in Concord, on May 9, 1862.

Next July 12 we shall observe the anniversary of his birth—only 45 years more than a century ago.

Thoreau's example and his thoughts and writings are in many ways relevant to our generation, and indeed, we surmise, to generation after generation.

Among his perceptions—and expressions—that seem so pertinent to our own conditions are those that emphasize the importance of the quality of wildness in our lives and the importance of our preservation of areas where it can best be experienced.

Thoreau more than a hundred years ago asked for the preservation of wilderness areas for our own true recreation. He also urged a primitive forest for every town—and a committee to see that the beauty of the town received no detriment.

Today we have the great good fortune to have at the high, Cabinet level of our National Government, as the Secretary of the Interior, a Thoreauvian, who knows the values of wildness and the importance of outdoor areas where it can be experienced. It is indeed an opportunity for the Wilderness Society to join with him, here on this greensward in our Nation's Capital, in an observance of the meaning of Thoreau to us today.

It is a very great privilege to introduce, as the leader of our own huckleberry party,

the Executive Secretary of the Interior, the Honorable Stewart L. Udall. [Applause.]

#### REMARKS BY HON. STEWART L. UDALL, SECRETARY OF THE INTERIOR

Secretary UDALL. Certainly I know you will all agree we could not have chosen a better place or a better time to have this occasion. The elements have not frowned on us. We are all very happy.

I, of course, was delighted that Justice Warren would be here—and so many of the diplomatic corps. We cannot recognize all of you. There are two people I should like to recognize, though, just for a moment. One is the young poet, Bill Meredith, from Connecticut, who had the idea of this gathering and who is with us here today. Bill, we are all in your debt.

The other is Mrs. Robert Woods Bliss, who, with her late husband, the Ambassador, gave to the public these beautiful grounds and thus made it possible for us to have this occasion here.

I think that nothing is more Thoreausic than this land and what it represents. I think the greatest gift that any man, or any couple, can leave to their fellow man is the gift of a beautiful tract of land. This park here embodies Thoreausic ideals mentioned a while ago, and, therefore, I think it appropriate to thank again the late Ambassador Bliss and Mrs. Bliss for the fact that we can have this occasion here.

I have received several communications. There are two I wanted to read to you.

One is from E. B. White, who said he could not be here, but wrote: "For a dead man, Thoreau manages to keep surprisingly abreast of the news. I find him assaying calm in all weathers and all ideas. I hope he and his friends enjoy a pleasant noon-time."

And Paul Brooks, the Houghton Mifflin editor, who may be here, said: "Someone once said of Henry Thoreau that he could get more in 10 minutes with a woodchuck than most men could get out of a night with Cleopatra."

I am sure this informal gathering would have meant more to Thoreau than all the formal meetings held in his honor.

So I thought we would have a few minutes with two men who, perhaps more than any other in this country, represent the Thoreau spirit and understand it today.

It is my privilege to introduce these two men.

#### INTRODUCING ROBERT FROST

The first is a man who happens to be exactly twice the age that Thoreau was at the time of his death. Henry Thoreau, when he died 100 years ago, was the age of President John F. Kennedy—44. This, I think, makes us realize how much more he might have contributed had he lived longer.

Robert Frost will be 88 on his next birthday. Robert has the same qualities of mind, the same feeling for this land. He has the same regard for the need of being versed in country things—as he has put it. I think he has the same awareness that Thoreau had of the elusiveness of truth, and most Thoreauvians have as a favorite the story about when he was asked in his last illness whether he had made his peace with God, he replied, "I did not know we had quarreled."

Robert Frost has his own relationship with God, but some have said of him that he is a man who, in his own words, has had a lover's quarrel with the world for 88 years. We are most delighted that, while he is in town, he can be with us to participate on this occasion. [Applause.]

#### REMARKS BY ROBERT FROST, DISTINGUISHED POET

ROBERT FROST. Well, I sort of glory in a chance to revel in great names—like Emerson and Thoreau. Take them together.

I just noticed a very important thing, to me—speaking of great names—Mrs. Thomas Jefferson Coolidge has sent down to Washington, I believe as a loan, the portraits, the Stuart portraits, of Washington, Jefferson, Adams, Madison, and I think also Monroe. These great names. There is nothing to measure beside those statesmen but the names of Thoreau and Emerson.

The beginning of this—shall I call it something you see but have never thought your way through?—is in what Wordsworth said:

"And I could wish my days to be  
Bound each to each by natural piety."

And I bet you have read that as meaning a piety toward God. That was natural—that he meant it entirely in our sense of the word. He meant by piety—call it "nature," right out of Rousseau. It might have been out of Thoreau, if Wordsworth had known Thoreau. We are here in natural piety.

And when they don't know what America is; and it puzzles them as to what America is; and they write abstracts about what it is; I take refuge in certain names: Washington, Jefferson, Adams, Madison—Madison very particularly—and then two great names, Emerson and Thoreau.

And whenever I come under Thoreau's influence—I said the other day, in a collection of Thoreau's manuscripts and other things up in the Morgan Library in New York—they asked me to say something—I said:

"Do you want to know three of the greatest books that were ever written? One of them was 'The Voyage of the Beagle.' Another was the 'Walden' storybook. The three greatest storybooks in history, we say—'The Voyage of the Beagle,' the 'Walden' storybook, and 'Robinson Crusoe.'"

Those are my three great storybooks.

And so I repeat, one of the greatest books we have had in America—and it will always be—is "Walden."

More than anything else Thoreau wrote that wonderful beautiful story book: Character, incident, adventure in thought, adventure in housekeeping, everything.

Whenever I am weary of considerations—there is a line of my poetry somewhere like that—when I am weary of my considerations and I cannot stand it any longer, I always say: "Me for the woods."

Somebody said I talk woods too much. The word "wood" means mad, you know, too. That is it. I want to go wild in the woods.

I have been telling this story a long time. The first poem in my first book is the wish for wilderness where I can get really lost. I never got lost. Daniel Boone said he never was lost, he had been bewildered; but I have not even been bewildered. I want to be where I can be bewildered—lost—not be able to find my way home. That is what the wilderness is. [Applause.]

#### INTRODUCING WILLIAM O. DOUGLAS

Secretary UDALL. Thoreau called himself inspector of snowstorms. He was that. He had other outside assignments that he took upon himself, too.

I think if Thoreau has any successor as inspector of wilderness, it is William O. Douglas, our next speaker, a man who shares Thoreau's scorn for modern transportation. He is a shank's mare man. He has still today a concern, as lively and as keen as Thoreau's, for the estrangement of man from his natural surroundings.

I think he would share one of the things that Thoreau wrote or said in his last years: "The earth has higher uses than we put her to."

It is a pleasure for all of us to have as our other speaker, to pay homage to Thoreau today, Justice William O. Douglas. [Applause.]

#### REMARKS BY WILLIAM O. DOUGLAS ASSOCIATE JUSTICE, U.S. SUPREME COURT

Justice DOUGLAS. A recent visitor to Walden Pond, Edwin Way Teale, tells about the

thousands of people who now visit that sanctuary. He wrote in "North With the Spring":

"With Walter Harding, Secretary of the Thoreau Society, and his wife, \* \* \* I made a circuit of Deep Cove, the indentation in the Walden shore line close to the site of Thoreau's cabin. As we walked along, I jotted down all the things we encountered at its edge. \* \* \* The list includes:

"One hundred and sixteen beer cans, 21 milk bottles, 7 Coca-Cola bottles, the remains of 14 campfires, a shoe box, eggshells, soap, half-eaten sandwiches, Dixie cups, cracker boxes, soda straws, cigarette packages, comic books, tabloid newspapers, playing cards, broken glass, paper napkins, mustard bottles, firecrackers, banana peels, orange skins, a baby food jar, a piece of pink ribbon, the thumb of a leather glove, a flashlight battery, and a dollar bill."

This problem of mass invasion of wilderness areas presents serious problems of this character all over the country. We of the Sierra Club arranged for a summer team to collect tin cans and bottles and other debris at four remote lakes in the High Sierra. They packed out three and a half tons of tin cans, etc., which represented only two or three summers of accumulation. On the top of Mt. Whitney another Sierra Club team packed down eight gunnysacks of such debris.

The moral, I think, is plain, and one that Thoreau would be the first to advance were he here: We need more wilderness areas—rather than fewer—and large ones, at that. But the trend is in the opposite direction. Wilderness areas are contracting, though our population is exploding. Even the sanctuaries of Walden are being threatened by man's invasion.

I am reminded of the advertisement: "Come up to unspoiled Vermont," to which Robert Frost replied, with that well-known smile, "And help us despoil it."

Mr. Frost (interrupting). Let me tell you about that. It is on every map in every restaurant, every dining place you know: "Come to Unspoiled Vermont." I always write on it, in my own hand: "And help spoil it."

Justice DOUGLAS (continuing). We are all grateful to the Massachusetts Supreme Court for its 1960 decision in the Nickols case. Plans were made to build concrete ramps for the beaches of Walden Pond, to widen the beach by cutting down the embankment, to cut many trees to provide an access road for fishermen, to put up a 100-foot concrete bathhouse. But for the intervention of the Massachusetts court, Walden Pond would be a highly modernized amusement park.

Thoreau did not know the world. In "Walden" he says that it is not worth while to go around the world to count the cats in Zanzibar. To this comment H. M. Tomlinson once replied that while Thoreau was right about Zanzibar, "we wish he had tried it. He would have counted more than cats. We miss the book he would have made."

Thoreau's curiosity and active mind would indeed have produced an exciting tome on Zanzibar, bringing to light things that its miserable people and the Arab slave traders never knew about the earth and its beauty.

I have traveled with Thoreau everywhere he went in New England. He did not penetrate as far north in the Maine woods as I had imagined. He saw some headwaters of the Allagash, but not the wild river itself—the one which like Walden Pond is now threatened by bulldozers, roads, motels, and civilization. Wherever Thoreau went he was the explorer who was excited, stumped, and baffled by new discoveries. That is a great comfort to all of us amateurs who, no matter how frequent our hiking of old trails, always find something new that sends us to the libraries for research.

Thoreau, for example, never did identify the "night warbler" which I believe was the ovenbird in flight. Once he saw three birds: Were they sandpipers, telltales, or plovers? he asked. "Or they may be the turnstone," he added.

Thoreau's curiosity was about the wonders of creation, including man, but mostly about those wonders which are at our feet and yet which we seldom see. "Is not the midnight like central Africa to most of us?" he asked. The answer as of 1962 is still "Yes." Yet even here along the Potomac great events often transpire at midnight. How many have heard on wild March nights the armada of whistling swans over Georgetown and the pallsades, heading for northern nesting grounds?

We do not have many whippoorwills in this area. Thoreau knew it from the north woods. It ushers in the darkness of night; and before the first grey streaks of dawn are visible, it announces that the time for sleep has almost ended. The haunting song of that wondrous bird had strong appeal to Thoreau, whose wish was that he would hear it in his dreams.

Thoreau—an individualist—would be alarmed at America's present trend to conformity. Thoreau, the individual, did not walk with the crowd, nor think like the crowd, nor bend to society's prejudices. The Bill of Rights was written for his kind, for in a nation of conformists civil rights would be inconsequential.

Emerson said: "Thoreau was in his own person a practical answer, almost a refutation, to the theories of the Socialists. He lived extempore from hour to hour, like the birds and the angels; the only man of leisure in his town; and his independence made all others look like slaves."

Thoreau found his sanctuary, his cathedral, in the woods. The endless wonders of nature were his excitement. A swamp was not a spot to drain, but a place for reflection. The food chains discovered there, the symbiotic relation of plant to plant, of animal to animal, of fungus to tree—these were his excitement.

If we could all say with him "the heavens and the earth are one flower," we would be as anxious to clean up our rivers and to preserve our islands of wilderness as we are to put a man on the moon.

On June 17, 1853, Thoreau noted in his journal: "If a man walks in the woods for love of them for half his days, he is esteemed a loafer; but if he spends his whole day as a speculator, shearing off those woods, he is esteemed industrious and enterprising—making earth bald before its time."

Thoreau lived when men were appraising trees in terms of board feet, not in terms of watershed protection and birds and music. His protests against that narrow outlook were among the first heard on this continent. And they still plague the conscience of the bureaucrats whose voice is the voice of conservation but whose deeds are destructive of wilderness values.

Thoreau lived long before the insecticides and pesticides appeared to upset our ecological balances and to poison the gardens and fields where we grow our food and the waters that carry the poisonous insolubles off our farms into our rivers and lakes.

Thoreau lived when the symbol of destruction of wilderness was the ax and gunpowder. He never knew the bulldozer and the reckless ruinous logging practices in which we now indulge.

Thoreau did, however, know the quiet desperation in which most people lead their lives and man's capacity to destroy the earth and its goodness. His warnings are relevant and timely in the 1960's—more relevant and timely, I think, than when they were uttered. That is the occasion for meeting here today. [Applause.]

#### CLOSING WORDS BY SECRETARY UDALL

Secretary UDALL. Thank you, Bill.

The verdict of history, I think, as everyone seems to acknowledge in this week of anniversary, is that Thoreau has grown more than any other American, perhaps in the past century, in terms of the growth of the audience that he has gained; his voice is heard in far more places of the world than ever before.

I think that this, of course, is something that all of us glory in.

But here it would simply be our hope—the hope of the wilderness society, those of us who staged this little event here today—that as a result of your walk in the woods, as a result of the remarks here today, as a result of the reading, that you are all going to feel that the quiet desperation of your lives will be somewhat diminished.

Thank you. [Applause.]

#### THE DEVELOPING DIALOG ON ECONOMIC GROWTH

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an address entitled "The Developing Dialog on Economic Growth," delivered by Dr. Raymond J. Saulnier, professor of economics, Barnard College, Columbia University, New York City, at the commencement exercises of the Babson Institute of Business Administration, Babson Park, Mass., on June 18, 1962.

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

#### THE DEVELOPING DIALOG ON ECONOMIC GROWTH

(An address by Dr. Raymond J. Saulnier, professor of economics, Barnard College, Columbia University, New York City, at the commencement exercises of the Babson Institute of Business Administration, Babson Park, Mass., Monday, June 18, 1962)

I should like to devote my remarks this morning to what we may call, in the current idiom, the dialogue on economic growth.

The question of the adequacy or inadequacy of our rate of economic growth is not a new subject. There was a lively discussion of it in 1959 and 1960, especially in the latter year, but for some months now it has had relatively little public attention. The reason for this is that we have been in a phase of recovery and expansion, and it is only natural that under such conditions interest in the growth question should tend to recede. What is more, business forecasts have been very optimistic, both those emanating from official sources and those put forward by private individuals and groups. One of our leading magazines of business has been talking until very recently—I assume they have stopped now—of a self-winding superboom. It is no wonder that in this atmosphere debate over policies to promote growth has languished.

Suddenly all this has changed. There is now a fairly wide recognition of the fact that the expansion has not been a vigorous one. Not only has it failed by a wide margin to come up to the Federal Government's expectations, but it has been barely up to the standard of the last two recoveries. This was evident as early as last fall and winter but for a variety of reasons the mood of determined optimism persisted. The spell was broken by the stock market. The danger now is that we develop an excessive pessimism and in an effort to stimulate the economy rush into ill-considered measures which in the end may prove to do more harm than good.



In any case, the debate is on, and it promises to be an interesting discourse. Indeed, we are entering into what may well be the most searching reexamination of economic beliefs that our country has ever experienced. We will be talking about some very critical questions of economic policy. Paramount among these is the question of taxes and of fiscal responsibility. Specifically, would it help, in seeking to spruce up the economy, to cut taxes when our balance of international payments is showing a substantial and continuing deficit, when we are losing gold with almost no interruption, and when the Federal budget is already deep in the red? This is, indeed, a very intricate technical question. To draw again on the current idiom, it is a very sophisticated question. But not so sophisticated that it is exempt from commonsense consideration.

And there are other questions that will be dealt with in this dialogue just as important and just as intricate. They are questions that go to the bottom of our understanding of what makes our enterprise economy work. More than that, if we think about them deeply enough, as we must, we shall see that they go to the roots of our economic and political philosophy.

I know I need not tell you that you must interest yourself in this debate. You have completed training for positions of management responsibility in American business. You will, of course, continue to concern yourself primarily with the problems of the business in which you are engaged. But, in our democratic society it is your responsibility as well as your privilege to have a viewpoint on even the broadest problems of public policy. Indeed, if men and women in management positions in American business do not have a reasoned position on these questions, and are not in a position to express that viewpoint cogently and forcefully, then our enterprise system will be in very deep trouble. This will be your dialog as much as the next man's, and I hope you will enter it with a determination to find the truth, wherever the search leads you. You know as well as I do that in the end we have to do business with the truth, even if the truth is so old it looks like a myth.

How can we put the question to which the dialog will be directed? I think we can put it this way: what strategy of public policy will serve us best in achieving a better economic performance within the framework of our preferred and traditional institutions?

When we consider this question we must realize that we do not have an entirely free hand in shaping a strategy for improving our economic performance. No government ever has an entirely free hand in such matters, any more than a business enterprise has a free hand in selecting a strategy for improving its own performance. What we need is a strategy that makes sense for us, here and now, not for somebody else, somewhere else in the world, or even for ourselves at some other time. And the strategy we choose must be consistent with the constraints on policy that inhere in our present posture. Let me briefly describe the major constraints, as I see them.

Chief among them is the limitation that is imposed on us by our international financial position. We must accommodate ourselves to the fact that we have a chronic balance of payments problem. It is not a short-term problem, caused by special, nonrecurring circumstances, nor is it a problem that can be easily or quickly corrected. It is anything but that. The deficit has totaled more than \$14 billion in the last 4 years; efforts to correct it were well under way in 1959 and were intensified in 1960, but it has continued.

It is obvious, I am sure, that we cannot ignore this deficit in shaping a strategy for growth. But we have to go further than

that. We must give top priority to the need for finding a solution to our balance of payments problem.

The first question to ask about any proposal for accelerating growth is what effect it will have on our balance of payments. There are good economic reasons for this, but there are political reasons that are even more important. All the elements of our national strength—financial, economic, military, and moral—together comprise the foundation on which the structure of the free world is built. Our leadership responsibilities in the free world derive from this fact. In the unwelcome but nevertheless continuing struggle with the Communist bloc, which is a struggle for no less than man's freedom, a weakening of our national strength and of our international financial prestige would erode the foundation of our international leadership. I have had occasion recently to see something of the Soviet world and I believe we are winning the struggle against totalitarianism. But if we are to consolidate and extend our successes we must preserve and strengthen our international economic posture. Anything else is unthinkable. It would be the worst kind of folly for us to try to solve our domestic economic problems by means that would weaken our international financial and economic position and prestige.

You will hear some sensible words on this subject, of course; but you will also hear a lot of nonsense, ranging all the way from assertions that there really isn't any balance of payments problem at all, which is totally incorrect, to statements that a given policy will help reduce the deficit when, on examination, it will be seen that the result is just as likely, or even more likely, to be the opposite. You must insist on verifiable facts, whenever these can be had, and keep your logic straight. And whatever else you do, don't make up your mind on the basis of assertions that some things are myths and other things are realities. Let me give you one piece of advice, if I may. You will learn that one man's myth is another man's reality. Take nothing for granted and insist on fact and straight thinking. If this leads you to a truth that is new, don't reject it because it is jarring to your preconceptions. Equally, if it leads you to a truth that is as old as the hills don't dismiss it on the ground that it is old fashioned and, for this reason, is probably a myth.

Let me make one further comment on the deficit in our balance of payments and how its acts as a constraint on economic policy. As long as a deficit persists we shall be hampered in dealing with the problem of economic growth at home. A balance of payments deficit can prevent us from following an aggressive policy of credit ease when such a policy is called for. It is doing that right now, in my judgment. By blocking full use of credit policy, a balance of payments deficit invites a heavier reliance on fiscal policy for countering recessionary tendencies than would otherwise be contemplated. Unfortunately, it also enhances the hazards involved in budgetary deficits. When it comes to the strategy of economic policy, a chronic balance of payments deficit is nothing short of a total nuisance. Top priority in our national economic strategy must be given to its elimination.

The second current constraint on public policy derives from the fact that our Federal Government's budget is even now running a heavy deficit. In the first 10 months of the current fiscal year, that is, in the 10 months through April 1962, there was a deficit of \$9.7 billion in the conventional budget. This compares with a deficit of \$6 billion in the comparable period of the fiscal year 1961. In the first 9 months of fiscal 1962 there was a deficit, seasonally adjusted, of \$6.2 billion in the cash budget. There are, to my knowledge, no published official estimates of Fed-

eral income and product accounts for 1962, but these were running deficits of \$3.1 and \$2.0 billion on a seasonally adjusted annual rate basis in the third and fourth quarters, respectively, of the calendar year 1961.

When we talk about fiscal policy and the benefits that are alleged to accrue from a Federal deficit we must remember that we already have a deficit and that it is a large one. In fact, it is a very large one, and has persisted throughout the current cycle. It is one thing to consider the impact of a deficit that follows a surplus. It is another thing to appraise the economic effects, domestic and international, of piling one deficit on another.

A budget deficit in recession and a surplus in recovery can be called a countercyclical fiscal policy. But a deficit every year, in good times and in bad, is not a policy; it is a failure of policy. It is not a strategy; it is a simple case of fiscal inadequacy and it requires correction.

In addition to these constraints, there are certain standards that must be met by public policy. It is well to remind ourselves of these. It goes without saying that the only acceptable economic policy is one that is good for all Americans. Beyond that, an acceptable policy must be one that makes sense for the long run as well as for the short run. And most important of all, the only acceptable strategy of economic policy is one that will strengthen the free, democratic institutions of our country, including the institution of free private enterprise. There is nothing but misery in store for Americans if we try to solve our economic problems by methods which in the long run will shrink and weaken our enterprise system.

Let me turn now to some of the principal substantive points in the dialog. It would be an imposition on you, and would be impossible, in any case, if I were to try to cover all of them.

First, let us consider the belief that increases in Federal spending and deficits in the Federal budget will promote economic growth. At least we can ask what recent history tells us on this point.

What recent history tells us about the effect of increases in Federal spending is not very favorable to the view that an economy such as ours can spend itself into prosperity via the Federal budget. In the first 10 months of the fiscal year 1962 net budget expenditures were \$6.1 billion higher than in the comparable 10 months of the previous fiscal year. Now this is a very large increase in the spending rate. I think it is fair to say that if questioned on this point in advance of the events most people would have said that the result of such an increase in spending, coming at an early stage in the cycle, would be a recovery far more rapid than would be expected on normal cyclical grounds. But that isn't what happened. Federal spending increased, but it did not stimulate a faster than normal pickup. If it had, we wouldn't be talking this morning about the merits of additional increases in spending or cuts in taxes, and consequent increases in budget deficits, as methods of stimulating an economy that threatens, as the saying goes, "to run out of gas." What this experience tells us is that if the environment is not favorable to an increase in private spending, an increase in Federal spending, even a large increase, is a well-nigh futile exercise. Something must be done to encourage private spending.

Recent experience has also dealt rather harshly with the theory that budgetary deficits will accelerate economic growth. What are the facts in this case? In the first 4 months of this calendar year, the cash budget of the United States ran a deficit of close to \$10 billion, on a seasonally adjusted annual rate basis. In the comparable 4 months of the 1958-59 recovery the Federal



cash budget showed a surplus of \$4.6 billion, on an annual rate basis. Yet the unemployment rate has actually been somewhat higher under the recent deficit than it was under the earlier surplus. There were clouds on the economic horizon in those months of surplus in 1960, but it must be conceded that the economic sky in 1962, under very large deficits, is far from entirely clear.

I have never been very happy with pragmatism as a guide in political philosophy, or in any other branch of philosophy, but I would think that to those pragmatists who regard budgetary deficits as a more or less guaranteed formula for producing a brisk recovery, the present cycle must be a veritable nightmare.

Recent experience certainly provides ground for skepticism as to the restorative and energizing qualities of Federal budgetary deficits, but nowadays there are special reasons for rejecting the deliberate use of them as an instrument for promoting economic growth. These reasons have to do with our balance of international payments. It is one thing to run a budgetary deficit when a recession automatically cuts revenues, or even to create a deficit through emergency tax cuts in order to prevent or reverse a recession. But it is a very different matter deliberately to deepen a deficit by tax reductions when the economy is still in an expansion phase. How could it do anything but undermine confidence here and abroad in the effectiveness of our national economic policies? And if it does this, is there not a chance that it will worsen our balance-of-payments situation? We must make it quite clear to the world that we know how to run our financial affairs. The last thing we want to do is to give the impression that we suffer from a kind of fear of orthodoxy. It must be clear that we both understand the dynamics of our economy and that we are willing to let this understanding guide our policy. If there is a need to cut taxes in the expansion phase of a cycle, when we already have a large deficit, then there is equally a need to consider whether we are now spending too much money on programs that make no contribution whatever to our capacity for growth and to consider whether we are doing other things, entirely outside of the tax field, that are tending to suppress private investment spending. If this is what we are doing, and I think it is, then we cannot retrieve the situation with governmental red ink, and very few really sophisticated people will believe that we can.

So much, for the moment, about Federal spending and budgetary deficits as the keys to prosperity. I think it is safe to say that we will hear a good bit more of both before we hear much less.

Let me turn to a second point. It has not entered the dialog so far, but it is always in the wings, so to speak, and we may hear of it yet. What I have in mind is the theory that economic growth can be accelerated by raising wages. It is the purchasing power theory of prosperity. The theory is that higher wage rates mean higher incomes, that higher incomes mean higher demand, and that higher demand, in turn, means higher production and higher rates of growth.

What does recent experience tell us about this? What it tells us is that since the end of World War II average hourly compensation in private nonagricultural industries, including supplements to wages and salaries, increased, on the average, by 5.1 percent a year. Yet the growth of our economy in this period is regarded by the advocates of still faster wage advances as being inadequate. Furthermore, while wages were rising 5 percent a year, on the average, the purchasing power of the consumer's dollar was reduced by roughly 25 percent.

It is hard to believe that anyone would wish deliberately to experiment further with

this inflationary policy. Whatever other damage such an experiment might do, it would wreck our capacity to compete in world markets, and make well nigh impossible the elimination of our international balance-of-payments deficit. I hope we can say that this bit of mythology is dead, not just for the moment, but for good.

The third and last of the points in the dialog on growth on which I want to comment briefly has to do with business profits.

I am sure you have noted the theory that economic growth is governed largely by the rate of spending on capital goods. It is possible to overdo this theory, as it is possible to overdo any theory, but I think no one would deny that the expansion of our base of physical capital is an essential condition for the achievement of rapid growth. If this is the case, then we must concede that we have done very badly in recent years. In a period in which spending on capital goods in foreign industrial economies, in terms of constant dollars, has been going ahead by leaps and bounds, capital goods spending in our own economy has actually failed to increase at all. In the years 1953-59 the constant dollar amount of capital goods spending rose anywhere from 30 to 80 percent in most Western European countries; in sharp contrast, there was actually a small decline in the United States. Spending on new plant and equipment in the second quarter of 1962 was not as large in dollar amount, at current prices, as it was in 1957, 5 years ago; and if we take account of the fact that the costs of construction of new plants and the prices of industrial equipment have increased significantly in the interim, it must be concluded that we are nowadays installing annually a smaller volume of physical facilities than we were 5 years ago. Obviously, there is no dynamism here. We are not even holding our own. Why is this so? Let me comment on what I think is the most important aspect of this critical question.

It would be a mistake to argue that the volume of capital goods spending depends exclusively on the level of corporate profits. But I think we could agree that profits are a major element, probably the major element, in determining the level of capital goods spending. Is it not important, then, that while wage payments, production, and sales have been rising, corporate profits have remained roughly unchanged? Corporate profits in 1961 were only very little larger, before taxes, than they were in 1955, 6 years earlier, and corporate profits after taxes were actually lower. And this is in current not constant dollars. In these years there was an increase of \$3.2 billion in the dividends paid annually by corporations, but the amount of income retained by corporations fell by \$3 billion or by about 25 percent. This is the point that must not be overlooked in the dialog on growth. We cannot get our economy moving as it should be moving unless we restore some dynamism to business profits.

If this profit deflation, and that is what it is, is to be corrected we must understand its causes. I have no wish to oversimplify this complex question, but if I were to state the cause in one sentence I would say that the squeeze on business profits results from the fact that, whereas price inflation has, for the moment at least, been largely checked, cost inflation continues.

How can we escape from this condition? Surely an escape cannot be found in a resumption of price inflation. Few people would prescribe this. There are some still unreconciled to price stability as an essential condition to the achievement of sustainable economic growth, but inflation is such a thoroughly disreputable idea nowadays that the remaining inflationists are largely silent. They have been silenced, if not entirely persuaded, by the deficit in our balance of payments. Indeed, one of the

great mass conversions of history has taken place on the question of inflation. And the steel industry episode of this spring showed that the executive branch of our Government, from the President on down, is unreservedly committed to a policy of price stability. Circumstances have checked price inflation, but we have not succeeded in stopping cost inflation and therein lies the rub, or the squeeze, or whatever you want to call it.

There are a number of avenues by which we must approach the task of easing this squeeze. As individual businessmen you will find that one way to do it is by practicing complete economy in managing the affairs of your business. We shall also have to do that as a nation. We must remember that the cost of government, Federal, State, and local, is to a very large extent borne by American business as a business cost. And it is a rising cost. I hope that the dialog on growth, in which we have all been invited to participate, will lead to a thorough reexamination of governmental expenditures at the State and local as well as Federal level, the elimination of those expenditures that are not essential, and the passing on of these economies, dollar for dollar, as reductions in business taxes.

There are other avenues to a solution of the problem of cost inflation. One of these is to stabilize, or better still to reduce, unit production costs by achieving a better relationship between advances in wages and improvements in productivity.

The President's Council of Economic Advisers recently advanced a general guideline on this matter in which they stated that wage advances, on the average, should equal productivity improvements, on the average. I think we must conclude that this guideline is inadequate in the present situation. If we agree that there has been a lag in profits, then the guideline should provide for a catchup in profits. Wage increases that will use up labor's full proportionate amount of productivity improvements, which is what the guidelines call for, will leave profits where they are relative to everything else. But we need to improve the relative position of profits. Consequently, what would be best for our economy at this time would be wage advances that are actually less than the improvements in productivity. This would reverse the trend in cost-price relationships that has been suppressing business profits and stifling investment expenditures. It would give profits a chance to catch up. It would also provide opportunities for price reductions which would be enormously helpful in strengthening our international competitive capability, and thus in eliminating our balance of payments deficit. A revision of the guidelines to this end is urgently needed.

In addition to a redefinition of the wage guideline, there are other things that Government can do to help prevent cost inflation. For one thing, the Federal Government is the largest single employer in the United States. Over 2 million persons are employed by the Federal Government in civilian jobs and around 6 million by State and local governments; about 1 out of every 6 persons in the United States is employed in a nonfarm job. You can see from this that there is an enormous influence that could be brought to bear on the cost structure of our economy if Federal, State, and local governments were to adhere to wage and salary policies consistent with a proper guideline principle.

Second, the Federal Government is an enormous indirect user of labor services through the procurement of supplies and in its contracting for construction. It has been alleged time and again that the pace of cost advances in some regions, such as the west coast, where Government procurement is the major element in the economy, is set by the wages paid by Government contractors and



subcontractors. Would it not be possible for the Federal Government, through its procurement agencies, to exercise restraints on cost that are consistent with those it wishes to have exercised by the business community generally? Certainly, it would be a grievous inconsistency if the Federal Government, through its procurement agencies, were to underwrite increases in costs that are inconsistent with its own guidelines.

Third, consideration should be given to the impact on production costs of the determination of prevailing wages under the Davis-Bacon and Walsh-Healey Acts. Under these laws, the Federal Government sets what are in effect minimum wages for labor performed in a great variety of employments. And these minimum wages are well above the level of the minimum wage with which we are most familiar; namely, that which is set under the Fair Labor Standards Act. Certainly the Federal Government should have its own guidelines in mind when it sets minimum wages to be adhered to by its contractors.

You will see that there is a good deal that can be done by Government to achieve the kind of cost-price relationship essential to an improvement in profits, to a revival of plant and equipment spending, and thus to the attainment of a more satisfactory rate of growth.

I have said little or nothing about tax cuts because these other matters are more basic. Let me comment on the current tax discussions very briefly.

We can dispose of the question of the "quickie" tax cut; that is, the temporary cut in individual income taxes very quickly. This is an antirecession measure. But so far as I know, no one is saying that we are in a recession already, and I am not prepared at this time to say that the outlook is so bleak that we need to have recourse to emergency tax cuts. We do need a basic restructuring of our tax system and it would be enormously helpful to reduce the taxload. But that is another matter. We should get started on it as soon as we can but we must do it within the framework of a fiscal policy that will give us a fair chance of balancing the budget over the cycle. Neither our domestic nor our international affairs will permit us to go for very long on a spree of higher spending, lower taxes, and bigger deficits. This would be a totally unworkable economic policy and it wouldn't even be good politics, believe me.

One last word on taxes. Of all the potentially mischievous ideas I have heard re-

cently, none is more discouraging than the notion that tax cuts for business would make it possible to give larger wage increases. But to give wage increases on this basis would totally eliminate the beneficial effects of tax reform. If the dialog does nothing else, I hope it will expose and eliminate that idea before it goes any further.

These are rather serious questions and I am afraid what I have had to say lacks the lightness that is fitting on what is, in every significant sense, a happy occasion. I am reminded of a story I heard only a few days ago. On another commencement occasion, one of our Nation's highest-paid humorists, in counseling the graduating class on the subject of "going out into the world," advised them as follows: "Don't go." This is an intriguing idea but I don't advise it. You enter into careers well trained and you will find them, I am sure, full of excitement and satisfaction. May I say for myself and on behalf of those who have helped you reach this important milestone in your lives, especially for your parents and for the faculty of this institute, that we wish you every happiness and success. You will want to apply yourselves without stint to your individual work. The meaning of my choice of remarks this morning is that I hope you will also make your voice heard in your generation's own distinctive dialog.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

#### AMENDMENT OF THE CAREER COMPENSATION ACT OF 1949, AND MAKE PERMANENT THE DEPENDENTS ASSISTANCE ACT OF 1950

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill to amend section 302 of the Career Compensation Act of 1949, as amended (37 U.S.C. 252), to increase the basic allowance for quarters of members of the uniformed services and to make permanent the Dependents Assistance Act of 1950 as

amended (50 App. U.S.C. 2201 et seq.), and for other purposes.

Mr. RUSSELL. Mr. President, the bill laid before the Senate is H.R. 11221, providing for increases in the basic allowance for quarters for members of the uniformed services.

Mr. President, the military personnel who are eligible for the quarters allowances are those for whom Government-furnished housing is not available. The purpose of the quarters allowance is to offset in part the expenses of military personnel who must occupy civilian housing. Mr. President, the quarters allowances have not been raised since the 14-percent increase granted in 1952.

We may note that there have been increases in the total military compensation for most pay grades as a result of the basic pay increases in 1955 and 1958. If my memory serves me correctly, there have been three increases in the pay of civilian personnel since there have been any increases in housing allowances for members of the Armed Forces.

Mr. President, the concept which was developed as a general guide for this bill is that the quarters allowances for the various military grades should be related to the housing expenses for civilians at income levels comparable to the various military pay grades. The premise is that the housing costs for civilians are closely related to the costs which military personnel are normally required to pay to rent suitable civilian housing. Page 5 of the committee report contains a table setting forth the median housing expenses of civilians with incomes comparable to the military pay grades. The Senate will observe that these costs are closely related to the proposed allowances contained in this bill.

Mr. President, I ask unanimous consent that the table which appears on page 5 of the report be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

#### Housing cost analysis

Military grade	Proposed total monthly military compensation <sup>1</sup>	Proposed allowances with dependents	Median civilian housing expense <sup>1</sup>	90-percent rental—15-percent utilities ratio <sup>1</sup>	Military grade	Proposed total monthly military compensation <sup>1</sup>	Proposed allowances with dependents	Median civilian housing expense <sup>1</sup>	90-percent rental—15-percent utilities ratio <sup>1</sup>
	(1)	(2)	(3)	(4)		(1)	(2)	(3)	(4)
O-10 general	\$2,125.61	\$201.00	\$175.36	\$181.13					
O-9 lieutenant general	1,783.95	201.00	175.36	181.13					
O-8 major general	1,607.88	201.00	175.36	181.13					
O-7 brigadier general	1,432.88	201.00	175.36	181.13					
O-6 colonel	1,127.98	170.10	167.76	173.88					
O-5 lieutenant colonel	925.38	157.50	157.05	162.50	E-4 corporal (4 years or less service)	\$276.10	\$83.10	\$85.16	\$91.64
O-4 major	802.93	145.05	152.39	157.32	E-3 private, 1st class	240.10	83.10	83.76	90.38
O-3 captain	687.93	130.05	142.23	146.97	E-2 private	201.90	83.10	83.16	89.84
O-2 1st lieutenant	587.88	120.00	125.51	130.41	E-1 recruit	199.30	83.10	83.16	89.84
O-1 2d lieutenant	408.98	110.10	111.07	114.89					
W-4 chief warrant officer	708.93	145.05	145.64	151.11					
W-3 chief warrant officer	618.93	130.05	137.96	142.83					
W-2 chief warrant officer	522.88	120.00	125.51	130.41					
W-1 warrant officer	470.98	110.10	118.33	122.13					
E-9 sergeant major	573.00	120.00	133.27	137.66					
E-8 master sergeant	503.00	120.00	125.51	130.41	E-4 corporal (4 years' or less service)	\$298.00	\$105.00	\$88.16	\$94.34
E-7 sergeant, 1st class	457.90	114.90	118.33	122.13	E-3 private, 1st class	262.00	105.00	84.56	91.10
E-6 staff sergeant	398.10	110.10	110.00	114.00	E-2 private	223.80	105.00	83.16	89.84
E-5 sergeant	348.00	105.00	100.00	105.00	E-1 recruit	221.20	105.00	83.16	89.84
E-4 corporal (more than 4 years' service)	308.10	105.00	93.56	98.70					

<sup>1</sup> The highest income level maintained by the Federal Housing Administration is the single bracket of \$1,200 monthly or more. The civilian figures are the same, therefore, in cols. 3 through 6 as they are set forth opposite the grades O-7 through O-10.

## EXTENT OF THE INCREASES

Mr. RUSSELL. Mr. President, there are about 2,664,000 military personnel now on active duty. The increases under this bill would be received by approximately 1,267,000, or almost half the total military strength, the remainder being ineligible since they are furnished government quarters.

The remainder, of course, are ineligible, as they are now living in Government quarters.

On a budget average the quarters allowances are increased by 20 percent, representing an additional annual appropriated cost of \$285 million, approximately. The proposed rates for each pay grade are set forth on pages 6 and 7 of the committee report. I ask unanimous consent that the tables be printed in the RECORD at this point.

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

## Proposed new rates for officers and warrant officers

Pay grade	Without dependents				With dependents			
	Present	Proposed	Dollar increase	Percent increase	Present	Proposed	Dollar increase	Percent increase
O-10 general.....	\$136.80	\$160.20	\$23.40	17.1	\$171.00	\$201.00	\$30.00	17.5
O-9 lieutenant general.....	136.80	160.20	23.40	17.1	171.00	201.00	30.00	17.5
O-8 major general.....	136.80	160.20	23.40	17.1	171.00	201.00	30.00	17.5
O-7 brigadier general.....	136.80	160.20	23.40	17.1	171.00	201.00	30.00	17.5
O-6 colonel.....	119.70	140.10	20.40	17.0	136.80	170.10	33.30	24.3
O-5 lieutenant colonel.....	102.60	130.20	27.60	26.9	136.80	157.50	20.70	15.1
O-4 major.....	94.20	120.00	25.80	27.4	119.70	145.05	25.35	21.2
O-3 captain.....	85.50	105.00	19.50	22.8	102.60	130.05	27.45	26.8
O-2 1st lieutenant.....	77.10	95.10	18.00	23.3	94.20	120.00	25.80	27.4
O-1 2d lieutenant.....	68.40	85.20	16.80	24.6	85.50	110.10	24.60	28.8
W-4 chief warrant officer.....	94.20	120.00	25.80	27.4	119.70	145.05	25.35	21.2
W-3 chief warrant officer.....	85.50	105.00	19.50	22.8	102.60	130.05	27.45	26.8
W-2 chief warrant officer.....	77.10	95.10	18.00	23.3	94.20	120.00	25.80	27.4
W-1 warrant officer.....	68.40	85.20	16.80	24.6	85.50	110.10	24.60	28.8

## RECOMMENDED INCREASES FOR ENLISTED PAY GRADES E-4 (OVER 4 YEARS) THROUGH E-9

Set forth below are the increased proposed rates recommended for the enlisted pay grades E-4 with over 4 years of service through E-9. It will be noted, as more fully

explained hereafter, that the bill revises the concept of allowances for these enlisted grades by removing them from the Dependents Assistance Act and authorizes the grades a quarters allowance similar to officers.

## H.R. 11221—Recommended rates E-4 (over 4 years) through E-9

Pay grade	Without dependents				With dependents			
	Present	Proposed	Dollar increase	Percent increase	Present	Proposed	Dollar increase	Percent increase
E-9 sergeant major.....	\$51.30	\$85.20	\$33.90	66.1	\$77.10	\$120.00	\$42.90	55.6
E-8 master sergeant.....	51.30	85.20	33.90	66.1	96.90	120.00	23.10	23.8
E-7 sergeant, 1st class.....	51.30	75.00	23.70	46.2	77.10	120.00	42.90	55.6
E-6 staff sergeant.....	51.30	70.20	18.90	36.8	96.90	120.00	23.10	23.8
E-5 sergeant.....	51.30	70.20	18.90	36.8	77.10	114.90	37.80	49.0
E-4 corporal with over 4 years' service.....	51.30	70.20	18.90	36.8	96.90	114.90	18.00	18.6
					77.10	110.10	33.00	42.8
					96.90	110.10	13.20	13.6
					77.10	105.00	27.90	36.2
					96.90	105.00	8.10	8.4
					77.10	105.00	27.90	36.2
					96.90	105.00	8.10	8.4

<sup>1</sup> The higher present allowance is authorized for enlisted personnel with 3 or more dependents.

RECOMMENDED ALLOWANCES FOR E-1'S THROUGH E-4'S WITH LESS THAN 4 YEARS OF SERVICE  
Summary of increases

The bill recommends an increase of approximately 8 percent for all brackets in the pay grades E-1 through E-4, under 4 years of service.

## Rates recommended by bill

Pay grade	Without dependents				With 1 dependent			
	Present	Proposed	Dollar increase	Percent increase	Present	Proposed	Dollar increase	Percent increase
E-4 corporal, under 4 years.....	\$51.30	\$55.20	\$3.90	7.6	\$77.10	\$83.10	\$6.00	7.8
E-3 private, 1st class.....	51.30	55.20	3.90	7.6	51.30	55.20	3.90	7.6
E-2 private.....	51.30	55.20	3.90	7.6	51.30	55.20	3.90	7.6
E-1 recruit.....	51.30	55.20	3.90	7.6	51.30	55.20	3.90	7.6

  

Pay grade	With 2 dependents				With 3 or more dependents			
	Present	Proposed	Dollar increase	Percent increase	Present	Proposed	Dollar increase	Percent increase
E-4 corporal, under 4 years.....	\$77.10	\$83.10	\$6.00	7.8	\$96.90	\$105.00	\$8.10	8.4
E-3 private, 1st class.....	77.10	83.10	6.00	7.8	96.90	105.00	8.10	8.4
E-2 private.....	77.10	83.10	6.00	7.8	96.90	105.00	8.10	8.4
E-1 recruit.....	77.10	83.10	6.00	7.8	96.90	105.00	8.10	8.4

Mr. RUSSELL. Mr. President, it will be noted from these tables that for the officers and warrant officers with dependents, the percentage increases range from 15.1 percent for the lieutenant colonel, to 28.8 percent for the W-1 warrant officer. The monthly dollar increases range from \$20.70 for the lieutenant colonel to \$33.30 for the colonel, representing a 24.3 percent increase. Mr. President, for the officer and warrant grades this bill proposes a range for quarters allowances of \$110.10 a month for the second lieutenant and W-1 officer, up to \$201 for general officers.

The proposed legislation is the result of a long study that was conducted by a committee in the Department of Defense, appointed by Secretary of Defense McNamara. Its membership was composed of civilian personnel. The study grew out of great dissatisfaction which existed—and properly so, I think—on the part of many military personnel that they were not receiving adequate consideration in the matter of housing off-station which it was necessary for them to rent.

## CHANGES IN CONCEPT FOR CERTAIN ENLISTED GRADES

There are other changes in the bill. Mr. President, the bill provides for a change in concept in the quarters allowances for the senior enlisted grades E-4 with over 4 years through E-9. Under the existing provisions of the Dependents Assistance Act of 1950 all enlisted grades are subject to what is known as the class Q allotment system. Under the 1950 act each enlisted person must make an allotment from his own pay as a condition for receiving the amounts authorized under the Dependents Assistance Act. This total amount is known as the class Q allotment. The serviceman himself has no right to receive this allotment and it is mailed directly by the military services to the dependent affected. Furthermore, existing law provides for a varying allowance, depending on the number of dependents.

The bill as passed by the other body repeals the class Q allotment, in effect, for the senior enlisted grades E-4 with over 4 years through E-9. These grades are removed from the Dependents Assistance Act and they will be authorized a quarters allowance in the same manner as officers.

With certain misgivings the Senate committee agreed to this provision in the House bill. The change results in their being a single pay rate for those with dependents. This change was made on the theory that the senior enlisted grades are for the most part career personnel and should be sufficiently responsible to their dependents to be paid their own money.

I wish to emphasize, however, that the departments have ample supervisory and command authority to insure that the family responsibilities are met in those few problem cases that are certain to arise where so many people are affected.

It might be observed that the permanent law makes no provision for the class Q allotment system, with the result that



the enlisted man would be authorized to receive the allowance himself.

The bill continues the existing provision authorizing the class Q allotment system for the enlisted grades E-4 with under 4 years through E-1. The Senate committee made 2 changes in the House bill. First, the bill as passed by the House would have made the Dependents Assistance Act permanent law. The Senate committee, after consideration, voted to continue the legislation on a temporary basis. It has been continued every 4 years since 1950 as a part of the extension of the Selective Service laws. The committee was of the view that this measure should be continued on a temporary basis.

Second, the bill as passed by the House would have an effective date of October 1, 1962. The Senate committee amended the bill to provide an effective date of January 1, 1963. Departmental testimony indicated that the January 1 date was needed in order to accomplish the administrative changes necessary in connection with the elimination of the class Q allotment system. It would also result in lessening the cost of the legislation by approximately \$70 million.

We have been very generous with the civil employees of the Government. The military personnel need some increases in their housing allowances. The study of the committee indicates that the rates which are set forth in the pending measure are reasonable. I hope the Senate will approve the bill.

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

Mr. RUSSELL. I yield.

Mr. ELLENDER. Did I understand the Senator to say that if the bill is enacted it will cost \$70 million annually?

Mr. RUSSELL. Oh, no.

Mr. ELLENDER. How much will it cost?

Mr. RUSSELL. It will cost much more than that.

Mr. ELLENDER. How much?

Mr. RUSSELL. It would cost about \$285 million a year. The \$70 million figure relates to the date that the law takes effect.

Mr. ELLENDER. I did not hear all of the Senator's statement.

Mr. RUSSELL. The Department of Defense requested that the bill become effective on the first day of January next year. The House made it effective the 1st of October of this year. The Senate committee went along with the Department and voted to make the effective date the 1st of January 1963. That is where the \$70 million figure came in.

Mr. ELLENDER. As I understand, the increase in the allowance would go directly to the general or the colonel or the officer who receives it.

Mr. RUSSELL. Yes, indeed; that is correct.

Mr. ELLENDER. None of it is to be used in a revolving fund. Is that correct?

Mr. RUSSELL. No. We have eliminated the revolving fund in the military construction bill as it was recommended by the Department of Defense. The Department had sent it up in the budget, but it was eliminated. The construction bill did provide for a family

housing account which consists only of funds appropriated for the purpose. The quarters allowance goes directly to the man in the service whether he is a general or a master sergeant who lives off a military base and who cannot find quarters furnished to him by the Government.

Mr. ELLENDER. All of this is strictly to pay for quarters allowances.

Mr. RUSSELL. In lieu of government-furnished housing; yes.

Mr. ELLENDER. The Senator believes that the amount of the increase is normal?

Mr. RUSSELL. It is difficult to come to an exact computation, because rental costs in some sections of the country are less than they are in other sections of the country. It is impossible to base allowances on the variation, because there is not the same rate. However, the overall increases are believed to be fair. There have been no increases since 1952, a period of 10 years.

The overall increases compare favorably with the increases in the rent generally throughout the country.

Mr. ELLENDER. In other words, the Government would pay only the amount that the officer or serviceman must pay, and no more; is that correct?

Mr. RUSSELL. Oh, no. That is not the rule at all. Every first lieutenant, for example, will receive the same amount.

Mr. ELLENDER. Whether he pays it in rent or not?

Mr. RUSSELL. Yes.

Mr. ELLENDER. Let us suppose that he gets rent for three-quarters of the amount of the allowance. What happens then?

Mr. RUSSELL. He would save about \$25 a month. However, there are many cases where the military personnel are paying a good deal more than the Government is paying them for housing.

In some areas, particularly Alaska, the housing costs are several times over what the man would actually draw if he had to rent his quarters outside.

Mr. ELLENDER. Does the Senator have any ruling from the Department of the Army that officers and others who receive allowances should live in quarters in keeping in their rank?

Mr. RUSSELL. No we do not; but the reason why the bill is before the Senate is that the officers are complaining that they cannot provide quarters on their allowances which are comparable with those of persons in civilian life who have comparable incomes. The purpose of the bill is to try to equalize the difference. It will not work out exactly even. There will be some officers who will perhaps have to pay the difference out of their own allowances.

Mr. ELLENDER. Many of them will shop around to get their quarters as cheap as they can and pocket the difference.

Mr. RUSSELL. They will certainly do that; they would not be human if they did not.

Mr. BUSH. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. BUSH. I shall support the bill, but I wish to raise a question concern-

ing retired officers on the subject of recomputation.

It was developed before the committee a few weeks ago, and the subject has been before us for some time, beginning in January 1958, when the incentive pay increase bill was passed, that retired personnel got no benefit from the bill at that time. It was felt by many that the situation was inequitable.

Mr. RUSSELL. The Senator's statement is not exactly correct. The retired personnel received an increase, but they did not get one which was based on what would be paid in the same grade after the enactment of the bill. In the 1958 act all persons retired received a 6 percent increase except for those retired in three and four star-rank who received a 16 percent and 26 percent increase, respectively.

Mr. BUSH. Yes; I thank the Senator for correcting me on that point. However, ever since then there has been the question whether they should not have been treated in a fashion similar to that of those who retired the day after the law went into effect.

Mr. RUSSELL. I will bear emphatic testimony to the correctness of that statement of the Senator from Connecticut, regarding this being a constant question.

Mr. BUSH. Yes. At that time I had contemplated the offering of an amendment to this bill, which would correct that situation. I recall that in a meeting of the Committee on Armed Services a couple of weeks ago the issue was raised, but it was decided then by a majority vote of the committee to postpone action until January 1963. As I recall, this was due to the fact that the Secretary of Defense had appeared before the committee the day before and had stated that he was studying the problem. I believe he said he had a staff of 25 persons—which seems to me to be a large number of people—who were studying the matter. Nevertheless, he said he had the issue under study and would be prepared to make a positive recommendation to the committee in January. Is my understanding correct?

Mr. RUSSELL. I do not know that the Secretary stated he would make his recommendations in January, but he said he would do so early in the next Congress.

Mr. BUSH. Early in the next Congress.

Mr. RUSSELL. I think the Senator is justified in assuming that the Secretary intended that the recommendation would be made in January. I have the exact language. He said, "It would be presented early in the next session."

The Senator from Connecticut knows this is a highly controversial question, one that has caused no end of trouble in the committee. As chairman of the committee, I can assure him that originally I was inclined to go along with the idea of recomputation, and I had no very strong feeling about it. However, I usually try to support the subcommittees which have heard all the testimony and have done all the work. For that reason, I did not support the first proposal to recompute. I have been con-

vinced since then that recomputation would not be fair to other retired personnel in the low grades. We must have a retired increase method which will be fair to the entire retired list.

Mr. BUSH. I hope that when the Secretary's report is received, it will correct inequities between the groups.

Mr. RUSSELL. I am convinced that it will, because if it does not, Congress will have to do so, since there are a large number of persons in the lower grades who are affected, whereas only some 23,000 would draw substantial benefits from the direct recomputation. Actually, of the 191,000 retired prior to June 1, 1958, there are about 83,000 who would get no increase under recomputation; there are 108,000 who would get some increase, but little for most in the lower grades; then there are the 23,000 in the higher officer ranks who would get annual increases from \$561 to \$4,586.

The Senator is correct in stating that it is time that the Commission studied all phases of the problem of compensation of military personnel. In my judgment, there will have to be some increases in the compensation of military personnel, in view of the very generous increases which Congress has granted the civilian employees. The study will have to include not only the question of allowances, but the question of purchases at commissaries and post exchanges. All of those matters are under review, and a package report should be made early in the next session for Congress to consider. There is no question in my mind that it will be the first legislation the Committee on Armed Services will take up after we have our authorization on the military program. I think it will have to come first.

Mr. BUSH. I thank the Senator for his statement. I sincerely hope that this subject will be considered very early in the next session.

Mr. RUSSELL. There is no question that the subject will be threshed out by the Senate early in the next session, if our Government endures, as we all know it will.

Mr. BUSH. I express the hope that the Secretary's report will be favorable to readjustment, so as to overcome the seeming inequity between those who retired the day following the enactment of the 1958 bill and those who retired prior to that date. I think there is a definite need for an equitable settlement on that difference.

Mr. RUSSELL. I do not know what the group which is studying the question will recommend. There is no question in my mind that it will recommend increases. Just what form the increases will take, I have no way of knowing.

Mr. BUSH. Naturally; I quite understand that. I also hope, as the Senator has suggested, that the report to be submitted by the Secretary will take into account inequities between the grades.

Mr. RUSSELL. Oh, yes, indeed.

Mr. BUSH. I think that under the bill before our committee there was definitely unfair treatment to the lower grades.

Mr. RUSSELL. There is no doubt about that.

Mr. BUSH. Some of them received no benefit.

Mr. RUSSELL. That is why the recomputation was not adopted 2 years ago.

Mr. BUSH. Yes. I thank the Senator for his statement. I want to explain why I would not offer an amendment. I have discussed the question with representatives of the Retired Officers' Association as of yesterday and today. As a result of the conversations, I have concluded not to offer a pay adjustment amendment, but to express the hope that the Secretary's report, when it is made, and the action of the committee following that report, will be favorable to the readjustment in a thoroughly equitable way, not only for the officers in the higher grades, but also for the personnel right down the line.

Mr. RUSSELL. I thank the Senator. I am inclined to think he has made a decision which will be advantageous to all, and that no group can be prejudiced by letting the whole matter be considered in one package early in the next session of Congress.

Mrs. SMITH of Maine. Mr. President, I call up my amendment designated "6-25-62-B" and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 8, line 12, it is proposed to strike the words "January 1, 1963" and insert in lieu thereof the words "October 1, 1962".

Mrs. SMITH of Maine. Mr. President, the amendment is a simple one. It merely changes the date from "January 1, 1963," to "October 1, 1962."

The Department of Defense has urged the passage of the bill on grounds of desperate need. In my opinion, if the bill is needed now, why wait until 1963 to make it effective? I should like to see the increase in quarters allowance become effective on the day the bill is signed by the President; but I know it will take a little time to put the act into operation. Yet I can see no justification for putting the effective date of the act off until 1963—and no later than October 1, 1962—for surely that will be sufficient time in which to put it into effect.

The Secretary of Defense, Mr. McNamara, has stated that the situation is disgraceful. Therefore, I ask, then why delay until 1963 correcting the situation?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine. [Putting the question.]

The "ayes" have it, and the amendment is agreed to.

Mr. RUSSELL. Mr. President, on this amendment, I request a division; and I desire to address myself briefly to the amendment.

I have no very strong feelings about the amendment; and knowing the tendency of the Senate, I assume that the amendment would have very strong support, because it involves the expenditure of \$70 million more than the Department has requested—and also \$70 million above the budget, I may state.

When the Secretary of Defense was before the committee, he was asked about this matter. He testified that it would

require that several hundred thousand personnel be offered an opportunity to change their allotments; and he said that to the extent that they did change them, the allotments would have to be processed. He said a huge task is therefore involved, both with the basic rate changes and with the form in which the payments are to be authorized; and he said that in order to achieve an orderly transition from the current structure to the new structure, they believe more time than would be available between the date of the passage of the bill and October 1 should be allowed, and that, therefore, they continue to recommend that the date be January 1.

Mr. President, out of deference to the Secretary—although, as I have said, I have no strong personal feelings about the matter—I feel that this amendment should at least be made subject to a division vote.

Mrs. SMITH of Maine. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Maine will state it.

Mrs. SMITH of Maine. I make the point of order that the decision of the Senate on the question of agreeing to the amendment was announced before a division was requested.

The PRESIDING OFFICER. The Senator's point of order is well taken. However, the Chair should have given the Senator from Georgia, who was on his feet, an opportunity to request a division, and should have announced, "The 'ayes' appear to have it." But the Chair is informed by the Parliamentarian that the Chair actually announced "The 'ayes' have it."

So the Senator from Georgia will have to request reconsideration.

Mr. RUSSELL. Mr. President, I shall be willing to do so, although it has been the rule here for so long that the memory of man runneth not to the contrary that a Senator who is on his feet may request a division. However, I do ask that the vote on the amendment be reconsidered, and I so move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia that the vote by which the amendment was agreed to be reconsidered.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Maine. [Putting the question.]

The "noes" appear to have it; and the "noes" have it, and the amendment is rejected.

The question now is on agreeing to the committee amendment.

The amendment was agreed to.

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

The bill (H.R. 11221) was read the third time and passed.

The title was amended, so as to read: "An Act to amend section 302 of the Career Compensation Act of 1949, as amended (37 U.S.C. 252), to increase the basic allowance for quarters of members of the uniformed services, and for other purposes."



Mr. RUSSELL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. ROBERTSON. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

#### DEFENSE EXPENDITURES

Mr. PROXMIRE. Mr. President, in last night's Washington Star the Secretary of the Air Force, Mr. Zuckert, was quoted as having defended the \$51.6 billion Kennedy administration budget against charges by former President Eisenhower that it reflects "unjustified fears" and "outmoded concepts."

In the course of his statement, Mr. Zuckert, the Secretary of the Air Force, stated:

I have never seen a military budget which has received the intensive scrutiny this one has.

If there was such scrutiny it certainly was not on the floor of the Senate, where debate of this huge appropriation was perfunctory.

Also, Mr. President, yesterday the distinguished former Secretary of the Air Force, the present senior Senator from Missouri [Mr. SYMINGTON], called on former President Eisenhower to specify exactly where he favored reductions in the budget.

Mr. President, I am one of the few Senators who have supported former President Eisenhower in his statement that he believes the defense budget should be reduced; but at the time I did so, I also called on former President Eisenhower to indicate where he favored making cuts in the defense budget. So I warmly support the request made by the Senator from Missouri [Mr. SYMINGTON].

Former President Eisenhower commands the respect, the admiration, and the affection of the American people, and I believe there is no field in which he is more expert or more competent than the defense field. So if he will speak up and will indicate where he believes the budget should be cut or reduced, that will give tremendous assistance to those of us who have been working hard in the Congress to discuss the defense budget on its merits and to try to reduce unnecessary spending. In the course of doing so, we hope to have, of course, a stronger defense, not a weaker one; and we hope to do so on the basis of eliminating the wasteful diversion of men and material as well as money into outmoded weapons; and instead obtaining the strongest defense we possibly can obtain.

In the course of his statement, former President Eisenhower said:

Accordingly, I personally believe—with, I am sure, very little company in either party—that the defense budget should be substantially reduced.

Mr. President, the trouble is that former President Eisenhower is likely to

have very little support in that connection unless he specifies where he thinks the cuts should be made.

It happens that I favored reducing the appropriation for an additional aircraft carrier. The position taken by former President Eisenhower could add great and even decisive strength to that position; and I believe that in the future, when these appropriations come up again, we can make solid progress in terms of reducing unnecessary expenditures, if the former President will support us.

Once again I assert that I shall never vote to make any reduction in our defense expenditures which in my judgment would in any significant way weaken our national security. But I do favor making reductions in the defense budget, because, as former President Eisenhower has stated, I believe we are wedded to outmoded concepts; and I believe that we have a weaker, not a stronger, defense when we wastefully spend money on the Defense Establishment.

#### COUNTRY NO LONGER FACES POSSIBILITY OF SERIOUS ECONOMIC DEPRESSION

Mr. PROXMIRE. Mr. President, the President of the United States has called for a debate on economic policy. As I said yesterday, I think that request by the President is a very wise one, and certainly we need such a debate.

As has recently been indicated, the meeting of the Economic Policy Committee of the Organization for Economic Cooperation and Development in Europe indicated that today even the leading economic experts in Europe are very much undecided about the economic dilemma which faces the leading country in the free world, the United States of America. So this is an ideal time for a debate among Senators and Members of the House of Representatives in regard to the economic policies which should be adopted.

Leading spokesmen for the administration have suggested the possibility of a tax cut, and the President has indicated that he believes that he should have greater authority to increase spending. So we have some definite policy proposals to consider.

In an article published this morning, Walter Lippmann takes the position that he believes the administration has not done enough in provoking an economic debate, because it has not requested a tax cut this year, and has been a little vague about the kind of tax cut it wants made next year.

Mr. President, I respectfully disagree with Mr. Lippmann. I believe we do have the basic question before us; and I believe that those of us who are interested in economic policy now have a golden opportunity, and should either come forward with our own alternatives to the administration's proposals, or else we should support the administration's proposals.

This afternoon, I should like to stress the importance of having all Americans, particularly those in high policymaking

positions in either business or the government, recognize that it is no longer likely that we shall face a serious depression. The former Secretary of the Treasury, Mr. Humphrey, stated, for example, that if we continue with the kind of extravagant spending that has been urged, we might have "a depression that will curl your hair."

I think he was a very distinguished man and a very successful businessman, but I think if we adopt the notion that we must act suddenly one way or another to prevent a depression, we are likely to take panic action or precipitous action that would be unwise and unnecessary.

At the same time, others have said that unless we have a tax cut, unless we have increased spending immediately, unless the Government takes decisive action either now or beginning early next year, we are likely to have a depression. I think this is wrong. I think we must recognize the great difference in the economy we are now enjoying as compared with the economy that existed not 30 years ago, but only 10 years ago.

I have in my hand the economic indicators for June 1962, the most recently available economic indicators. They show that the element of personal income, which has risen most rapidly, is transfer payments. These are social security payments, unemployment compensation payments, and payments of that kind, these have been rising rapidly, and will continue to rise rapidly. They now constitute a perfectly immense source of income that is stable and increasing, and in a recession or depression would not decline, but would increase.

How great these payments are as compared with 1953 is indicated by the fact that in 1953 the transfer payments constituted \$14.3 billion. Today, less than 10 years later, they are \$33 billion—2½ times as large.

We now have a situation in which transfer payments—social security and unemployment compensation payments primarily—are more than twice as high as all the dividends paid in this country. Shortly they will be higher than all business and professional income received in this country. They are three times as high as all the farm income received in this country. As a matter of fact, within 3 or 4 years they are going to be the greatest source of income other than salaries and wages. In depression this income which was nonexistent 30 years ago and relatively small 10 years ago will increase, not decrease.

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

Mr. PROXMIRE. I yield.

Mr. ROBERTSON. I commend the Senator for calling on the former Commander in Chief as well as the Chief of Staff of the Army who criticized the defense budget we recently passed as being too high. It is easy whenever a bill gets as large as \$42 billion, to say it is too high, but the essential thing is to point out what items should be cut. In the testimony before us, from all the experts there, they were asking

for a budget 25 percent more than they got. They were the experts. The House cut their requests down about \$500 million. Most of our restoration was for the B-70.

I think they ought to make up their minds whether they want the B-70 or not, and not piddle around, as I told the Secretary of the Air Force. I said, "you may recall the quotation, 'If you are going to cross the Rubicon, cross it—don't stand in the middle and reach for both sides.' Either we want it or we do not want it." As the distinguished Senator said, the B-70 is the only recognized superiority we have over Russia; they cannot touch it.

Now coming to the economic problem, I agree that we have built-in safeguards that we did not have in the great depression of the 1930's, but I want to call attention to the fact that in the thirties banks made loans on real estate on an estimated 50 percent of their value and went broke. Now banks are making loans on real estate on 90 percent or more of their value. Does not the Senator think that if we have a real depression, real estate values will go down more than 10 percent? If they do, we have billions of dollars tied up in FHA loans by banks and insurance companies. Whether that will "curl your hair or not," it will be very bad. I agree with the Senator that we should not engage in reckless spending.

Mr. PROXMIRE. I join the Senator from Virginia in his opposition to reckless spending. We have Government insurance on mortgages that we did not have in the deep depression of the 1930's.

Mr. ROBERTSON. That is true, to the extent of \$38 billion, but how much money do we have behind that? Very little.

Mr. PROXMIRE. We also have Government insurance on bank deposits, which, if it has not made banks completely runproof or ruinproof, has come very close to it. It has been many years since there has been any bank failure. I feel this is another great source of strength.

What I am pleading for is recognition on the part of business and Government leaders that we do not have to be afraid of a serious depression simply because the stock market is dropping sharply, and that we should have solid confidence in the overall economic system we have.

I had called attention to transfer payments and the fact that these payments have become a stabilizing influence on income.

I now point to another firm basis of even graver importance. A recent analysis by U.S. News & World Report shows that three-quarters of total spending—three-quarters of the gross national product—represents spending of the type that tends to stay up regardless of business conditions and actions in downturns. Spending on food, clothing, and other soft goods represents \$160 billion. Spending for rent, transportation, and so forth represents spending of \$147 billion. Government spending—which we recognize is unlikely to decrease in a recession, but perhaps increase—represents another \$110 billion. These ex-

penditures alone represent three-quarters of our gross national product. In a recession period they will not drop significantly. They are stable.

#### ECONOMIC OUTLOOK GOOD

The most interesting aspect of this analysis is one that is not stressed as much as I think it should be. In the quarter of the economy where spending does tend to fluctuate, there is no present basis for fearing recession. On the contrary, there is substantial expectation of expansion and improvement. Fortune magazine today has come out with the prediction that the next 2 years are going to be prosperous and expansive.

When we recognize fully the main ingredients of this segment where the economy has fluctuated, we see five types of spending. One is on automobiles, in which spending has been about \$45 billion. I think anyone who thinks about the automobile industry must recognize that this industry has done well this year, better than it has done since 1955, and gives every promise of continuing to be good in coming years. We have more highways than ever, and more people who will be driving. We have a substantially sustained income from the source. We have every hope and indication that automobiles will continue to be in demand, especially because of the increasing competitive situation in the automobile industry, and because prices and costs have stabilized.

#### HOMEBUILDING EXPECTED TO IMPROVE

The second type of spending has suffered a long cyclical downturn. It should begin to turn up; That is, home construction with \$43 billions involved. And in fact, housing starts have improved. Home improvements have increased substantially. But they are still below what they were in 1950. With more people, more income and greater likelihood of more family formations, there is every expectation that homebuilding will be increased. The construction cycle suggests such an improvement is due.

Also, this area is in control of the Government to a considerable extent because of Government determination of interest rates, which have such an enormously important bearing on homebuilding.

In the period 1955-57, when the Federal Reserve began a policy of hard money and increased interest rates, although income, wages, and population were increasing, homebuilding dropped sharply. I submit the drop was directly attributable to high and rising interest rates. Interest is such a big and decisive cost in homebuilding. A 1-percent difference in interest rates on a \$20,000 home paid for over 30 years could make a \$3,000 difference in the cost of the home.

So here is an area where, if the policymakers on the Federal Reserve Board and the Treasury Department can decide to give the economy a stimulus. They can reduce interest rates and increase homebuilding. There is a great, pent-up demand in this field. I think we can expect, on any basis, to have this area of the economy improve steadily.

The next item is investment in machinery and equipment, where \$28 billion of spending is expected.

Of course, the stimulation for this portion of the economy is a part of the President's tax bill, in which he proposed the investment credit. I happen to oppose that proposal. I do not think it is sound. However, if the administration proposal would have any effect at all it should have some stimulating, not discouraging effect, if it should pass.

At the same time, the administration is engaged in a revision of the depreciation schedules. Many people think this is a wise and necessary policy, and would stimulate investment in new machinery and equipment. It certainly should.

At any rate, the automation which the economic experts say is the wave of the future in our economy is likely to assist in stimulating the new machinery and equipment area substantially. So here is a third area in which we can expect an expansive not a contracting effect on the economy.

The next area of fluctuation in our economy which might fluctuate up or down is additions to inventories of business. This is another area in which we can expect in the future a stimulating effect in the economy, because inventories have not increased lately as sales have increased. In fact, there has been a reduction in inventories. But now that inventories are low relative to sales we can expect not only a stabilizing influence in the economy but also an expansionary effect in this regard.

#### EXPORTS MAY BE A FACTOR

The only other area remaining is a relatively small item, the net exports to other countries of about \$3 billion. We all expect that if no other major bill of this administration should pass this session, the President's trade bill is very likely to pass. The whole purpose of the President's trade bill is to increase exports to other countries. That is the main purpose of the bill. While the trade bill is controversial and will affect some industries in our Nation in an unfavorable manner, we all agree it is likely to have an overall effect of stimulating exports.

So, Mr. President, on every one of these items—the automobile industry, the homebuilding industry, new machinery and equipment, additions to inventories, and net exports to other countries—we can expect the economy to move ahead, to expand, and to improve.

So far as the remainder of the economy is concerned, as the U.S. News & World Report in its very careful analysis shows, these are areas in which we are very unlikely to observe a cutback in spending. We have not had that in the past. There is every reason to believe that the necessities which are bought by American families will continue to be bought.

Under these circumstances, it seems to me it makes sense for the policymakers, whether they be in business or in Government, to realize that we have a stable economy, an economy which is likely to move ahead, an economy which can be stimulated further by dropping



the present very rigorous tight-money policy which has resulted in the tightest ratio between the money supply and the gross national product that has been experienced in 30 years. Under these circumstances, it seems, a sharp tax cut or an increase in Government spending is not warranted.

Mr. President, there is one other point I wish to make in connection with economic policy at this time.

Mr. RUSSELL. Mr. President, will the Senator yield, before he embarks upon a new subject?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Georgia.

Mr. RUSSELL. I am not an economist, but it has seemed strange to me that so much fear could be expressed with business generally moving as well as it is. Employment is high. The freight car loadings, retail sales, and standards of that kind are favorable.

One of the things which has always disturbed me about the base of our whole economy and business life has been the great reduction in our gold supply. It may not mean anything. Some people say it does not. As a practical matter, though, the United States does not have enough gold on hand to meet the outstanding notes against it. In other words, there is not enough gold in the bank at Fort Knox to meet the obligations set out by way of law. There is a 25 percent requirement, I believe, for backing of the currency. There are foreign holdings of dollar credits which must be paid in gold, much greater in amount than previously.

I think that if we get into any serious trouble, it will be partly psychological.

Does the Senator think there is any danger whatever that there may be a run on the gold of America from abroad, due to fears generated by the debacle in the stock market?

Mr. PROXMIRE. I agree with the Senator from Georgia that this is a very serious matter which we should consider carefully.

There is no question in my mind in regard to the fact that the unfavorable balance of payments which exists, which will continue to deplete and to limit the gold supply, is a problem we have not solved or even begun to solve. The stock market effect is bound to be adverse in this situation.

As the Senator has indicated, the foreign claims on our gold have increased to such an extent that they exceed our gold supply. If as is very unlikely the foreign claims should be called, then our gold supply could possibly be completely exhausted. This conceivably could be true even if we gave up the present legally mandatory 25 percent gold backing for currency.

I think there are a number of things which we can do. One of them is to try to have a balanced budget. We can try to have a situation which will inspire confidence on the part of people abroad. I think this also would help to contribute toward a solving of the specific balance-of-payments problem.

The difficulty is that although the United States has a very favorable bal-

ance of trade, it has an unfavorable balance of payments because of our foreign aid program, because of the fact that our troops are stationed abroad, and also because of some exodus of American capital abroad. I think all these things are subject to the control of our Government.

There will be a very serious problem if we do get into the position of depleting our gold, and it might become so serious that we might have to interrupt our foreign aid program. Some people feel that might not be a bad idea.

What would be even more dangerous is that we might have to interrupt the stationing of American troops abroad. We might have to call back some of those troops.

To some extent, this problem has already been demonstrated by the action taken under President Eisenhower, when he ordered the elimination of support for the families of servicemen stationed abroad. It was a great sacrifice for those who served abroad. It had an adverse effect on morale. I am sure that former President Eisenhower gave that order with great reluctance.

Of course, a more definitive action would be to bring the troops home. Therefore, I say this may have a serious effect on the defense of the free world, and it concerns us very much.

There are a number of things which we can do, but I think the basic action we can take is to make sure there is a stable, respected, and effective fiscal policy in this country which will result in balancing the budget, certainly in times of prosperity.

Mr. RUSSELL. One of the things which has prompted me consistently to vote for reductions in the foreign aid program has been the fear that we might put into the hands of others—even though of friends—the power to demoralize our economy, at least temporarily. That would be an almost certain result if there were to be a run on our gold holdings. I do not refer to a slight run, for we have been experiencing that for a couple of years. There has been a gradual depletion of our gold stocks. However, all the creditors have not come in to stand at the door at one time, as we have seen on the closing of a bank when a president absconded with the money of the depositors. The depositors lined up at the doors.

If all of the holders of dollar credits were to line up at one time, I think it might demoralize our economy a great deal, and to a certain extent offset the fine safeguards to which the Senator has referred.

Mr. PROXMIRE. I thank the Senator from Georgia. The feeling on the part of European economists and bankers seems to be mixed. A majority of them, according to the President of the United States, feel that we should try to get our economy moving by a tax reduction, by increasing our spending, and by having high interest rates. I take the exactly opposite position.

It is interesting to note that recent reports suggest a number of European economists disagree with the majority opinion and feel that the United States

can follow a successful policy of fiscal restraint and of monetary ease. Along that line, I wish to say that the argument always made against those of us who favor some credit ease is that this will aggravate the balance of payments situation because if U.S. interest rates are lower than the interest rates abroad there will be a tendency for people who invest in this country's obligations to sell those obligations and to buy bonds abroad, particularly the short-term obligations. I might say almost exclusively the short-term obligations, since those involve virtually no risk.

There are two answers to this contention. One answer is that the Federal Reserve Board can follow a policy of keeping interest rates on short-term obligations high—a policy which has not been followed but which could be followed—and keeping interest rates on long-term obligations low. If the Board did that we would not lose our capital. There would be a stimulation of home building and a stimulation of other industries which depend upon low interest rates.

The other proposal, which I do not support but which has a great deal of support in the Senate, I know, for I have talked to a number of Senators who feel this way, as well as support among some economists in this country, relates to the fact that the United States is virtually the only country in the free world which has not had controls on the movements of capital. While this is a recourse we reluctantly would take, there is no reason why the Government could not say to investors, to those who would take advantage of higher interest rates abroad by moving their capital, the taking of capital from the United States could endanger the position of our gold and the position of our defense establishment throughout the world. You are therefore not permitted to invest American capital in foreign bonds.

So I think there are answers. We can stimulate our economy, in my judgment, and stimulate it substantially without running a bigger deficit, without increasing spending sharply, and without sharp reduction in taxes at a time when we are enjoying prosperous periods, at a time when we are enjoying a peaceful period. Now, if ever, we should have a surplus, or at least a balance in our budget, we ought to have it now.

Mr. President, I ask unanimous consent that an article entitled "Why There Will Be No Big Setback in Business" published in the U.S. News & World Report, issue of July 2, be printed at this point in the RECORD.

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

#### WHY THERE WILL BE NO BIG SETBACK IN BUSINESS

Once more talk of recession is heard in Washington. This time it is related to the upset in the stock market. Late 1962 or early 1963 is referred to most often as the probable starting point for a decline in business.

The possibility of a recession in 1963 was mentioned publicly on June 19 by Ewan Clague, U.S. Commissioner of Labor Statistics. Speaking in Atlantic City, Mr. Clague

pointed out there has been a business decline every 2 or 3 years since World War II. He added that it was too early to tell whether the stockmarket sag would hasten a recession.

If the stock market does turn out to be signaling another recession, the Government's planners are confident that it will be moderate. They point out that in past recessions, industrial output has dipped from 5 to 14 percent; personal income very little, and gross national product scarcely at all.

#### NO BUBBLES TO BURST?

Other reasons are given for confidence. For one thing, the Government's appraisers of the business outlook see no speculative bubbles that are likely to burst, now that the stock market has gone through a severe shakeout.

Effect of the stock market upset on business confidence and individual spending plans is described as uncertain.

At bottom, however, the confidence of Government planners in the underlying strength of business rests upon grounds other than business sentiment. These planners see a number of cushions in the American economy that tend to soften any downward trend in business activity.

An important point is made of the fact that more than \$3 out of every \$4 in the Nation's total spending now is subject to very little fluctuation. That provides a substantial underpinning for general business activity.

#### THE BIG SPENDERS

More than 20 percent of total dollars spent are government dollars—payments made by Federal, State, and local governments for goods and services. Government spending now is on the rise. Demand coming from government for goods and services will increase in the period ahead.

Another cushion is the flow of dollars that individuals and families spend for necessities—food, clothing, gasoline and other types of soft goods. This amounts to more than 29 percent of the country's total spending. The outlay for necessities seldom decreases much when business activity slackens.

A third cushion is provided by spending for services—rent, transportation, home repairs, medical care. This accounts for nearly 27 percent of total spending, and people have been increasing their outlay for services for many years, during periods of good business and bad.

That leaves less than \$1 in \$4 that is subject to sharp fluctuations as business goes up and down.

At the present time, Government planners fail to detect any pronounced weakness in this less stable area of spending. Spending for autos, furniture, appliances has held high. Business investment in new equipment, though less than the planners had expected, also is going on at a relatively high level.

Building activity seems to be headed for another record year. Residential building, lagging early in the year, recently has turned up sharply—largely in apartments.

#### OUTLOOK IN INVENTORIES

It is pointed out that shifts in inventories of business often are a cause of trouble. The signs are, however, that inventory accumulation has not been excessive. Steel inventories, in fact, are getting down to the point where increased buying is expected to be forced by September. The ratio of inventories to sales is shown by Government reports to be much lower than a year ago. So the planners believe that in the period immediately ahead inventory policies will not be a drag on activity.

In the judgment of officials who advise on Government policy, more than three-fourths of present total spending is of the type that

will be maintained or will rise through this year and in 1963. And they do not expect a collapse in the purchase of cars, homes, and household goods, even though demand for these items may shrink a bit.

Another source of strength for business is seen by Government analysts in stable personal income. When business turns down and workers lose jobs, unemployment benefits and old-age pensions turn up. Government payrolls also usually expand. Together, these payments make up around 20 percent of total personal income and act to offset shifts in other types of income.

In the 1957-58 recession, income of wage and salary workers, business proprietors and farmers, payments on dividends, rents and interest dropped by \$5.7 billion a year. But benefit payments and Government payrolls went up by \$3.2 billion, holding the decline to \$2.5 billion. That performance was repeated in 1960-61, when a decline of \$2.8 billion in other personal income was offset by a rise of \$2.1 billion in Government wages and salaries and in benefits. That held the overall dip to a modest \$700 million.

These cushions in personal income tend to keep individual purchasing power on an even keel and thus bolster total consumer spending.

Planners cite additional protections against serious business setbacks.

Farm incomes, for example, are protected by Government price supports and other aids. Bank deposits and shares in savings and loan associations are insured by the Government, thus protecting people's savings and insuring against financial panics. Mortgages now can be paid off over a long period of years, and many are insured by the Government. That prevents a wave of foreclosures.

#### IF RECESSION COMES

In the years since the deep 1929 depression, Government has installed a whole series of safeguards to prevent a repetition of that crash. Observers cite the mild recessions of 1948-49, 1953-54, 1957-58, and 1960-61 as evidence that these safeguards are reliable. They see no reason to believe that safeguards will not operate effectively again if a recession occurs late this year or early in 1963.

Finally, there is the power of the Government itself to stem a downturn in business. Government can and probably will increase its own spending to offset a drop in private business. A tax cut to add to people's purchasing power and to corporate profits already has been promised for next year.

Actually, as the Government planners view the problem, the issue is not how to prevent a recession from leading to a severe setback, but how to increase total business activity. The way to solve that problem has not yet been found by the President and his advisers, but they are considering a number of approaches. Among them are more liberal depreciation allowances for business, in the hope that they will stimulate investment, promote growth, and provide jobs.

At the moment, however, the planners are scanning the economic skies for signs of recession.

#### MANN CREEK FEDERAL RECLAMATION PROJECT, IDAHO

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1580, Senate bill 405.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 405) to authorize the Secretary of the Interior to construct, operate, and maintain the Mann Creek Federal reclama-

tion project, Idaho, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 10, after the word "block", to strike out:

Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within said fifty-year period shall be returned to the reclamation fund from such net revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration as are over and above those required to meet any other present capital costs assigned for repayment from such revenues.

#### And insert:

Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within the repayment period or periods herein specified, shall be returned to the reclamation fund within such period or periods from revenues derived by the Secretary of the Interior from the disposition of power marketed through the Federal power system in southern Idaho.

#### And after line 24, to strike out:

SEC. 3. (a) The Secretary of the Interior is authorized, in connection with the Mann Creek project, to construct basic public recreation facilities but such facilities (other than those necessary to protect the project works and the visiting public) shall not be constructed until an agreement has been executed by the State of Idaho, an agency or political subdivision thereof, or an appropriate local agency or organization to assume the management and operation of the facilities. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

#### And, in lieu thereof, to insert:

SEC. 3. (a) The Secretary of the Interior is authorized, in connection with the Mann Creek project, to construct minimum basic public recreation facilities, and to acquire such lands as may be necessary for that purpose, substantially in accordance with the plan in the report of the Secretary of the Interior, but such facilities (other than those necessary to protect the project works and the visiting public) shall not be constructed until an agreement has been executed by the State of Idaho, an agency or political subdivision thereof, or an appropriate local agency or organization to assume the management and operation of the facilities. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

#### So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of providing irrigation water for approximately five thousand and one hundred acres, conserving and developing fish and wildlife, and providing recreational benefits, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the facilities of the Mann Creek Federal reclamation project, Idaho. The principal works of the project shall consist of a dam and reservoir, diversion facilities from the reservoir, and drainage facilities.



SEC. 2. The base period provided in subsection (d), section 9, of the Reclamation Project Act of 1939, as amended, for repayment of the construction cost properly chargeable to any block of lands and assigned to be repaid by irrigators may be extended to fifty years, exclusive of any development period, from the time water is first delivered to that block. Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within the repayment period or periods herein specified, shall be returned to the reclamation fund within such period or periods from revenues derived by the Secretary of the Interior from the disposition of power marketed through the Federal power system in southern Idaho.

SEC. 3. (a) The Secretary of the Interior is authorized, in connection with the Mann Creek project, to construct minimum basic public recreation facilities, and to acquire such lands as may be necessary for that purpose, substantially in accordance with the plan in the report of the Secretary of the Interior, but such facilities (other than those necessary to protect the project works and the visiting public) shall not be constructed until an agreement has been executed by the State of Idaho, an agency or political subdivision thereof, or an appropriate local agency or organization to assume the management and operation of the facilities. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

(b) The Secretary may make such reasonable provision in the works authorized by this Act as he finds to be required for the conservation and development of fish and wildlife in accordance with the provisions of the Fish and Wildlife Conservation Act (48 Stat. 401, as amended; 16 U.S.C. 661 and the following), and the portion of the construction costs allocated to these purposes, together with an appropriate share of the operation, maintenance and replacement costs thereof, shall be nonreimbursable and nonreturnable. Before the works are transferred to an irrigation water users' organization for care, operation, and maintenance, the organization shall have agreed to operate them in such fashion, satisfactory to the Secretary, as to achieve the benefits to fish and wildlife on which the allocation of costs therefor is predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with his requirements to achieve such benefits.

SEC. 4. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as will be necessary to carry out the purposes of this Act.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

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

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1620), explaining the purposes of the bill.

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

#### NEED FOR THE PROJECT

In normal years the 5,060 acres comprising the project received no more than a 60-percent supply of irrigation water although total runoff is adequate for the needs of the area. Most of the runoff occurs in the spring before it can be put to use, frequently causing floods and considerable loss and damage to property. Under present conditions farmers have no choice of cropping but continue with a hay and grain operation whether it is desirable or not. There is no opportunity, because of lack of late water, to set up a suitable crop rotation program. The area has an ideal climate for growing seeds, fruits, berries, tomatoes, melons, and other similar type crops for which there is a ready market. With a timely and adequate water supply the grain crops that are in surplus would largely disappear to be replaced by those types that are always in demand.

#### DESCRIPTION OF PLAN

The project would provide supplemental irrigation water for 4,465 acres and a full supply for 595 acres of land on Mann and Monroe Creeks near the town of Weiser in western Idaho.

The principal works are the Spangler Dam and Reservoir on Mann Creek, diversion facilities from the reservoir to the existing Joslin Ditch, and drainage facilities for the Mann Creek area of the project. The drainage facilities would be constructed by the irrigators after the project is placed in operation and the need for them became evident. Existing distribution systems would be used and any additions or extensions would be made by the farmer. The dam would be a rolled earthfill structure creating a reservoir of 13,000 acre-feet capacity of which 11,000 would be for irrigation.

The reservoir would enhance the resident game fish population as a result of an anticipated reservoir fishery. Further, the facility would serve as a small waterfowl resting area. The recreational benefits of this water storage include boating, fishing, camping, and possibly swimming. This aspect, although somewhat incidental, has a particular appeal to the residents of the surrounding townships, because of the lack of any large water impoundments in the area.

#### Cost and repayment

Cost:	
Reimbursable, irrigation.....	\$3,390,000
Nonreimbursable, fish and wildlife and recreation.....	100,000
Total.....	3,490,000
Repayment of irrigation costs:	
Irrigators, 50 years.....	1,014,000
Southern Idaho Federal power revenues.....	2,376,000
Total.....	3,490,000
Benefit-cost ratio, 100 years.....	1.52-1

The contract between the Department of the Interior and the Mann Creek Irrigation District would require that the district operate and maintain the facilities during the repayment period in a manner satisfactory to the Secretary of the Interior.

#### WAURIKA RECLAMATION PROJECT, OKLAHOMA

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1581, Senate bill 114.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 114) to authorize the Secretary of the Interior to construct, operate, and maintain the Waurika reclamation project, Oklahoma.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 4, line 23, after the word "purposes", to insert "so long as the space designated for those purposes may be physically available, taking into account such equitable reallocation of reservoir storage capacities among the purposes served by the project as may be necessary due to sedimentation"; on page 5, line 3, after the word "to", to strike out "the project water users the care, operation, and maintenance of" and insert "a water users' organization the care, operation, and maintenance of"; and on page 6, line 16, after the word "game", to insert a comma and "and the protection of the public health, safety, and welfare"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to construct, operate, and maintain the Waurika reclamation project, Oklahoma, in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except so far as those laws are inconsistent with this Act, for the principal purpose of storing, regulating, and furnishing water for municipal, domestic, and industrial use, for irrigation, for controlling floods, and for the conservation and development of fish and wildlife and the enhancement of recreational opportunities. The Waurika project shall consist of the following principal works: the Waurika Dam and Reservoir, an aqueduct system, pumps, canals, laterals, drains, and other irrigation works.

SEC. 2. In constructing, operating, and maintaining the Waurika project, the Secretary shall allocate the costs thereof among different functions resulting from multiple-purpose development under the following conditions:

(a) Allocations to flood control, recreation, and the conservation and development of fish and wildlife shall be nonreimbursable and nonreturnable under the reclamation laws.

(b) Allocations to municipal water supplies, including domestic, manufacturing, and industrial uses shall be repayable through contracts with municipal corporations, or other organizations as defined by section 2, Reclamation Project Act of 1939 (53 Stat. 1187), under the provisions of the Federal reclamation laws, and, to the extent appropriate, under the provisions of the Water Supply Act of 1958 (72 Stat. 319). Such contracts shall precede the commencement of construction of any project unit affecting the individual municipality or industrial users, and shall provide for all repayment of construction costs allocated to municipal water supplies in not to exceed fifty years from the date water is first delivered for that purpose, and notwithstanding the provisions of the Water Supply Act of 1958, supra, relating to the rate of interest. Payment of said construction cost shall include interest on the unamortized balance of that allocation at a rate equal to the average rate (which rate shall be certified by the Secre-

tary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum: *Provided*, That such contracts shall provide that annual municipal and industrial payments shall be continued, after the municipal and industrial water supply obligation has been fully repaid with interest as provided above, at such annual rate and for such period of time as may be determined by the Secretary as is necessary to fully repay costs allocated to irrigation which will not be repaid by the irrigators as provided in section 2(c) of this Act.

(c) Any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 for payment of those portions of the cost of constructing, operating, and maintaining the Waurika project, which are properly allocable to irrigation, and which are assigned to be paid by the contracting organization, shall provide for the repayment of the portion of the construction cost of the project assigned to any contract unit or, if the contract unit be divided into two or more blocks, to any such block, over a period not to exceed fifty years, exclusive of any permissible development period, provided that appropriate adjustment shall be made in the amount that irrigation water users shall repay due to payments made by municipal and industrial water users on cost allocated to irrigation as provided in section 2(b) of this Act and provided further that such contracts may be entered into without regard to the last sentence of section 9, subsection (c), of the Reclamation Project Act of 1939.

(d) The water users' organization shall be responsible for disposal of all water surplus to its requirements, and the revenues therefrom shall be used by the organization for the retirement of project debt payment, payment of interest, and payment of operation and maintenance cost of the project: *Provided*, That nothing in this section is intended to preclude the temporary furnishing of irrigation water under contracts appropriate for that purpose, from Waurika Reservoir with or without the construction of specific irrigation works.

(e) Upon the completion of the payment of the water users' construction cost obligation, together with the interest thereon, the water users shall have a permanent right to the use of that portion of the project allocable to municipal, industrial, and irrigation water supply purposes so long as the space designated for those purposes may be physically available, taking into account such equitable reallocation of reservoir storage capacities among the purposes served by the project as may be necessary due to sedimentation.

Sec. 3. The Secretary is authorized to transfer to a water users' organization the care, operation, and maintenance of the works herein authorized, and if such transfer is made, to deduct from the costs allocated to municipal water use the reasonable capitalized equivalent of that portion of the estimated operation and maintenance cost of the undertaking which, if the United States continued to operate the project, would be allocated to flood control and fish and wildlife purposes, and to deduct from the costs allocated to irrigation the reasonable capitalized equivalent of the total additional cost during the irrigation repayment period of operating the screens for protection of fish at the irrigation intake. Prior to the taking over of the care, operation, and maintenance of said works, the water users' organization shall obligate itself to operate them in accordance with regulations prescribed by the Secretary of the Army with respect to flood control and the Secretary of the Interior with respect to fish and wildlife.

Sec. 4. (a) The Secretary of the Interior is authorized, in connection with the works authorized by this Act, to construct minimum basis recreational facilities and to arrange for the operation and maintenance of the same by an appropriate State or local agency or organization. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the Federal reclamation laws.

(b) The Secretary may, upon conclusion of a suitable agreement with any qualified agency of the State of Oklahoma or a political subdivision thereof for assumption of the administration, operation, and maintenance thereof at the earliest practicable date, construct or permit the construction of public park and recreational facilities on lands owned by the United States adjacent to the Waurika Reservoir when such use is determined by the Secretary not to be contrary to the public interest, all under such rules and regulations as the Secretary may prescribe. No recreational use of any area to which this section applies shall be permitted which is inconsistent with the laws of the State of Oklahoma for the protection of fish and game, and the protection of the public health, safety and welfare. The cost of constructing, operating, and maintaining the facilities authorized by this subsection shall not be charged to or become a part of the costs of the Waurika project.

Sec. 5. Expenditures for Waurika Reservoir, and the water supply aqueduct system, may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act, 1954 (43 U.S.C. 390a).

Sec. 6. The construction, operation, and maintenance of the Waurika reclamation project shall be subject to and in accordance with the provisions of the Act of July 1, 1932 (47 Stat. 564).

Sec. 7. There is hereby authorized to be appropriated for construction of the works authorized to be constructed by section 1 of this Act the sum of \$25,019,500, plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction of the types involved in the Waurika project as shown by engineering indices. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 114) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1621), explaining the purposes of the bill.

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

#### LOCATION AND DESCRIPTION OF THE PROJECT

S. 114, introduced by Senators KERR and MONRONEY authorizes construction by the Secretary of the Interior of the multipurpose Waurika project in Oklahoma.

This project is located in southwestern Oklahoma in Jefferson, Stephen, Cotton, and

Comanche Counties. Waurika damsite is in Jefferson County about 6 miles northwest of Waurika on Beaver Creek, a tributary of Red River. The urban areas which would be furnished water supplies from Waurika Reservoir surround the Beaver Creek Basin. The lands to be irrigated from the reservoir are located along the north bank of the Red River near Ryan, Okla., near the confluence of Beaver Creek, about 20 miles downstream from Waurika damsite.

The Waurika project would provide for maximum practicable regulation of Beaver Creek flows at the damsite for the dominant purpose of municipal and industrial water supply for six municipalities and an oil refinery and a vital national defense installation. It would provide for construction of the Waurika Dam and Reservoir; an aqueduct system to deliver Beaver Creek flows from the reservoir to the cities of Lawton (including Fort Sill), Duncan, Waurika, Comanche, Temple, Walters, and the DX-Sunray refinery; a pumping plant and distribution system at a point 20 miles below the damsite to deliver reservoir releases to lands in the vicinity of Ryan, Okla., for the irrigation of about 2,000 acres; and recreation and fish and wildlife facilities. The project would provide essentially full control of floods on Beaver Creek at the Waurika damsite and desirable flood control benefits along the Red River.

Need for flood control was emphasized at the hearings on the measure. Testimony indicated that in year after year the city of Waurika has been inundated by the waters of Beaver Creek. As recently as June 11, 1962, the committee received a communication from Senator MONRONEY advising that a new flood, similar to those previously reported had occurred. The Red Cross had set up shelters for 150 persons as 80 blocks flooded and 100 families had from 6 to 18 inches of water in their houses. From 200 to 250 people had to be evacuated. The Department report indicated that the flood control storage space in the reservoir would prevent floods along Beaver Creek from the damsite to its confluence with Cow Creek and substantially reduce flood hazards below that point. The operation would be in accordance with regulations prescribed by the Secretary of the Army.

Project studies indicate that the Waurika Reservoir will yield about 44,000 acre-feet of water annually. The predicted year 2015 demand is 39,000 acre-feet per year for municipal and industrial purposes. Until that year, there is ample surplus water available for irrigation of some 2,000 acres of land downstream from the reservoir. By the end of the initial 50-year municipal repayment period, needs for additional municipal water will then begin to encroach upon the supply available for irrigation.

Land classification studies established that ample high quality lands are available for irrigation development. The project studies also established that inclusion of irrigation as a project purpose, using water that is surplus to municipal and industrial needs, would be economically justified. The increased crop returns which would result to the farmers and the increased income which would accrue to business interests in the surrounding areas supported this conclusion. They also established that the increased crop returns which would result from irrigation would permit the irrigators to pay all irrigation operation, maintenance, and replacement costs and repay all construction costs of the pumping plant and distribution system, as well as a portion of the joint reservoir costs allocated to irrigation. On the basis, utilization of the surplus water for irrigation of 2,000 acres was deemed merited and included in the project plan. It provides for full utilization of valuable land and water resources.



The project plan contemplates that operation of the reservoir would recognize the primary demand for satisfying municipal and industrial water requirements. On this basis, the first 115,000 acre-feet of the 155,000 acre-feet of conservation storage capacity would be jointly used for municipal and industrial water supply and irrigation purposes and the last 40,000 acre-feet would be reserved at all times for municipal and industrial use.

The National Park Service has concluded that the Waurika project could provide reservoir recreation opportunities of substantial value to the population of the general area. The plan provides for recreation facilities at and near the reservoir, as recommended by the National Park Service. Project funds would provide for land acquisition and construction of minimum basic facilities required for the protection and accommodation of the visiting public. These would include access roads, parking areas, water supply and sanitation, picnic areas, overlook developments, boat-launching ramps, beach developments, protective fencing, tree planting, and grass seeding. If found to be in the best interests of the Federal Government, funds would be transferred under appropriate agreement to the Division of Recreation and State Parks of the State of Oklahoma Planning and Resources Board for construction of these basic facilities. Additional recreation facilities not appropriate for Federal construction would be provided by local interests. After authorization, a more detailed recreation plan would be developed by cooperative efforts of Federal and State agencies and the water users' organization. Thus, full consideration would be given to recreation needs, to safeguarding of the public health, and to problems of administering and supervising both the recreation and water supply functions of the reservoir.

#### CONVEYANCE OF CERTAIN PUBLIC LANDS TO THE COLORADO RIVER COMMISSION OF NEVADA

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1582, Senate bill 3089.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3089) to amend the act directing the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada in order to extend for 5 years the time for selecting such lands.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1622), explaining the purposes of the bill.

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

##### PURPOSE OF MEASURE

S. 3089 would extend to March 6, 1968, the time within which the State of Nevada, acting through its Colorado River Commission could select certain areas of Federal lands for purchase and development by the State. Specifically, the bill would amend Public Law 85-339 (72 Stat. 31) to direct the Secretary of the Interior to segregate for a period of 10 years, instead of the present 5

years, an area of Federal land in southern Nevada. It also extends the time for the State to exercise its option of selection and purchase for the 10-year period. Both S. 3089 and the law it amends were sponsored by the senior Senator from Nevada, Senator BIBLE.

Some 60 million acres of land in Nevada, or 87.5 percent of the total area of the State, now are owned by the Federal Government. In 1957, the 85th Congress authorized the State to purchase an area comprising approximately 126,775 acres in Eldorado Valley, about 25 miles southeast of Las Vegas. The exterior boundaries of the lands from which the State could make specific selections, in tracts of not less than 10,000 acres, were set forth in the act, and the Secretary of the Interior was directed to segregate the entire area from all forms of entry under the public land laws for 5 years from enactment. During this time, the Secretary was to have had appraisal made of the fair market value of the lands in the entire transfer area. The State would then make its selections, and submit a plan for their development.

Four years now have passed, and the appraisals were completed only recently. The State is not satisfied with the prices set by the Interior Department, and negotiations now are underway for revision. Unless the extension proposed by S. 3089 is granted, the time limitation set by the 1957 law will expire and the State will be forced to accept the Department's prices or forfeit its rights and hopes for development under the bill.

The committee finds that equity and sound public policy call for approval by Congress of the proposed extension.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada", approved March 6, 1958 (72 Stat. 31), is amended as follows:*

- (1) in section 2, strike out "five years" and insert in lieu thereof "ten years"; and
- (2) in section 3, strike out "five-year" and insert in lieu thereof "ten-year".

#### DIVISION OF TRIBAL ASSETS OF THE PONCA TRIBE OF NATIVE AMERICANS OF NEBRASKA

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1583, Senate bill 3174.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3174) to provide for the division of the tribal assets of the Ponca Tribe of Native Americans of Nebraska among the members of the tribe, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 3, line 13,

after the word "select", to strike out "from" and insert "for"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the membership roll of the Ponca Tribe of Native Americans of Nebraska shall be closed at midnight of the date of enactment of this Act, and no child born thereafter shall be eligible for enrollment. The Secretary of the Interior with advice and assistance of the tribe is authorized and directed, pursuant to such regulations as may be issued by him, to prepare a final roll for the purposes of this Act of the members of the tribe consisting of the persons whose names appear on the census roll of April 1, 1934, with the supplement thereto of January 1, 1935, and their descendants of not less than one-fourth degree Indian blood of the Ponca Tribe of Native Americans of Nebraska, regardless of place of residence, who are living at the time the roll is closed, and in so doing shall provide a reasonable opportunity for any person to protest against the inclusion or omission of any name on or from the roll. The Secretary's decision on all protests shall be final and conclusive. After all protests are disposed of, the final roll shall be published in the Federal Register. Upon publication of the roll in the Federal Register, the Secretary shall give the adult members an opportunity to indicate their agreement to the division of tribal assets in accordance with the provisions of this Act and when a majority of the adult members have indicated their agreement, the Secretary shall publish in the Federal Register a notice of that fact.*

SEC. 2. Each member whose name appears on the final roll of the tribe as published in the Federal Register shall be entitled to receive in accordance with the provisions of this Act an equal share of the tribe's assets that are held in trust by the United States. This right shall constitute personal property which may be inherited or bequeathed, but it shall not otherwise be subject to alienation or encumbrance.

SEC. 3. (a) All property of the United States used for the benefit of the Ponca Tribe of Native Americans of Nebraska is hereby declared to be a part of the assets of the tribe, and all of the tribe's assets shall be distributed in accordance with the provisions of this section. The distribution shall be completed within three years from the date of this Act, or as soon thereafter as practicable.

(b) The tribe shall designate any part of the tribe's property that is to be set aside for church, park, playground, or cemetery purposes, and the Secretary is authorized to convey such property to trustees or agencies designated by the tribe for that purpose and approved by the Secretary.

(c) Each member may select for homestead purposes and receive title to not to exceed five acres of tribal land that is being used for homestead purposes by such member, or that is not used and selected by some other member. The member shall pay the current market value of the homestead selection excluding any improvements or repairs constructed by such member, his wife, children, or ancestor, as determined by the Secretary of the Interior.

(d) All assets of the tribe that are not selected and conveyed to members shall be sold by competitive bid at not less than the current market value, and any member shall have the right to purchase property offered for sale for a price not less than the highest acceptable bid therefor. If more than one member exercises such right, the property shall be sold to the member exercising the right who offers the highest price.

(e) The net proceeds of all sales of tribal property, and all other tribal funds, shall be used to pay, as authorized by the Secretary,

any debts of the tribe. The remainder of such proceeds and funds shall be divided equally among the members whose names are on the final roll, or their heirs or legatees. Any debt owed by a member, heir, or legatee to the tribe or to the United States may be set off as authorized by the Secretary against the distributive share of such person. Any member of the tribe who purchases tribal property in accordance with this section may apply on the purchase price his share of the proceeds of all sales of tribal property, and the Secretary of the Interior shall adopt sales procedures that permit such action.

Sec. 4. (a) The Secretary of the Interior is authorized to partition or to sell the complete interest (including any unrestricted interest) in any land in which an undivided interest is owned by a member of the Ponca Tribe of Native Americans of Nebraska in a trust or restricted status, provided the partition or sale is requested by the owners of a 25 per centum interest in the land, and the partition or sale is made within three years from the date of this Act. Any such sale shall be by competitive bid, except that with the concurrence of the owners of a 25 per centum interest in the land any owner of an interest in the land shall have the right to purchase the land within a reasonable time fixed by the Secretary of the Interior prior to a competitive sale at not less than its current market value. If more than one preference right is exercised, the sale shall be by competitive bid limited to the persons entitled to a preference. If the owners of a 25 per centum interest in the land so request, mineral rights may be reserved to the owners in an unrestricted status. The Secretary of the Interior may represent for the purposes of this section any Indian owner who is a minor, or who is non compos mentis, and, after giving reasonable notice of the proposed partition or sale by publication, he may represent an Indian owner who cannot be located.

(b) All restrictions on the alienation or taxation of interests in land that are owned by members of the Ponca Tribe of Native Americans of Nebraska three years after the date of this Act shall be deemed removed by operation of law, and an unrestricted title shall be vested in each such member.

Sec. 5. The Secretary of the Interior is authorized to make such land surveys and to execute such conveyancing instruments as he deems necessary to convey marketable and recordable title to the individual and tribal assets disposed of pursuant to this Act. Each grantee shall receive an unrestricted title to the property conveyed.

Sec. 6. Nothing in this Act shall affect any claims heretofore filed against the United States by the Ponca Tribe of Native Americans of Nebraska.

Sec. 7. Nothing in this Act shall affect the rights, privileges, or obligations of the tribe and its members under the laws of Nebraska.

Sec. 8. No property distributed under the provisions of this Act shall at the time of distribution be subject to any Federal or State income tax. Following any distribution of property made under the provisions of this Act, such property and income derived therefrom by the distributee shall be subject to the same taxes, State and Federal as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the grantee.

Sec. 9. Such amounts of tribal fund as may be needed to meet the expenses of the tribe under this Act, as approved by the Secretary of the Interior, shall be available for expenditure. There is authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary to reimburse the tribe for such expenditures, and carry out the respon-

sibilities of the Secretary under the provisions of this Act.

Sec. 10. When the distribution of tribal assets in accordance with the provisions of this Act has been completed, the Secretary of the Interior shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such tribe and its members has terminated. Thereafter, the tribe and its members shall not be entitled to any of the special services performed by the United States for Indians or Indian tribes because of their Indian status, all statutes of the United States that affect Indians or Indian tribes because of their Indian status shall be inapplicable to them, and the laws of the several States shall apply to them in the same manner they apply to other persons or citizens within their jurisdiction. Nothing in this Act, however, shall affect the status of any Indian as a citizen of the United States.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1623), explaining the purposes of the bill.

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

#### PURPOSE

The purpose of S. 3174, introduced by Senator CHURCH, of Idaho, at the request of the Department of the Interior as a result of an executive communication dated April 6, 1962, is to provide for the division of the tribal assets of the Ponca Tribe of Native Americans of Nebraska among the members and to terminate Federal supervision and control over the tribe.

#### CANCELLATION OF IRRIGATION CHARGES AGAINST NON-INDIAN-OWNED LANDS, OREGON

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1584, Senate bill 3342.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3342) to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Klamath Indian irrigation project, Oregon, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1624) explaining the purposes of the bill.

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

The purpose of S. 3342, introduced by Senator CHURCH, of Idaho, at the request of the

Department of the Interior, is to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Klamath Indian irrigation project, Oregon.

The act of August 13, 1954 (68 Stat. 719), terminating Federal supervision over the Klamath Indian Tribe authorized the adjustment or cancellation of reimbursable construction, operation, and maintenance charges against the Indian land on the Klamath irrigation project. The Secretary of the Interior, by an order on April 10, 1961, canceled a total of \$266,619.64 of construction and operation and maintenance costs on Indian land. A construction charge of \$50 per acre on Indian-owned land remains on one of the three units in the project. This represents the maximum amount (\$70,619) the land is capable of paying, according to the Indian Bureau's economic analysis.

S. 3342 would adjust or cancel reimbursable charges against non-Indian lands within the Klamath project in accordance with the act of June 22, 1936 (49 Stat. 1803), which requires congressional approval before it is effective. The Secretarial order approved by this legislation cancels a total of \$329,301.86 in construction costs and \$72,138.69 in operation and maintenance costs on the non-Indian land. The cancellation of construction costs and operation and maintenance costs are conditioned upon the execution of contracts by the landowners for the repayment of such charges to the extent of \$68,615.70.

The reasons for the cancellations are that most of the costs were incurred prior to 1928, the date of the Federal Lien Act, and those costs are not a lien against the land. Also some of the costs are chargeable against lands that were removed from the project in 1939. The effect of the bill is to place the non-Indian landowners on this project in the same position as the Indian owners.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in accordance with the Act of June 22, 1936 (49 Stat. 1803; 25 U.S.C. 389), the order of the Secretary of the Interior canceling \$401,440.55 of reimbursable irrigation costs chargeable to lands in the Klamath Indian irrigation project is approved.

#### REVISION OF BOUNDARIES OF CAPULIN MOUNTAIN NATIONAL MONUMENT, N. MEX.

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1585, Senate bill 2973.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2973) to revise the boundaries of Capulin Mountain National Monument, N. Mex., to authorize acquisition of lands therein, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs,



with an amendment on page 2, after line 16, to strike out:

SEC. 3. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

And, in lieu thereof, to insert:

SEC. 3. There are authorized and appropriated such sums as necessary to carry out the acquisition of this land, provided that the cost of the acquisition of private land shall not exceed \$2,500.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to preserve the scenic and scientific integrity of the Capulin Mountain National Monument in the State of New Mexico, and to provide for the enjoyment thereof by the public, the boundaries of the monument are hereby revised to include the following additional lands:

#### NEW MEXICO PRINCIPAL MERIDIAN

Township 29 north, range 28 east: section 5, north half northwest quarter southeast quarter, northeast quarter northeast quarter southwest quarter, southeast quarter northwest quarter, northeast quarter southwest quarter northwest quarter, south half southeast quarter northwest quarter northwest quarter, south half south half northeast quarter northwest quarter, containing approximately 95 acres.

SEC. 2. The Secretary of the Interior, in furtherance of the purposes of this Act, may acquire, in such manner and subject to such terms and conditions as he may deem to be in the public interest, lands and interests in lands within the area described in section 1 of this Act. When acquired, such lands and interests in land shall be administered as a part of the Capulin Mountain National Monument in accordance with the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.).

SEC. 3. There are authorized and appropriated such sums as necessary to carry out the acquisition of this land, provided that the cost of the acquisition of private land shall not exceed \$2,500.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1625) explaining the purposes of the bill.

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

#### PURPOSE

This bill would revise the boundary of Capulin Mountain National Monument to include an additional 95 acres.

#### NEED

The area recommended for acquisition includes lands south and west of the proposed headquarters area, and lands adjacent to the site where the monument access road intersects New Mexico State Route 325. These lands are needed for the location of a

park sewerage system, needed for visitor and employee facilities. Due to the topography, this facility could be best located on the lands proposed to be acquired.

#### ADDITION OF CERTAIN LANDS TO NATIONAL FORESTS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1586, Senate bill 3112.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3112) to add certain lands to the Pike National Forest in Colorado and the Carson National Forest and the Santa Fe National Forest in New Mexico, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 15, after the word "north", to strike out "half," and insert "half" so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the exterior boundaries of the Pike National Forest in Colorado are hereby extended to include the following described lands:

#### SIXTH PRINCIPAL MERIDIAN

##### Township 11 south, range 69 west

Sections 1 to 4, inclusive;  
Sections 9 to 16, inclusive;  
Sections 21 to 27, inclusive;  
Sections 34 to 36, inclusive.

##### Township 12 south, range 69 west

Section 2, west half west half;  
Section 3, east half;  
Section 10, northeast quarter;  
Section 11, west half northwest quarter;  
Section 12, south half northwest quarter, west half southwest quarter;  
Section 13, west half northwest quarter, northwest quarter southwest quarter;  
Section 14, south half northeast quarter, southeast quarter northwest quarter, northeast quarter southwest quarter, northwest quarter southeast quarter;  
Section 21, north half, southeast quarter;  
Section 22, north half, north half southwest quarter, southeast quarter;  
Section 23, southwest quarter southwest quarter;  
Section 26, northwest quarter northwest quarter;  
Section 27, west half southwest quarter;  
Section 28, north half, southeast quarter.

##### Township 12 south, range 70 west

Section 23, southeast quarter;  
Section 24, southwest quarter, northwest quarter southeast quarter, south half southeast quarter;  
Section 25, northeast quarter northeast quarter, west half northeast quarter, west half;  
Section 26, northeast quarter, north half southeast quarter.

SEC. 2. The exterior boundaries of the Carson National Forest in New Mexico are hereby extended to include the following described lands:

#### NEW MEXICO PRINCIPAL MERIDIAN

##### Township 23 north, range 9 east

Sections 1 to 5, inclusive;  
Sections 9 to 12, inclusive.

##### Township 24 north, range 9 east

Sections 1 to 4, inclusive;  
Sections 9 to 16, inclusive;  
Section 20, east half;  
Sections 21 to 29, inclusive;  
Sections 32 to 36, inclusive.

##### Township 25 north, range 9 east

Section 1;  
Sections 33 to 36, inclusive.

##### Township 26 north, range 9 east

Sections 25 and 36.

##### Township 23 north, range 10 east

Section 3;  
Section 4, north half, northwest quarter southwest quarter, east half southeast quarter;

Section 5, northeast quarter, northwest quarter southeast quarter;

Section 6, north half, north half southwest quarter.

Townships 24 and 25 north, range 10 east  
All.

##### Township 26 north, range 10 east

All, except east half of sections 13 and 24.

##### Township 27 north, range 10 east

Sections 31 to 36, inclusive.

##### Township 24 north, range 11 east

Section 5, southwest quarter, south half northwest quarter, southwest quarter northeast quarter;

Sections 6 to 8, inclusive;  
Sections 16 to 19, inclusive;  
Section 20, north half, southwest quarter, west half southeast quarter;  
Section 29, west half northwest quarter;  
Section 30;  
Section 31, north half.

##### Township 25 north, range 11 east

Sections 5 to 9, inclusive;  
Section 16, north half, southwest quarter;  
Sections 17 to 19, inclusive;  
Section 20, north half, southwest quarter;  
Section 31, west half.

##### Township 26 north, range 11 east

Section 6.

Also, that part of the Sebastian Martin grant, as described on survey plat approved December 17, 1892, and filed in volume 4, page 22, New Mexico land claim plat records of the Bureau of Land Management, lying east of the projection northward of the line between lot 4 of section 33 and lot 1 of section 34, fractional township 22 north, range 10 east, New Mexico principal meridian, as shown on public land survey plat of August 8, 1924.

SEC. 3. The exterior boundaries of the Santa Fe National Forest in New Mexico are hereby extended to include the following described lands:

(1) The Polvadera grants as described on plat of survey approved December 18, 1899; and that part of the Juan Jose Lobato grant, as described on plat of survey approved October 19, 1895, lying southerly of the Rio Chama River; excepting from the above areas the town of Abiquiu grant as described on plat of survey approved November 16, 1896, and also as shown on public land survey plat approved July 3, 1940; said grant plats being filed in volume 5, page 31, volume 4, page 12, and volume 8, page 6, respectively, of New Mexico private land claim plat records of the Bureau of Land Management.

(2) The Ojo de San Jose grant as described on plat of survey approved August 21, 1902, and filed in volume 5, page 14, New Mexico private land claim plat records of the Bureau of Land Management, excepting that triangular-shaped part in the northwest corner of said grant which overlaps the east boundary of the Canon de San Diego grant as shown on said plat of August 21, 1902.

(3) The Juan de Gabaldon grant, as described on plat of survey approved July 27, 1896, and filed in volume 2, page 10, New Mexico private land claim plat records of the Bureau of Land Management.

Sec. 4. Subject to any valid existing rights, all lands of the United States in areas described in sections 1, 2, and 3 hereof, administered by the Secretary of Agriculture under title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937, as amended (7 U.S.C. 1010-1012), or used by the Secretary of Agriculture for research purposes, are hereby added to and made parts of the respective national forests.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1626) explaining the purposes of the bill.

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

The purpose of the bill is to encompass within the exterior boundaries of the Pike National Forest in Colorado about 18,100 acres and within the Carson and Santa Fe National Forests in New Mexico about 249,700 acres. These areas are now within land-utilization projects which for many years have been administered by this Department for land conservation and land utilization pursuant to title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937, as amended (7 U.S.C. 1010-1012), and in part for forest and range research purposes.

The recommended bill would give national-forest status to about 223,000 acres of Federal lands within the described areas. These Federal lands adjoin or are adjacent to the national forests to which they would be added and now are protected and managed in conjunction with them. A portion of the land in Colorado additionally constitutes a part of the Manitou Experimental Forest, a Forest Service research area which also includes nearby Pike National Forest lands.

The bill would add to the Pike National Forest parts of the Fountain Creek land-utilization project and two small parcels aggregating about 84 acres presently used for forest and range research. It would add to the Carson National Forest the Taos land-utilization project and the easterly portion of the Sebastian Martin grant which is a part of the northern New Mexico grantland land-utilization project. Areas to be added to the Santa Fe National Forest are the Ojo de San Jose grant land-utilization project, the Juan de Gabaldon grant land-utilization project, the Polvadera grant, and the part of the Juan Jose Lobato grant which lies south of the Rio Chama River. The two areas last noted are parts of the northern New Mexico grantland land-utilization project.

The lands to be added to the Pike National Forest are similar in their resources to lands already in the forest, and are in the headwaters of the South Platte River. They are well suited to multiple-use management for watershed, timber, forage, and wildlife purposes, and some of them have material values for public recreation. Some cur-

rently form a part of the Manitou Experimental Forest.

The lands to be added to the Carson and Santa Fe National Forests lie in the upper Rio Grande watershed. Careful protection and management to restore and maintain adequate vegetative cover is essential to reduce soil erosion and enhance watershed capacity. They present the same multiple-use management problems and opportunities as do the nearby national forests and currently are managed in conjunction therewith.

All of the lands with which the draft bill deals have been administered by the Forest Service since about 1938, except those in the northern New Mexico grant-land project which were assigned to it for management in 1954.

#### HOMESTEAD ENTRY OF LEWIS S. CASS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1587, Senate bill 2530.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2530) regarding a homestead entry of Lewis S. Cass.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to, and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall reinstate the homestead entry of Lewis S. Cass (Anchorage Numbered 031055) that was canceled because at the time the entry was made the land was in a withdrawn status, and the Secretary of the Interior is authorized to process the entry in accordance with the applicable provisions of law, subject to such modification of time requirements as he deems equitable in view of the prior cancellation of the entry.*

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1627) explaining the purposes of the bill.

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

The records of the Bureau of Land Management show that Mr. Cass' entry was allowed by the acting manager of the Anchorage land office on September 20, 1955. The lands embraced within the entry consisted of 57.07 acres, described as lots 3 and 4, section 23, township 1 south, range 14 west, Seward meridian, Alaska. Approximately 18 months after the entry was allowed, it came to the attention of land office personnel that the land entered by Mr. Cass was not subject to homestead entry. In 1949 the land had been withdrawn by public land order 585 (14 F.R. 1895) "from settlement, location, sale, and entry under the public land laws except the applicable coal or other mineral leasing laws, for classification and examination, and in aid of proposed legislation."

On August 26, 1953, public land order 585 was modified by public land order 913 (18 F.R. 5294) and the land was declared not subject to the initiation of any rights or to any disposition under the public land laws until so provided by an order of classification to be issued by an authorized officer opening the lands to application under the Small Tract Act of June 1, 1938, 43 U.S.C. 682a, et seq.

On March 27, 1957, a letter was sent to Mr. Cass, informing him that his entry, apparently having been erroneously allowed on withdrawn lands, was suspended pending further investigation.

On June 25, 1957, a decision was rendered by the Bureau of Land Management's Alaska operations supervisor, canceling the entry; this decision was affirmed by the Office of the Director, Bureau of Land Management, on May 15, 1958, and the Bureau's decision, in turn, was affirmed by the Deputy Solicitor of the Department of the Interior on January 14, 1959 (Lewis Sanford Cass, A-27742).

S. 2530 would direct the Secretary of the Interior to reinstate Mr. Cass' canceled homestead entry, and to process it in accordance with the applicable provisions of law, subject to such modifications of time requirements as may be deemed equitable. Since the withdrawn lands here involved are not needed for any Federal purpose, we have no objection to their passage from Federal ownership. The lands are, in fact, already earmarked, by public land order 913, for disposition under one of the public land laws.

#### ADDITION OF LANDS TO THE NATIONAL FORESTS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1588, House bill 9822.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 9822) to provide that lands within the exterior boundaries of a national forest acquired under section 8 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

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

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1628) explaining the purposes of the bill.

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

#### PURPOSE

H.R. 9822 will grant national forest status to lands within the exterior boundaries of national forests acquired by the United States under the exchange provisions of the Taylor Grazing Act (43 U.S.C. 315g).

#### NEED

Section 8 of the act of June 28, 1934, as amended (48 Stat. 1272; 49 Stat. 1976; 62 Stat. 533), authorizes the Secretary of the Interior, within certain limitations, to exchange public domain lands for privately owned lands of equal value. Under the



authority of this existing law some exchanges have been effected which have resulted in the acquisition of private lands within the boundaries of national forests. Although these lands within national forests should, logically, be administered in accordance with the laws governing national forest lands, there is no authority to accomplish this for many of the areas that have been acquired.

In the States of Arizona, California, Colorado, Idaho, New Mexico, Oregon, Washington, and Wyoming additions may not be made to national forests except by act of Congress (16 U.S.C. 471, 471a). Because of this restriction it has been necessary in the past for legislation to be enacted to give national forest status to privately owned lands acquired by the Department of the Interior through exchanges under the Taylor Grazing Act (see the act of Aug. 9, 1955, 69 Stat. 540).

The committee was advised that there are at this time 3,300 acres of land within national forest boundaries in several of the above-mentioned States that have been acquired by the Department of the Interior by exchanges under the Taylor Grazing Act but to which national forest status cannot attach without further legislation. The committee believes that these lands, which are intermingled with and generally similar in character to adjoining national forest lands, should be administered uniformly with the adjacent forest lands.

Enactment of H.R. 9822 will permit the Secretary of the Interior, upon a determination by the Secretary of Agriculture that the lands involved are suitable for administration as part of a national forest, to set apart and reserve, as part of the national forest involved, areas heretofore or hereafter acquired under the exchange provisions of the Taylor Grazing Act within the exterior boundaries of the forest. After the entry of a public land order, the lands would be subject to the laws, rules, and regulations applicable to other lands within the national forest that have been set apart and reserved from the public domain for national forest use.

#### DEVELOPMENT OF THE SOUTH BARROW GAS FIELD

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1589, Senate bill 2020.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2020) to amend part IV, subtitle C, of title 10, United States Code, to authorize the Secretary of the Navy to develop the South Barrow gasfield, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

That section 7422 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(c) The Secretary of the Navy may under subsection (a) develop the South Barrow gas field, naval petroleum reserve numbered 4, to supply gas to installations of the Department of Defense and other agencies of the United States located at or near Point Barrow, Alaska, the native village of Barrow,

and other communities and installations at or near Point Barrow, Alaska."

SEC. 2. Section 7430(a) of title 10, United States Code, is amended to read as follows:

"(a) The Secretary of the Navy in administering the naval petroleum reserves under this chapter shall use, store, sell, or exchange for other petroleum or refined products, the oil and gas products, including royalty products, from lands in the naval petroleum reserves, including gas products from lands in the South Barrow gas field of naval petroleum reserve numbered 4, and lands outside petroleum reserve numbered 1 covered by joint, unit, or other cooperative plans, for the benefit of the United States."

SEC. 3. The Federal agency or agencies in control of any pipeline between gas wells in the South Barrow gas field and the town of Barrow may authorize purchasers of the gas or carriers of the gas to install connections to such pipeline.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

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

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1629) explaining the purposes of the bill.

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

This bill would provide authority for (1) the Secretary of the Navy to furnish gas from South Barrow gasfield in Naval Petroleum Reserve No. 4 to all the Government-owned facilities in the Point Barrow area, and (2) the Secretary of the Navy to sell gas from the South Barrow gasfield in Naval Petroleum Reserve No. 4 to the native village of Barrow and other communities and installations at or near Point Barrow, Alaska.

#### EXPLANATION

The laws applicable to the naval petroleum reserves require that the reserves be used and operated for the protection, conservation, maintenance, and testing of the reserves. The reserves exist for the purpose of conserving oil in the ground and for its production in time of emergency.

Naval Petroleum Reserve No. 4 consists of approximately 35,000 square miles on the Arctic slope of Alaska. During exploration of this reserve between 1944 and 1953, two gasfields and three oilfields were found. Only the South Barrow gasfield is in production at this time. The gas produced from this field is being furnished to all the Government-owned facilities in the Point Barrow area despite the absence of specific statutory authorization for this practice. One of the purposes of the bill is to provide authority for the obviously sensible practice of furnishing gas to the Government-owned facilities in the area.

The Navy anticipates that it will be desirable to drill an additional well in the South Barrow field to supply Government agencies alone. The existence of a requirement for natural gas by the civilian population in the native village of Barrow affords an opportunity for the Government to amortize the cost of drilling an additional well through sales of gas to the civilian population. The second purpose of the bill is to provide authority for such sale.

The native village of Barrow is chartered as a corporation under the Indian Reorganization Act, better known as the Wheeler-Howard Act, of 1934. The village corporation has in turn organized a business cooperative under the laws of Alaska. This cooperative

is engaged in miscellaneous business activities and has received loans from the Department of the Interior. The indication is that this cooperative will be willing to purchase the gas from the Navy, install a domestic distribution system, and act as distributor of the gas. A purely private vendor would be equally eligible to act as distributor.

A civilian market and requirement for the gas exists because of the extremely low temperatures in the area and the high cost of importing other types of fuel. The committee was informed that the civilian population of Barrow spends about one-fourth of its income for fuel.

#### EXTENSION OF DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3203) to extend the Defense Production Act of 1950, as amended, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the first sentence of section 717(a) of the Defense Production Act of 1950 is amended by striking out "June 30, 1962" and inserting in lieu thereof "June 30, 1964".

Mr. ROBERTSON. Mr. President, I move that the Senate concur in the amendment of the House.

Last week, the Senate passed S. 3203, after amending it so that all it did was to give a 1-year extension to the present powers under the Defense Production Act. The amendments which had been proposed by the administration and the amendment which had been proposed by Senator JAVITS were not considered. Instead, a new bill, S. 3436, was introduced by me, which contained all the administration amendments and the Javits amendment. I advised the Senator from New York that I would hold hearings on this bill in the middle of July, and it is still my intention to do so.

The House has now passed S. 3203, after amending it to provide for a 2-year extension. Like the Senate, however, no substantive amendments are made in the House version of S. 3203.

It does not seem to me that there is any need to go to a conference to discuss with the House the question whether the Defense Production Act should be extended for 1 year or 2 years. In any event, we will have hearings on all the proposed amendments this summer, and, if need be, we can have more hearings next year.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia.

The motion was agreed to.

Mr. PROXMIRE. It is my understanding that S. 3203, the extension of the Defense Production Act passed the Senate with a 1-year extension.

Mr. ROBERTSON. That is correct.

Mr. PROXMIRE. It went to the House, and the House passed a 2-year extension. Is that correct?

Mr. ROBERTSON. Yes; that is correct. No amendments were accepted in the House.

Mr. PROXMIRE. No amendments were accepted. The amendments of the Senator from New York and the administration amendments will be the sub-

ject of hearings by our committee. Is that correct?

Mr. ROBERTSON. Yes. The chairman stated that later this summer we would have hearings on all the amendments. The extension is a 2-year extension, as the administration requested. In the Senate we cut down the extension to 1 year, on the request of some members of the committee. The House insisted on a 2-year extension. We did not think the change was sufficiently material to make a conference necessary, so we asked the Senate to concur in the House provision, rather than to go to conference on it.

Mr. PROXMIER. I wish to make it clear in the RECORD that I was the member of the committee who insisted on a 1-year extension. I want to make it clear on the RECORD now that I oppose a 2-year extension, and I want to be recorded as voting against a 2-year extension. The reason I do so is that I feel that once again this year we have been hurried in consideration of the legislation as we were in 1960 because this is an election year. Under these circumstances the chairman understandably wants to take care of this as rapidly as possible, one of the reasons being that it is an election year. It would have been far better if we had made the extension for 1 year, so that it could be taken up again in 1963, 1965, and so forth. In that way we would have a better chance of taking care of the matter in more detail and with greater care, which we cannot do with a 2-year extension always confronting us and placing our consideration in an election year.

#### ASSUMES 3-YEAR WAR

Another reason why I felt we should have a 1-year extension is that the assumption on which the Defense Production Act is being operated is to completely ignore the possibility of a nuclear war. It is based entirely on the assumption of a 3-year all-out conventional war, which is as unrealistic and unlikely as any I can imagine.

In view of the fact that this is a matter of whether our resources will be adequate to meet an attack, I feel very strongly that we should insist on a report in the near future. This same point was raised by the Senator from Illinois [Mr. DOUGLAS] back in 1960. The agency said at that time that there would be a report in a year.

#### REPORT IS YEARS OVERDUE

This is 1962, and no report has been furnished. This year again they said they will have a report some time in the near future. I believe the only way we can effectively handle this matter is to have a 1-year extension and to insist, when they come with their request for a renewal, that we get a report. That is the reason why the Senator from Wisconsin has taken as strong a position as he can on getting not a 2-year extension but only a 1-year extension of the Defense Production Act.

Mr. ROBERTSON. The Senator from Virginia feels that the distinguished Senator from Wisconsin is justified in the position he takes. We met in January and saw that there was a law which was going to expire on June 30. How-

ever, the administration did not send the bill to us until April 19. It contained a great many new matters, plus a 2-year extension. We eliminated everything except the extension, which we changed to a 1-year extension. That was at the request of the distinguished Senator from Wisconsin. Rather than have a certain fight over the many amendments, we cut out everything but the 1-year extension. The House was insistent. Rather than get into a bitter argument over it, I had the clerk check as many of our committee members as possible, and I found that the majority of them are willing to go along with a 2-year extension. They had a rollcall vote in the House. Let us not forget that. They were not taking any chances on it. Does the Senator know how many were recorded on that rollcall vote?

Mr. PROXMIER. I understand that it was a unanimous vote.

Mr. ROBERTSON. Three hundred and twenty-seven voted "aye," and no one voted "nay." Does the Senator expect us to go to the conference and fight over that? We would not have much luck.

Mr. PROXMIER. I wish to say to my friend from Virginia that I doubt very much that many of the Members of the House were concerned about the issues that I am raising on the floor today. If they had been, I am pretty sure they would not have voted unanimously. However the position of the Senator from Wisconsin is clear on the record. Perhaps in 1964 we can try for a 3-year or a 1-year extension, so that it will not come up again in an election year, and in that way can give more consideration to it than we have in the past. I am particularly concerned in view of the fact that this agency is operating on the assumption that total nuclear war has no connection with the kind of demands that will be made on the country, and because their assumption is based on an all-out 3-year conventional war, a ridiculous assumption.

Mr. ROBERTSON. Our thinking now is that we had better win a nuclear war 3 days after its starts. That is what we are thinking of now.

#### COOPERATION WITH FIRST WORLD CONFERENCE ON NATIONAL PARKS

The PRESIDING OFFICER (Mr. Hickey in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2164) to authorize the Secretary of the Interior to cooperate with the First World Conference on National Parks, and for other purposes, which was, in line 8, strike out "\$50,000," and insert "\$30,000."

Mr. METCALF. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the

House had disagreed to the amendments of the Senate to the bill (H.R. 11879) to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. O'BRIEN of Illinois, Mr. MASON, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 69) authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on "Constitutional Rights of the Mentally Ill" and "Wire-tapping and Eavesdropping Legislation."

#### THE SUPREME COURT DECISION ON PRAYER IN PUBLIC SCHOOLS OF NEW YORK

Mr. ROBERTSON. Mr. President, my grandfather used to say: "The tendency of everything is to be more so." In 1954, the Supreme Court of the United States—a court for which, as a young lawyer in the early part of the current century, I had unbounded admiration—not only reversed all previous decisions of all Federal and State courts on the subject of the operation of segregated public schools, but, for purely psychological reasons, so interpreted the equal rights provision of the 14th amendment as to amend the Constitution by judicial fiat. In repeated decisions since, the highest court of our land has violated a fundamental principle of judicial procedure.

Three weeks ago the Supreme Court of Florida in upholding a Florida law which required the daily reading of a brief passage from the Bible in all public schools announced:

We think it necessary that, unless otherwise clearly commanded by the plain language of the statutes or the Constitution, the courts refrain from purely philosophical invasion of the Constitution or long established and accepted customs of the vast majority of the American people. The recurrent whittling away of the bedrock foundations of our society can be nothing short of destructive of free government. Every doubtful judicial withdrawal of the sovereignty of the States or the traditional freedoms of the people weakens the fabric of the Nation and the confidence of its citizens. If the Constitution be wrong it should be corrected by amendment and not judicial usurpation.

On yesterday, in deciding a very similar case, which involved the recitation of a short and simple prayer in a public school in New York State—Engel against Vitale—unless students at the request of parents were excused. The Supreme Court, with only one dissenting voice, held the New York law to be in violation of the provision in the first amendment to the Constitution relating to the separation of church and state. I applaud the dissenting opinion of Mr. Justice Stewart, who among other things said:

With all respect, I think the Court has misapplied a great constitutional principle. I cannot see how an "official religion" is established by letting those who want to say a



prayer say it. On the contrary, I think that to deny the wish of these schoolchildren to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our Nation.

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

Mr. ROBERTSON. I yield.

Mr. TALMADGE. I commend the distinguished and able Senator from Virginia on the speech he is making. He is one of the best qualified Members of the Senate to deliver a speech on this subject. He is in my judgment the most learned Biblical scholar in the Senate and is also one of this body's great historians. He knows not only the Scriptures but also the laws of our country, the origins of the Constitution, and the entire history and tradition of our Nation. I read the pertinent part of the first amendment to the Constitution of the United States:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

I ask the distinguished Senator from Virginia if Congress has made any law respecting the establishment or exercise of religion.

Mr. ROBERTSON. It certainly has not.

Mr. TALMADGE. Has any Senator or any Member of the House of Representatives introduced any bill to attempt to have enacted a law respecting the establishment of religion or prohibiting the free exercise thereof?

Mr. ROBERTSON. No, because that principle was so clearly and forcibly announced in Virginia and written into the constitution of every State that no one, since we have had our Government, has ever attempted to do it.

Mr. TALMADGE. Is it not true that the only law that has been made on this subject was by the action of the Supreme Court yesterday when, for the first time in the history of our Republic, six of its Justices acted to prohibit the schoolchildren of the State of New York from opening their classes with a nondenominational prayer addressed to the Almighty Supreme Being?

Mr. ROBERTSON. The Supreme Court has decided several cases in the past few years in favor of atheists and agnostics; however, this is the most extreme ruling it has made.

My grandfather said that the tendency of everything is to be more so. Once the Supreme Court started to write the law and amend the Constitution, it has reached this shocking state of prohibiting the recital of a simple prayer in a public school; not by an act of Congress, but under a State law of New York, which specifically exempted any student whose parents or guardian might ask that his child be excluded because he did not want him to say or hear the prayer.

Mr. TOWER. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. TOWER. In the Senator's estimation, carrying the ruling of the Supreme Court to its logical conclusion, is it not possible that the practice of opening the Senate and House of Rep-

resentatives with prayer every day is in jeopardy?

Mr. ROBERTSON. Of course; the Chaplain is paid from the taxpayers' funds.

Mr. TOWER. Could this practice conceivably jeopardize the whole system of having chaplains in the armed services?

Mr. ROBERTSON. Unless we adopt a Senate joint resolution, which I hope we will, saying that having prayer, having grace, observing the birth of Christ at Christmastime are not violations of the Constitution, I do not know what the Supreme Court might ultimately say with respect to any religious activity whatever in government.

Before I conclude, I shall introduce, on behalf of the Senator from Mississippi [Mr. STENNIS], a constitutional amendment. The Senator from Mississippi desires to change the Constitution. If the saying of a prayer cannot be done in any other way, then let us change the Constitution.

When the Supreme Court is so clearly wrong, I should like to see quick action by Congress, saying, "You are wrong. You have usurped your constitutional authority."

We cannot repeal this decision. Perhaps some subsequent Supreme Court will reconsider the action, but Congress cannot alter the matter except by proposing a constitutional amendment and by going on record as opposing any further extension of such doctrine.

Mr. TALMADGE. Is it not true that the crier of the Supreme Court, from the days of Chief Justice John Marshall down to Chief Justice Warren, has opened the Court with the prayer:

God save the United States and this honorable Court.

Mr. ROBERTSON. Absolutely. The Court has done that from time immemorial.

Mr. TALMADGE. According to the interpretation of six of the present Justices, is not the Court acting unconstitutionally in opening its sessions in that manner?

Mr. ROBERTSON. It could not be construed in any other way. Perhaps some day the Supreme Court Justices will decide that they themselves are unqualified to sit on the Court because they had sworn on the Bible to support and uphold the Constitution. It was necessary, of course, for them to do that in order to be sworn in, after the Senate had confirmed their nominations. What they have decided, in effect, is, "We must exclude the Bible from our Government."

Mr. TALMADGE. Can the Senator from Virginia think of anything more outrageous than to say that the Supreme Court in effect has held its own practice unconstitutional?

Mr. ROBERTSON. They certainly have cast very serious doubt on everything they have done.

Mr. TALMADGE. Is it not true that every President of the United States, from George Washington to John F. Kennedy, has taken an oath to Almighty God when he assumed the office of President of the United States?

Mr. ROBERTSON. Absolutely.

Mr. TALMADGE. Is it not true that every U.S. Senator and Member of the House of Representatives, from the 1st Congress to the 87th Congress, has done the same thing?

Mr. ROBERTSON. We certainly have.

Mr. TALMADGE. I hold in my hand a 25-cent piece. I read the inscription on the coin, which was minted in 1961: "In God we trust."

Mr. ROBERTSON. The Supreme Court would say that is a political shibboleth and ought not to mean anything at all.

Mr. TALMADGE. Has not that been the motto of this country?

Mr. ROBERTSON. It has; and on the wall of the Chamber, under the clock, as can readily be seen by those on the other side of the gallery are the words, in large gold letters: "In God we trust."

But the Supreme Court would say that this is a superstition; that our Constitution prohibits such an assertion.

Mr. TALMADGE. Is it not true that our national anthem, "The Star-Spangled Banner," contains a reference to our trust in God?

Mr. ROBERTSON. It surely does. One stanza contains the words:

And this be our motto: "In God is our trust."

Furthermore, when the "Star-Spangled Banner" is sung, we stand at attention. Possibly the Supreme Court would make that action illegal or require that the verse be omitted.

Mr. TALMADGE. Have not Presidents of the United States, both Democratic and Republican, sponsored a prayer breakfast each year in Washington, an event which is attended by the President, the Vice President, Members of Congress, members of the Cabinet, and other distinguished leaders of this country?

Mr. ROBERTSON. Absolutely.

Mr. TALMADGE. Is it not the policy of our Government, and has it not been the policy since the founding of our Republic, to encourage the worship of God and the teaching of obedience to His laws?

Mr. ROBERTSON. The Declaration of Independence contains the statement that we were created by God and have certain unalienable rights, among which are life, liberty, and the pursuit of happiness. That provision was placed in the Declaration of Independence before we even won our independence. The framers of the Declaration said that we had those rights and would not be denied them, because God had given them to us.

Mr. TALMADGE. Does the distinguished Senator from Virginia believe the Supreme Court decision yesterday aided the cause of atheism and harmed the cause of religion?

Mr. ROBERTSON. It certainly did not do the cause of religion any good.

Mr. TALMADGE. Does not the Senator also believe that the Supreme Court decision will have the effect of weakening the moral fiber of the youth of our country?

Mr. ROBERTSON. The Senator from Virginia thinks that the decision will have that effect, unless we who are responsible for the Government of the Nation stand up and declare the kind of government we are operating and the principles for which we stand.

Let us remember what Benjamin Franklin said in the Constitutional Convention, when that convention could not agree on the proportion of the representation to be had by the big States and the small States:

In this emergency, when we are groping in the dark, as it were, for political light, and scarce able to perceive it when presented to us, why has it not once occurred to us to ask the Father of Lights to illuminate our understanding?

I have lived for a long time, and the longer I live, the more convincing proof I see of the fact that God governs in the affairs of men. If it be true that no star can fall to the ground without His knowledge, how can we hope, sir, to see a new empire without His notice, without His aid?

That was the way our Government was started.

Mr. TALMADGE. Did the able Senator from Virginia note, as I did, that at the same time the Supreme Court attempted to prohibit the youth of our country from praying in the public schools, the Court also prohibited the Postmaster General from barring magazines circulated primarily among homosexuals from the mails?

Mr. ROBERTSON. The Senator has heard it said, as have other Senators, that the Court would not prohibit the circulation of obscene literature among the youth of the country, but yet it would not allow them to join in the offering of a prayer when they go to school.

Mr. TALMADGE. Does not the Senator from Virginia think things in our Nation have come to a sorry pass when the Supreme Court of the United States would take two such actions on the same day?

Mr. ROBERTSON. Indeed so. Later, I shall read from a statement made by the Senator from Mississippi [Mr. STENNIS], who said he was shocked. And the Senator from Georgia was shocked, and I was shocked; and I hope all Members of the Senate were shocked, and that they will not hesitate to say they were shocked, and will not hesitate to join with us in a resolution to say to the Court, "We will not stand for this any longer. You have gone as far in misinterpreting the Constitution and our form of government as we will stand for; and if you go further, you will do so at your peril."

Mr. TALMADGE. Does the Senator from Virginia recall that when some of our friends seek to espouse a certain cause, they argue how far behind Russia we are in working in that particular area? Did it strike the Senator's mind, as it did mine, that we are about 40 years behind Russia in prohibiting the youth of our country from praying?

Mr. ROBERTSON. Indeed so; and before I conclude my remarks I shall read from a decision by the Supreme Court of Florida, rendered on June 6, in which it said there are now, roughly speaking, two forms of government, democracy

and communism, and that the essence of a democracy is that we believe in God and have freedom of religion; those two distinguish us and others who call themselves democracies from the type of government which is called communism, which denies the existence of God and repudiates the Bible.

Mr. TALMADGE. Mr. President, I commend the distinguished Senator from Virginia for his efforts in this regard. I pledge him my wholehearted support for this proposed constitutional amendment; and I hope this incident will shock the American people at long last into rising up in wrath and indignation and demanding that their elected representatives in the House of Representatives and in the Senate take some action to curb the Supreme Court and its rampant amending of the Constitution by judicial fiat.

Mr. ROBERTSON. I thank the Senator from Georgia; and, again, I wish to say that at the outset the Senator from Georgia paid me a tribute far beyond my just deserts, but in any event I knew it sprang from the heart of a true friend, and I appreciate it very much.

Mr. TOWER. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield to the Senator from Texas.

Mr. TOWER. Was it not the intent of the framers of the first amendment of the Constitution to permit freedom of religion in this country, but not freedom from religion?

Mr. ROBERTSON. Absolutely.

Mr. TOWER. But does not the Supreme Court's interpretation tend to narrowly proscribe the exercise of religion?

Mr. ROBERTSON. Yes, it tends to take away the freedom of religion. That is the point of this decision. But I shall quote George Washington's words in both his inaugural address and his Farewell Address in referring to this subject; he, of course, was one of those who helped frame the Constitution.

Mr. ERVIN. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. I yield to the Senator from North Carolina.

Mr. ERVIN. I should like to ask the Senator from Virginia whether we would be far wrong in saying that in this decision the Supreme Court has held that God is unconstitutional, and for that reason the public schools must be segregated against Him?

Mr. ROBERTSON. Well, the Court would certainly take God out of the public schools; there is no doubt about that.

Mr. ERVIN. In recent days I have been much intrigued with the interpretation which the writer of this particular opinion—Justice Black—places upon the right of freedom of speech, as guaranteed by the first amendment to the Constitution. He says the right of freedom of speech is absolute and is not subject to any limitation whatever—which means that a person can call any woman, however virtuous, a prostitute; or any man, however honest, a thief; or any person, however patriotic, a traitor, without being called to account for it in

any court of the land. But does not that Justice place a limitation upon the absolute right of freedom of speech, by making it subject to the qualification that although everyone has a right to freedom of speech under all other circumstances and on all other occasions, it is now subject to a limitation that a person cannot talk to God or about God while he is on public-school property?

Mr. ROBERTSON. Well, one reaches that conclusion if he carries this decision to its ultimate effect.

Mr. Justice Black, in trying to justify his misguided opinion, referred to Madison and Jefferson. But, as I shall point out, Justice Black completely misinterpreted what they said in their fight for religious freedom.

Mr. TOWER. Mr. President, will the Senator from Virginia yield again to me?

Mr. ROBERTSON. I yield to the Senator from Texas.

Mr. TOWER. I should like to thank the distinguished Senator from Virginia. At our Wednesday morning prayer breakfasts, I have often been inspired by his great devotion to his God and by his very profound and inspirational remarks; and I should like to thank him for his remarks on the floor today. I associate myself with those remarks and proffer him my support.

Mr. ROBERTSON. I thank the Senator from Texas very much.

Mr. ERVIN. Mr. President, will the Senator from Virginia yield again to me?

Mr. ROBERTSON. I yield.

Mr. ERVIN. I should like to ask the Senator from Virginia whether the records of the Constitutional Convention do not disclose the fact that at a time when it appeared that it would be most difficult, because of the differing views, to obtain a Constitution which would reconcile the varying views to such an extent that there could be a Constitution, the Constitutional Convention, at the suggestion of Benjamin Franklin, prayed to God for guidance and assistance?

Mr. ROBERTSON. That is absolutely correct, and I have already referred to that fact. In fact, we probably would not have had a Constitution if they had not done that. It brought them together and gave them light—so much so, that Gladstone could say that the Constitution was the greatest instrument ever struck off by the hand and purpose of man.

Mr. ERVIN. Let me point out that in this Chamber, on the wall beneath the clock, there are inscribed in gold the words, "In God we trust."

Mr. ROBERTSON. That is true, and we thought those words signified the kind of government we have and the way we are attempting to legislate. But, as the Senator has said, this ruling of the Court would not permit anyone to say, in a school, "In God we trust."

Mr. ERVIN. But the Senate Chamber is also public property, as much so as the public schools, is it not?

Mr. ROBERTSON. Yes.

Mr. ERVIN. And this Chamber is likewise subject to the Constitution, as such, is it not?

Mr. ROBERTSON. That is correct.



Mr. ERVIN. So, under this decision, how can we be permitted to allow the words "In God we trust" to remain on the wall of this Chamber?

Mr. ROBERTSON. Well, we have to decide whether to repudiate the words "In God we trust" or to repudiate the Court. It will not take me long to decide which choice to make.

Mr. President, I wish to refer to what Mr. Justice Stewart said in his dissenting opinion:

The Court's historical review of the quarrels over the Book of Common Prayer in England throws no light for me on the issue before us in this case. England had then and has now an established church. Equally unenlightening, I think, is the history of the early establishment and later rejection of an official church in our own States. For we deal here not with the establishment of a state church, which would of course, be constitutionally impermissible, but with whether schoolchildren who want to begin their day by joining in prayer must be prohibited from doing so.

Moreover, I think that the Court's task, in this as in all areas of constitutional adjudication, is not responsibly aided by the uncritical invocation of metaphors like the "wall of separation," a phrase nowhere to be found in the Constitution. What is relevant to the issue here is not the history of an established church in 16th century England or in 18th century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our Government.

At the opening of each day's session of this Court we stand, while one of our officials invokes the protection of God. Since the days of John Marshall our orier has said, "God save the United States and this honorable Court." Both the Senate and the House of Representatives open their daily sessions with prayer. Each of our Presidents, from George Washington to John F. Kennedy, has upon assuming his office asked the protection and help of God.

The Court today says that the State and Federal Governments are without constitutional power to prescribe any particular form of words to be recited by any group of the American people on any subject touching religion. The third stanza of "The Star-Spangled Banner" made our national anthem by act of Congress in 1931, contains these verses:

"Blest with victory and peace, may the heav'n rescued land  
Praise the Pow'r that hath made and preserved us a nation.  
Then conquer we must, when our cause it is just,  
And this be our motto: 'In God is our trust.'"

In 1954, Congress added a phrase to the "Pledge of Allegiance to the Flag," so that it now contains the words, "One Nation under God, indivisible, with liberty and justice for all." In 1952, Congress enacted legislation calling upon the President each year to proclaim a National Day of Prayer. Since 1865, the words "In God we trust" have been impressed on our coins.

The minority views of Mr. Justice Stewart coincided with the unanimous decision of the State Supreme Court of Florida on June 6, to which I have referred. In that case an agnostic, a Jew, and a Unitarian in Miami sought to enjoin all religious activities in the Dade County public schools. They especially objected to a Florida statute that re-

quires the daily reading of a brief passage from the Bible, but they also wanted to put an end to the occasional singing of hymns in music classes, the painting of pictures on religious themes, the decoration of schoolrooms at Christmastime, the saying of grace or other prayers at school functions, and the holding of baccalaureate ceremonies at commencement. In brief, they wanted to wipe out every vestige of religious affirmation in the public school system, even though a Dade County regulation specifically excuses those children who do not wish to listen to the Bible verse or to participate in other activities of a religious nature.

The Court held:

We believe it necessary that public education give due recognition to the place of religion and the culture and convictions of our people but that in doing so the principle of separation of church and state must be safeguarded. The road is a difficult one but, certainly, we cannot agree that banishing the Bible and music and paintings of religious connotation will benefit the plaintiff's children in any material way. We are of the opinion that erasing the influence of the best literature, music, and art and gentler aspects of American life in general would be to create an antireligious attitude in the schools and substantially injure the well-being of the majority of the schoolchildren. And although it may be urged that to take such drastic action is to incur the good will of the nation's enemy we think the cost too great and the proposal ill founded in law.

We are sensible of the extent to which the sophistries of agnosticism have gained credence. And we acknowledge the trend toward the preference of minorities over the majority and toward the requiring of the majority, which seem never to suffer psychological trauma, to yield up its cherished customs and rights. Although we concede the duty to turn the other cheek to the enemy and to deal gently with the weak, we do not agree that it is our function to subvert the purpose and intent of the Constitution to those ends, nor do we feel impelled to indulge in flights of fanciful philosophy. When we subscribed to our official oaths it was with "no mental reservations and with no purpose to construe the Constitution by any hypercritical rules."

For all practical purposes there are now in the world just two forms of government, loosely denominated democracy and communism. The vital difference between the two is that the democracies accept religion and guarantee its free exercise, in one form or another, as part of the day-to-day lives of their people, whereas communism has banished religion, except as it may be bootlegged in the dark and inhospitable corners. A consequential distinction, as the major difference is applied to these United States, is that here we prohibit the governmental establishment of religion but guarantee to all the free exercise thereof while, under communism, religion is denied and those who profess religion are hounded underground.

We feel it equally imperative that we preserve the safeguards of the Constitution against all violations of the "establishment" and "free exercise" clauses and, at the same time, preserve those clauses and the rights of the States and the people thereunder against weasel-worded constructions and distinctions designed to impute to them either more or less than was originally intended.

In a futile attempt to justify his view, concurred in by a majority of the U.S. Supreme Court, that the reciting of a simple prayer was the establishment of a religion in violation of the Constitu-

tion, Mr. Justice Black referred to the fight that Thomas Jefferson and James Madison made in Virginia on that vital and fundamental principle of personal freedom. Unfortunately, however, he showed no familiarity with the history of that issue or with the real purpose James Madison had in mind when he helped Jefferson perfect his bill for religious freedom in Virginia and when he helped frame the first 10 amendments to our Constitution, known as the Bill of Rights, which provided for the separation of church and state. Both Jefferson and Madison believed in God; both believed in the Bible; both believed that the principles of democracy which they sponsored were based upon the teachings of the Bible, and while neither wanted to put government in religion, neither wanted to take religion out of government. But, when carried to its final analysis, that is what the decision of the Supreme Court on yesterday will mean, notwithstanding the warning of Evangelist Billy Graham, made during his remarkable Chicago crusade that closed last week:

This generation must face the fact that it is either back to the Bible or back to the jungle.

Mr. President, in view of the fact that there are a great many people in our country besides members of the Supreme Court who are not familiar with James Madison's views on religious freedom as I outlined it in a speech on the floor of the Senate on February 22, 1961, I ask unanimous consent to have reprinted in the RECORD at this point, what I said on that subject at that time.

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

#### MADISON'S CONTRIBUTION TO RELIGIOUS FREEDOM

(Remarks of Hon. A. WILLIS ROBERTSON, of Virginia, in the Senate of the United States, Wednesday, February 22, 1961)

Mr. ROBERTSON. Mr. President, by a singular coincidence in the same week in which we celebrate the anniversary of the birth of the chief architect of our independence, affectionately known as the Father of his Country, the Congress has received a proposal from the President of the United States, urging it to embark for the first time in our national history on a program of Federal aid to education. And involved in that program is one of the most unique and vital features of our Federal Constitution, namely, the separation of church and state.

President Kennedy, in recommending the appropriation of funds for public schools, has requested that parochial and other church schools at a certain level be excluded, but at the college level that they be included. That proposal will, of course, touch off a debate on the history and the meaning of the doctrine of the separation of church and state, and its application to the appropriation of public funds for church owned and operated schools and colleges.

On many occasions, I have expressed the view that the ability and wisdom of the representatives of 13 new States who assembled in Philadelphia in the summer of 1787 to draft a plan for a more perfect Union, have never been excelled in this or any other nation. If that be true, and I challenge any colleague to deny it, the views of the Founding Fathers on the principle of separation of church and state should be a lamp unto our feet.



Students of history well know that religious intolerance did not commence with the crucifixion of Christ and the persecution of his followers. Throughout recorded history organized government has sought to enforce its will in religious as well as temporal affairs. Many of the early colonists in this country, notably those who settled in Massachusetts, came in search of religious freedom. Those who made the first permanent English settlement at Jamestown in 1607 did not come for that purpose, but they did come imbued with the spirit of political freedom; they did organize the first representative government on this continent; and they were the first to realize that there could be no complete political freedom unless the Government was prohibited from interfering with the individual's religious views.

While George Washington was not as active as Thomas Jefferson and James Madison in behalf of legislation on the subject of religious freedom, he, a deeply religious man and always loyal to the established Church of England, endorsed as strongly as Jefferson and Madison the principle of separation of church and state. In a letter to the members of a new church in Baltimore, he wrote:

"We have abundant reason to rejoice that in this land the light of truth and reason has triumphed over the power of bigotry and superstition, and that every person may here worship God according to the dictates of his own heart. In this enlightened age and in this land of equal liberty it is our boast that a man's religious tenets will not forfeit the protection of the laws, nor deprive him of the right of attaining and holding the highest offices that are known in the United States."

Later, in an address sent to the General Committee of the United Baptist Churches in Virginia, with which my colonial ancestors were associated, and which had suffered perhaps more persecution at the hands of an intolerant government than any other denomination, General Washington wrote:

"If I could have entertained the slightest apprehension, that the Constitution made in the Convention, where I had the honor to preside, might possibly endanger the religious rights of any ecclesiastical society, certainly I would never have placed my signature to it; and if I could now conceive that the General Government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded, that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution. For you doubtless remember that I have often expressed my sentiments that every man, conducting himself as a good citizen, and being accountable to God alone for his religious opinions, ought to be protected in worshipping the Deity according to the dictates of his own conscience."

Again, in his justly famed Farewell Address, which was read to us this morning, Washington said:

"Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens."

Therefore, in discussing today the contribution made by another great Virginian to the cause of the type of freedom which we have enjoyed under a Constitution which provides for the separation of church and state, I wish to emphasize the point made by Washington that there is a difference between religion in government and government in religious affairs. I further emphasize the point that the current debate in connection with a school-aid program of the doctrine of separation of church and

state, will avail us little unless it includes the realistic premise that what this day and generation needs is not more Federal aid to the individual, but a more active support by the individual of religion and morality—"great pillars," as stated by Washington, "of human happiness, these firmest props of the duties of men and citizens."

Students of Virginia history will recall the provision for religious freedom that was included in George Mason's bill of rights, and incorporated in Virginia's first constitution, and a still broader provision in a bill offered in the Virginia Legislature by Patrick Henry. It remained, however, for the chief architect of the Philadelphia Constitution, James Madison, to outline the fundamental reasons for the doctrine of separation of church and state, which was subsequently incorporated in Jefferson's statute for religious freedom in Virginia and was written by Madison into the first amendment of the Federal Constitution. It was largely due to his efforts that Virginia was the first State in the modern world with both complete religious freedom and complete separation of church and state.

It was Madison at whose insistence the Virginia Bill of Rights of 1776 was so modified as to read:

"All men are equally entitled to the free exercise of religion, according to the dictates of conscience."

Until Madison's amendment the document had provided that there be religious toleration. For this statesman, mere toleration was insufficient; he proclaimed that "the right of every man is liberty—not toleration."

Madison's primary contribution to the dual causes of religious freedom and the separation of church and state—and that which had the greatest repercussions—was his famous "Memorial and Remonstrance" of 1784 against a proposal of the Virginia House of Delegates to provide, through assessments, for teachers of the Christian religion.

It is important to consider the circumstances which led to Madison's "Remonstrance."

The decision on a general assessment for the support of religion in Virginia had been deferred, by article VI of the 1776 Preliminary Act for Religious Freedom to the determination of a future assembly.

In the house the assessment proposals were vigorously argued by no lesser advocate than Patrick Henry. It may seem paradoxical that the man who a few years before had been proclaimed the "firebrand of the American Revolution" and who in the near future was to denounce the Federal Constitution as a return to tyranny, would fail to appraise the implications of State-sponsored financial support of the Christian religion. Henry advanced as his chief argument the close relation of religion to the prosperity of the State, calling attention to the fate of nations which had neglected religion, and inferring the need of State support. Madison fully answered this contention by stating that the true question was not—Is religion necessary?—but—Are religious establishments; that is, State-supported establishments, necessary for religion?

In spite of Madison's logic and vigor the house adopted on November 11, 1784, the following resolution designed to carry out Henry's plan:

"That the people of this Commonwealth, according to their respective abilities, ought to pay a moderate tax or contribution annually, for the support of the Christian religion, or of some Christian church, denomination or communion of Christians, or of some form of Christian worship."

Nevertheless, Madison was able to postpone the third and final reading of the subsequent bill tailored to implement the resolution's intention. Only the determination and resourcefulness of Madison in his op-

position and the election of Henry to Virginia's governorship on November 17 prevented this assessment bill from becoming law in 1784.

Madison used to advantage the delay which his efforts had won. With the endorsement of Mason and Nicholas he prepared between sessions and circulated in June and July of 1785 the remarkable "Memorial and Remonstrance."

The epochmaking document, which I will quote in part, was divided into an introduction and 15 succeeding points:

*"To the Honorable the General Assembly of the Commonwealth of Virginia:*

"We, the subscribers, citizens of the said Commonwealth, having taken into serious consideration a bill printed by order of the last session of general assembly, entitled 'A bill establishing a provision for teachers of the Christian religion,' and conceiving that the same, if finally armed with the sanctions of a law, will be a dangerous abuse of power, are bound as faithful members of a free State to remonstrate against it, and to declare the reasons by which we are determined. We remonstrate against the said bill—

"1. Because we hold it for a fundamental and undeniable truth 'that religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence.' The religion, then, of every man must be left to the conviction and conscience of every man and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right.

"2. Because, if religion be exempt from the authority of the society at large, still less can it be subject to that of the legislative body.

"3. Because it is proper to take alarm at the first experiment on our liberties. \* \* \* Who does not see that the same authority which can establish Christianity in exclusion of all other religions may establish, with the same ease, any particular sect of Christians in exclusion of all other sects? That the same authority which can force a citizen to contribute 3 pence only of his property for the support of any one establishment may force him to conform to any other establishment in all cases whatsoever?

"4. Because the bill violates that equality which ought to be the basis of every law, and which is more indispensable in proportion as the validity or expediency of any law is more liable to be impeached. If all men are by nature equally free and independent, all men are to be considered as entering into society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights. Above all, are they to be considered as retaining an equal title to the free exercise of religion according to the dictates of conscience.

"5. Because the bill implies either that the civil magistrate is a competent judge of religious truths or that he may employ religion as an engine of civil policy. The first is an arrogant pretension, falsified by the contradictory opinions of rulers in all ages and throughout the world; the second, an unhallowed perversion of the means of salvation.

"6. Because the establishment proposed by the bill is not requisite for the support of the Christian religion. To say that it is, is a contradiction to the Christian religion itself, for every page of it disavows a dependence on the powers of this world.

"7. Because experience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of religion, have had a contrary operation. During almost 15 centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less, in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both,



superstition, bigotry and persecution. Inquire of the teachers of Christianity for the ages in which it appeared in its greatest luster; those of every sect, point to the ages prior to its incorporation with civil policy.

"8. Because the establishment in question is not necessary for the support of civil government. If it be urged as necessary for the support of civil government only as it is a means of supporting religion, and it be not necessary for the latter purpose, it cannot be necessary for the former. If religion be not within the cognizance of civil government, how can its legal establishment be necessary to civil government? \* \* \* Rulers who wished to subvert the public liberty, may have found an established clergy convenient auxiliaries. A just government, instituted to secure and perpetuate it, needs them not. Such a government will be best supported by protecting every citizen in the enjoyment of his religion with the same equal hand which protects his person and his property by neither invading the equal rights of any sect, nor suffering any sect to invade those of another.

"9. Because the proposed establishment is a departure from that generous policy which offering an asylum to the persecuted and oppressed of every nation and religion, promised a luster to our country, and an accession to the number of its citizens. What a melancholy mark is the bill of sudden degeneracy? Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of citizens all those whose opinions in religion do not bend to those of the legislative authority.

"10. Because it will have a like tendency to banish our citizens. The allurements presented by other situations are every day thinning their number. To superadd a fresh motive to emigration by revoking the liberty which they now enjoy would be the same species of folly which has dishonored and depopulated flourishing kingdoms.

"11. Because it will destroy that moderation and harmony which the forbearance of our laws to intermeddle with religion has produced among its several sects. Torrents of blood have been spilt in the Old World in consequence of vain attempts of the secular arm to extinguish religious discord by proscribing all differences in religious opinion.

"12. Because policy of the bill is adverse to the diffusion of the light of Christianity. \* \* \* Instead of leveling, as far as possible, every obstacle to the victorious progress of truth, the bill, with an ignoble and un-Christian timidity, would circumscribe it with a wall of defense against the encroachments of error.

"13. Because attempts to enforce by legal sanctions, acts obnoxious to so great a proportion of citizens tend to enervate the laws in general, and to slacken the bands of society.

"14. Because a measure of such singular magnitude and delicacy ought not to be imposed without the clearest evidence that it is called for by a majority of citizens and no satisfactory method is yet proposed by which the voice of the majority in this case may be determined, or its influence secured.

"15. Because, finally, the equal right of every citizen to the free exercise of his religion, according to the dictates of conscience, is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot be less dear to us; if we consult the declaration of those rights which pertain to the good people of Virginia as the basis and foundation of government, it is enumerated with equal solemnity, or rather with studied emphasis.

"We, the subscribers, say that the general assembly of this Commonwealth have no such authority. And in order that no effort

may be omitted on our part against so dangerous an usurpation, we oppose to it this remonstrance earnestly praying, as we are in duty bound, that the Supreme Lawgiver of the Universe, by illuminating those to whom it is addressed, may, on the one hand, turn their councils from every act which would affront His holy prerogative or violate the trust committed to them; and, on the other, guide them into every measure which may be worthy of His blessing, redound to their own praise, and establish more firmly the liberties, the prosperity, and the happiness of the Commonwealth."

The influence of this document was widespread not only in Virginia but throughout the other Colonies.

A letter of Madison's describes the profound local effect. He writes that the "remonstrance" met with "the approbation of the Baptists, the Presbyterians, the Quakers, and a few Roman Catholics, universally; of the Methodists in part; and even not a few of the sect; that is, the Anglicans—his own religion incidentally, formerly established by law." The Presbyterians adopted a strong memorial against the assessment bill specifically referring to the fact that it would be unfair to the Jews, as it provided for only one religion, Christianity. The general association of Virginia Baptists was even more extreme in its denunciation of Henry's proposals.

It can be said without exaggeration that Madison's Remonstrance so stimulated the Virginia electorate that not only did the assembly reject the assessment bill in the session of 1785 but it moved to adopt by a margin of 67 to 20 the bill establishing religious freedom, which had been prepared by Thomas Jefferson and introduced into the Virginia Assembly as early as June 13, 1779.

The ferment overflowed Virginia's boundaries and helped stifle attempts in other Colonies to siphon public funds into the regular support of the churches.

Madison overlooked few opportunities to advance the principles of his Remonstrance.

His first amendment to the Constitution reads in part:

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Madison wished to go further and proposed an amendment which would protect the principles of religious freedom and separation of church and state not only from Federal encroachment but also from State intervention. That failed to win acceptance, but it illustrates the extraordinary vision of this statesman. His proposal had anticipated by 134 years the Supreme Court's application of the 14th amendment in Meyer against Nebraska (1923) to freedom of religion.

The religious minorities had no greater friend than James Madison. In his youth he heard with deep compassion the sermon of a Baptist minister from the only pulpit legally available to him—the window of a jail.

In his old age, after retirement from the Presidency, he received a letter containing the following tribute from a member of the Jewish faith in New York:

"I ought not to conceal from you that it affords me sincere pleasure to have an opportunity of saying that to your efforts and those of your illustrious colleagues in the convention the Jews in the United States owe many of the blessings which they now enjoy, and the benefit of this liberal and just example has been felt very generally abroad and has created a sincere attachment toward this country on the part of foreign Jews."

Madison's influence on our Nation's progress toward freedom of religion and its corollary, separation of church and state, was both extensive and enlightened. He is unexcelled among our forefathers for logi-

cal and consistent development of the constitutional ideal of religious freedom.

In conclusion, I wish to quote again from the immortal George Washington, who, in his first inaugural address, said:

"It would be peculiarly improper to omit in this first official act my fervent supplications to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a Government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to his charge."

The debate of the issue of Federal aid to church schools can be a vital and dynamic contribution to the President's New Frontier program, if it challenges the willingness of our people to prove by their personal conduct that the motto on our coins, "In God We Trust," is something more than a political shibboleth.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "And Forbid Them Not," published in the Washington Evening Star of June 26, 1962, relating to the decision of the Supreme Court relative to prayer in the public schools of New York.

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

[From the Evening Star (Washington, D.C.), June 26, 1962]

#### "AND FORBID THEM NOT"

Jesus, according to St. Luke, remonstrated with his disciples and said: "Suffer little children to come unto me, and forbid them not." Little children may not approach Him, however, through the public schools of New York. Six Justices of the Supreme Court have forbidden it.

At issue was this brief nondenominational prayer: "Almighty God, we acknowledge our dependence on Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country." This prayer had been composed by the State board of regents and was recited each morning in at least some of the schools.

Had any child been required to recite the prayer, the Court would have had every reason to forbid it. But this was not the case. Those who did not wish to participate were not even required to be present when the prayer was recited. Thus, the real effect of the Court's ruling is to prohibit children who might wish to do so from reciting the prayer. And this in the name of freedom of religion.

The first amendment says that Congress shall make no law respecting an establishment of religion, the founders having in mind the established Church of England and similar early efforts in some of the colonies. But would the recital of this simple prayer, as recommended by a State agency, be equivalent to enacting a law respecting an establishment of religion? Of course not, and Justice Black, speaking for the majority, was obliged to concede that it does not amount to a "total establishment of one particular religious sect to the exclusion of all others." In our opinion it does not remotely approach this. Nor does it bear any rational relationship to the religious struggles of 200 or 300 years ago.

In his dissent, Justice Potter Stewart noted that the Supreme Court begins each day by invoking the protection of God. Its crier importunes: "God save the United States and this honorable Court." How long will this be tolerated? And what about the prayers

which are said each day in the House and the Senate. Does this contravene the first amendment?

Justice Stewart also noted that "The Star-Spangled Banner" was declared to be our national anthem by an act of Congress in 1931. Yet its third stanza reads:

"Blest with victory and peace, may the heav'n rescued land  
Praise the Pow'r that hath made and preserved us a nation!  
Then conquer we must, when our cause it is just,  
And this be our motto 'In God Is Our Trust.'"

Perhaps this could be substituted in New York for the proscribed prayer. But, on second thought, maybe it would be better not to suggest it. The Supreme Court some day might rule that Congress, in its act of 1931, passed a law respecting an establishment of religion, and that the national anthem, therefore, is unconstitutional. Farfetched? We are not so sure.

Mr. ROBERTSON. Mr. President, we all regret the untimely death of our friend and distinguished colleague from South Dakota, Mr. Case. His earthly remains were carried to their final resting place today, accompanied by a number of our colleagues, including our friend from Mississippi [Mr. STENNIS]. The Senator from Mississippi was deeply upset, as a number of us were, by the Supreme Court decision; and before he left Washington he prepared a memorandum which he asked that I present for him to the Senate. In that memorandum, he said:

STATEMENT BY SENATOR STENNIS

I have the conviction that people all over the country who rejoice in the spiritual heritage of this Nation were shocked, as I was, to learn that the Supreme Court has held that the permissive daily recital of a simple nondenominational prayer by public-school children breached the constitutional wall of separation of church and state. The prayer thus condemned by our highest Court did nothing more than acknowledge the pupils' dependence upon an Almighty God and ask His blessings upon them, their parents, their teachers, and their country. Only those who desired to do so joined in the recitation of this prayer; no compulsion was involved.

It is not my purpose or intent at this time to challenge point by point the rationale of the majority opinion in this case. However, I could hardly believe my eyes when I read that the Court had held that the prayer, even though admittedly nondenominational, and even though participation in it was admittedly voluntary, violated the first amendment, which merely prohibits the Congress from passing a law "respecting an establishment of religion, or prohibiting the free exercise thereof."

With all respect, I think the Court has utterly misconceived a great constitutional principle. I, for one, cannot comprehend how a religion is established by permitting schoolchildren who wish to do so to say a simple prayer. It is my belief that by this decision the Court has twisted freedom of religion into a quarantine against religion.

I submit that it offends both reason and logic to contend that the now outlawed prayer in any manner resulted in the establishment of any religion. The prayer is nonsectarian and nondenominational. The opinion of the Court concedes that participation in it is without compulsion. Under these circumstances few will believe that any real question of the church dominating the state is involved, and I have always been of the opinion that this was the basis of the constitutional provisions upon the subject.

If there was any question of sectarianism involved, or any issue of favoring one religious group over another, the situation, of course, would be entirely different. All we have here, however, was a conscientious effort to permit children who wished to do so to say that they believed in an Almighty God and to call forth His blessings. The Court has denied this right and the implications of its decision are enormous.

This, of course, is not the first time that the Court has departed so far from established constitutional concepts. There is a remedy, however, for the American people. It is by the process of a constitutional amendment, and I am today introducing an amendment designed to right the wrong which the Court has perpetrated. I realize, of course, that this is a delicate subject and one which needs and deserves careful study. However, I am convinced that, if necessary, my amendment can be perfected so that our constitutional guaranty of freedom of religion will be retained but will not in the future be allowed to become an instrument for the suppression of religion.

The voice of the people is already welling up in all of the corners of this Nation in protest against this decision, and I predict that the necessary amendment will be adopted by the Congress and ratified by the States quickly and decisively. The voice of those who believe in the spiritual heritage of this Nation and in the existence of a Supreme Being will be heard in an ever-swelling chorus.

Perhaps as never before in history we need today the comfort and support of moral and spiritual values. We here in the Senate do not deny ourselves the edifying effect of the eloquent prayers of our Chaplain. They give us faith and strength for our daily tasks. The children of our public schools, on a permissive basis, should not be denied the same privilege which we have established for ourselves. We should act promptly to fill the void in the spiritual life of our children which will exist by reason of the Court's decision.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a Senate joint resolution prepared by the Senator from Mississippi [Mr. STENNIS] proposing an amendment to the Constitution of the United States to permit the use of prayer in public schools.

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

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PERMIT THE USE OF PRAYER IN PUBLIC SCHOOLS

*Be it 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 hereby 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. No provision of this Constitution or any article of amendment thereto shall be construed to prohibit nondenominational religious observance through the invocation of the blessing of God or the recitation of prayer, as a part of the activities of any school or other educational institution supported in whole or in part from public revenues, if participation therein is not made compulsory.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legis-

latures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. ROBERTSON. Mr. President, on behalf of the Senator from Mississippi [Mr. STENNIS], I introduce the joint resolution which I send to the desk and ask to have appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 204) proposing an amendment to the Constitution of the United States to permit the use of prayer in public schools, introduced by Mr. ROBERTSON (for Mr. STENNIS), was received, read twice by its title, and referred to the Committee on the Judiciary.

VISIT TO THE SENATE BY HIS EXCELLENCY DR. GUILLERMO LEON VALENCIA, PRESIDENT-ELECT OF THE REPUBLIC OF COLOMBIA

Mr. SPARKMAN. Mr. President, we are honored today by the presence of the distinguished President-elect of our neighbor republic to the South, Colombia, His Excellency Dr. Guillermo Leon Valencia.

It has been our pleasure to have His Excellency before some of the members of the Latin American Affairs Subcommittee of the Committee on Foreign Relations during lunch. We have had quite an interesting discussion with him.

At this time, Mr. President, I wish to present to the Senate His Excellency Dr. Guillermo Leon Valencia, the President-elect of the Republic of Colombia. We are delighted to have him with us.

[Applause, Senators rising.]

Mr. AIKEN. Mr. President, I join the Senator from Alabama in extending greetings to the President-elect of the Republic of Colombia, Dr. Valencia, and also to Ambassador Carlos Sanz de Santamaria, who is in the Chamber with us at this time.

Colombia, as we all know, is one of the countries with which we are most closely associated with one with which our future is closely bound. It is perhaps unfortunate that His Excellency the President-elect and the Ambassador are visitors to the Senate today, when there is little opportunity to show them the United States Senate in action, but at least those of us who are now present extend to them our heartfelt greetings and express the hope that it will not be long before we shall have an opportunity to greet them again.

Mr. HUMPHREY. Mr. President, I join with my colleagues, the Senator from Alabama and the Senator from Vermont, in the expression of welcome and what we hope will be the extension of the finest hospitality to this distinguished gentleman, the President-elect of the Republic of Colombia. Some of us have been privileged to have a personal visit with President-elect Valencia. We have found him to be an extremely able, dedicated public servant who is fully cognizant of the many problems facing our two countries and, indeed, the entire world. It is very gratifying to know that the citizens of the great Republic of



Colombia have seen fit to elect as President a man who is dedicated to the institutions of democracy and of political freedom.

Mr. President, we are sorry to know that the wife of the President-elect at present is in one of our great medical hospitals, Johns Hopkins. We express to this distinguished lady the good wishes of the people of the United States and of the U.S. Senate for her complete and early recovery and for all good health in the future. I am sure I speak for every Member of this body when I express these sentiments.

Mr. President, so that our colleagues may be informed, I ask unanimous consent that the press release by the Department of State relating to the visit to the United States by the President-elect of Colombia may be printed in the Record at this point.

There being no objection, the press release was ordered to be printed in the Record, as follows:

VISIT TO THE UNITED STATES OF AMERICA OF THE PRESIDENT-ELECT OF COLOMBIA, JUNE 1962

His Excellency Dr. Guillermo Leon Valencia, President-elect of the Republic of Colombia, will visit the United States beginning June 20. He and Mrs. Valencia have come to the United States for medical treatment at Johns Hopkins Hospital in Baltimore, Md. Mrs. Valencia will enter the hospital on June 21 and President-elect Valencia will do so on June 27 after an informal visit to Washington for discussions with Government officials.

President-elect Valencia will arrive in New York City on June 20. On June 21 he will accompany Mrs. Valencia to Johns Hopkins Hospital in Baltimore and then return to New York City. The President-elect will arrive in Washington on June 23.

During his stay in Washington President-elect Valencia will see President Kennedy, congressional leaders, and other Government officials. On June 25 he will lay a wreath at the Tomb of the Unknown Soldier, attend a luncheon in his honor given by President Kennedy at the White House, and a reception given by Acting Secretary of State George W. Ball at Blair House.

He will return to Baltimore for medical treatment on June 27.

President-elect Valencia was born in Popayan, Colombia, on April 27, 1909. He studied law at the University of Cauca and, with his father, founded the newspaper Claridad in Popayan in 1933. The President-elect served in the national house of representatives, in the national senate, and as Ambassador to Spain prior to his election as President on May 6, 1962.

He and Mrs. Valencia have two sons and two daughters.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate may stand in recess for 5 minutes, so that Senators may express their greetings to the President-elect.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

Thereupon, (at 2 o'clock and 26 minutes p.m.) the Senate took a recess, pursuant to the unanimous-consent agreement.

The Senate being in recess,

His Excellency, Dr. Guillermo Leon Valencia, President-elect of the Republic of Colombia, accompanied by Amba-

sador Extraordinary and Plenipotentiary Dr. Carlos Sanz de Santamaria, was escorted to the well of the Senate, where he was greeted by the Members of the Senate, after which he and the Ambassador retired from the Chamber.

Thereupon, (at 2 o'clock and 31 minutes p.m.) the Senate reassembled when called to order by the Presiding Officer (Mr. Moss in the chair).

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3161) to provide for continuation of authority for regulation of exports, and for other purposes, which was, to strike out all after the enacting clause and insert:

That section 12 of the Export Control Act of 1949 is amended by striking out "June 30, 1962" and inserting in lieu thereof "June 30, 1965".

Sec. 2. Section 1(b) of the Export Control Act of 1949 is amended to read as follows:

"(b) The unrestricted export of materials without regard to their potential military and economic significance may adversely affect the national security of the United States."

Sec. 3. Section 2 of the Export Control Act of 1949 is amended by inserting "of the United States" immediately before the period at the end thereof.

Sec. 4. Section 3(a) of the Export Control Act of 1949 is amended by adding at the end thereof the following new sentence: "Such rules and regulations shall provide for denial of any request or application for authority to export articles, materials, or supplies, including technical data, from the United States, its territories and possessions, to any nation or combination of nations threatening the national security of the United States, unless the President shall determine that such export does not make a significant contribution to the military or economic potential of such nation or nations which could prove detrimental to the national security and welfare of the United States."

Sec. 5. Section 5 of the Export Control Act of 1949 is amended by striking out "one year" and inserting in lieu thereof "two years".

Mr. HUMPHREY. Mr. President, on behalf of the Senator from Virginia [Mr. ROBERTSON], I move that the Senate disagree to the amendments made by the House, and I move that the Senate ask a conference with the House on the disagreeing votes of the two Houses on the bill and that the conferees on the part of the Senate be appointed by the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Presiding Officer appointed Mr. ROBERTSON, Mr. SPARKMAN, Mr. DOUGLAS, Mr. CAPEHART, and Mr. BENNETT conferees on the part of the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HICKEY in the chair). Without objection, it is so ordered.

WHITE HOUSE MANIPULATION OF NEWS MEDIA

Mr. BENNETT. Mr. President, I ask unanimous consent that an article which appeared in the New York Times for May 9 written by its noted columnist, James Reston, appear in the Record following my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. BENNETT. Mr. Reston, who can hardly be regarded as unfriendly to the Kennedy administration, calls attention to what I believe is one of the serious dangers to our form of government, caused by domination of all forms of the news media by President Kennedy. As Mr. Reston points out, this is a result not only of the importance of the Presidency in our form of government but more importantly because of the conscious policy adopted by the Kennedy administration to dominate the news.

The dangerous results of the Kennedy manipulation of the news media has again been dramatically illustrated in the handling of the President's all-out political speech in support of his medicare program delivered at Madison Square Garden. This purely political speech was carried free by all the major networks, while the doctors were compelled to pay for their reply.

Mr. Reston concludes his discussion of the political propaganda tactics of the Kennedy administration by citing the great danger which this poses:

As this trend continues, the dangers are obvious. The opposition can continue to express its feelings on the floor of the Congress, probably in the presence of a handful of Members and spectators, but the President has an audience of millions at his command any day he likes. It is not a situation that promises to maintain a political balance of power in the United States.

Since Mr. Reston wrote his article, the White House has gone to still further lengths to control and manipulate the news. The New York Herald Tribune was completely banned from the White House when the President canceled the famous 22 subscriptions. This was done because the White House did not approve of the manner in which the Herald Tribune presented the news to its readers. Certainly the President has the right to read or not to read any paper he may wish, but it is shocking that he would completely ban the newspaper from the White House, and thereby prevent even members of his staff from reading it. What is yet more shocking is that the White House would deliberately publicize the fact that it had canceled the Herald Tribune subscriptions. Quite obviously, this was intended to be a warning to other newspapers that they had better present the news in a manner acceptable to the President, or they too would be publicly censured.

This episode even moves so liberal a columnist as Robert Spivack to object to the petty petulance displayed by the White House, and I ask unanimous consent that his article appear in the Record following my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. BENNETT. As if these events were not enough, the White House shorthand expert, Jack Romagna, who has transcribed Presidential statements and press conferences for over 20 years, was unceremoniously fired. Judging from newspaper accounts, he was thrown out because he dared to caption a Presidential statement made by telephone to a national convention of mayors in Florida, as emanating from the White House swimming pool.

I agree with Mr. Reston that the present White House policy of not only managing, but also manipulating and dominating the news, poses a serious threat to our republic. The goal of the Kennedy administration to dominate all forms of news media to the near exclusion of the administration's critics, establishes a dangerous precedent which in the hands of a President with totalitarian ambitions could be disastrous.

#### EXHIBIT 1

[From the New York Times, May 9, 1962]  
HOW TO OVERBALANCE THE POLITICAL SCALES  
(By James Reston)

LOS ANGELES, May 8.—The increasing power of nationwide mass communications is obviously working to the political advantage of the Kennedy's.

Not only is the President dominating the political news on national television, but his only competition in the national magazines seems to be his wife, Jacqueline.

The big, colorful magazine racks in the streets of Los Angeles today illustrate the point, Harper's magazine proclaims from its front cover "The Kennedy's Move In on Dixie." The cover on McCall's carries a picture of Mrs. Kennedy and her two children, and The Saturday Evening Post advertises "A Feminine Chat With Jackie." In fact Mrs. Kennedy's only competition at the moment seems to come from Gov. Nelson Rockefeller of New York on the cover of Newsweek, and from Nikolai Lenin, of all people, on the cover of Look.

On top of all this, the advent of a nationally circulated daily and weekly press is clearly adding to this trend. The Wall Street Journal is already publishing 5 days a week on the Pacific coast and circulating the National Observer on Sunday. The New York Times will start publishing 6 days a week in Los Angeles in the autumn, and this is already having a visible effect on the Pacific coast daily press.

They are increasing their coverage of national and international news. They are adding more nationally syndicated columns, most of them originating in Washington, and all this gives the President an even wider audience than he had before.

#### KENNEDY'S TECHNIQUES

This is something new in American political life. Franklin Roosevelt had national radio and the will and ability to use it effectively. But he didn't have television. Harry Truman and Dwight D. Eisenhower had both radio and television but used them sparingly and kept the Washington press corps in formal channels.

President Kennedy, however, is exploiting all the new mass communications. He had

an audience of 85,000 for a speech at the University of California the other day. Over 200,000 turned out to see him in New Orleans last week. He was all over the TV screens from Atlantic City today. Tomorrow his press conference will be televised nationally, and after that it will be a big Presidential rally in Madison Square Garden, with many of the stars of Hollywood and the New York theater as his supporting cast.

This conscious policy of dominating the news is apparent enough in Washington, but it is even more striking out here—especially in the absence of a popular national figure in the political opposition.

Former President Eisenhower has receded into the well-earned and agreeable shadows of retirement. Governor Rockefeller is still a remote regional figure at this distance, and even former Vice President Richard M. Nixon, showing off his new house to the press here last night, seemed less of a national figure than he did when he came to within 100,000 votes of the Presidency a little over a year ago.

This is a serious problem for the Republican party. It is being overwhelmed in the field of publicity, which is the battleground of presidential politics. The Democrats have passed power from the men born in the 19th century to the new generation born in the 20th, and the GOP has not. Also, the Republicans have to deal not only with an articulate young President in the White House but with the whole Kennedy clan.

Not since the days of Teddy Roosevelt and his "Princess Alice" has there been anything like it, and the Teddy Roosevelts didn't have instant communication with the whole continent. But now the Kennedys are getting more publicity than the Prime Minister and the Queen of England combined.

Some of this publicity is of course adverse, particularly in the national business and financial papers, and especially since the steel price controversy. But the mass circulation magazines are treating the Kennedys like a royal family and overwhelming the voice of the smaller critical journals.

#### THE NEWSMAKER

It is true, of course, that the President has usually dominated the news in all generations. What he says and does command the front pages, even if he does not open the White House and its staff to the press and TV reporters, but there is a new dimension now.

As the daily newspaper goes national, many of the large city newspapers that used to concentrate on local news have to move into the world to meet their competition. And Kennedy, being an astute politician, is exploiting the trend as much as he can.

As this trend continues, the dangers are obvious. The opposition can continue to express its feelings on the floor of the Congress, probably in the presence of a handful of members and spectators, but the President has an audience of millions at his command any day he likes. It is not a situation that promises to maintain a political balance of power in the United States.

#### EXHIBIT 2

[From the New York Herald Tribune, June 10, 1962]

#### LIBERAL'S VIEW: CREEPING CENSORSHIP (By Robert G. Spivack)

(Robert G. Spivack's column appears every Sunday in the Herald Tribune Forum section. He is a liberal who agrees, in general, with the objectives and programs of the Kennedy administration. In this extra column, Mr. Spivack raises sharp, challenging questions—about the President's relations with the press and the press' handling of the President.)

WASHINGTON.—A large segment of the Washington press corps is disappointed, even

angry, with President Kennedy. But you would never guess this if you watched his most recent televised news conference.

Superficially everything seemed harmonious. The President looked tense and tired to many newsmen in the room with him. But on television he looked healthy and happy.

How much the televised press conference affects public opinion is difficult to measure, but in terms of accuracy, it has become a gay deceiver. There are many ways in which the televised news conference gives a distorted picture of what is really taking place in Washington.

For this, a large share of the responsibility goes to the White House staff who seem to view the news conference as a stage production; even the questions on occasion seem to have been planted among a select handful. Newsmen, too, must accept a share of responsibility for the decline of the press conference.

They should be protesting the surroundings in which it is held. Certainly their questions should be phrased more sharply and self-discipline should make them avoid trivia.

#### WHY THE DISMAY?

What is the basis for the widespread dismay in the press corps? Two recent events have brought it to the surface, although any number of incidents have helped to build up resentment. Specifically:

The summary firing of competent Jack Romagna as chief White House stenographer, after 21 years of faithful service to Presidents Roosevelt, Truman, and Eisenhower seemed a brutal action.

The President's decision to cancel not only his own subscription to the New York Herald Tribune, but 21 other subscriptions, could only leave the impression that he is now deciding the reading habits of his associates.

There is a joke making the rounds in Washington these days. "President Kennedy," it goes, "firmly believes in the right to dissent. In fact, he will tell you what you can dissent about."

In a way that tells the story of the administration and its use of the press. It also helps explain some of the deterioration in relations. Another cause is that some members of the press corps who have allowed themselves to be used are now beginning to have second thoughts about their relations with the administration.

The newspaperman, whether a columnist, a correspondent, or a stringer in some remote outpost, must retain his independence, his dignity, and sense of worth. If a politician favors a reporter with a beat it is natural enough to feel gratified. But simply because a man leaks a story, for whatever motives, does not automatically endow him with angelic qualities or make him the fountainhead of all wisdom.

Unfortunately, when a President honors some reporters with his presence, or with a story, they fall all over themselves. They even assume their assignment is henceforth to defend the man's every action and to protect him from hostile questioners.

This leads, as it has in the Kennedy administration, to an unhealthy relationship. Thus many newspapermen, who know better, did not protest the midnight calls from G-men to reporters who were covering a phase of the big steel story.

The President compounded that blunder by trying twice to laugh it off.

#### OTHER DEFICIENCIES

The President's press conference is deficient in other respects. Unlike President Eisenhower, who stood on the same floor level with the newspapermen, President Kennedy insists on being elevated on a rostrum. The questioner must thus look up to him and he looks down at the newsmen.

The auditorium in which the conference is held is cavernous, more like a large theater



than a room in which one might engage in give-and-take with the Chief Executive as in the Truman and Roosevelt days.

At his latest news conference the President used 10 precious minutes reading a statement that could have been mimeographed and handed out at the White House.

Although there were heated discussions by newsmen in the outer hall about the Romagna and Herald Tribune episodes when they came into the conference auditorium not one of the regulars asked a question about either. Whether it was the presence of the cameras, or the experience of previous complaints from the White House, or the grim look on Mr. Kennedy's face, they blew the big stories.

A solution, perhaps, to this creeping censorship would be that the press corps request an end to the televised press conferences under the present circumstances. The omnipresence of the cameras, among other things, seems to be inhibiting the newsmen. This is no service to the public, or the press, or, I suspect, in the long run to Mr. Kennedy himself.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### THE LATE SENATOR CASE, OF SOUTH DAKOTA

Mr. CARROLL. Mr. President, I want to express my deep sense of loss at the passing of our colleague, Senator Francis Case, of South Dakota. We had known one another since I first entered the Congress in 1947, when he also was a Member of the House, and our wives and families are good and warm friends.

Senator Case was one of the most competent Members of this great body. He was highly regarded by us all for his skill and his diligence. He was an honest, courageous, and dedicated public servant in the truest sense of those words. He never shrank from a fight on behalf of his high principles and firm convictions, and he never allowed partisanship to obscure his sense of fairness and propriety.

Those of us from Western States will always be indebted to Senator Case for his leadership in matters concerning development of natural resources in our region. He contributed much to the Nation with his work on weather modification research, desalination of water, highway problems, synthetic liquid fuels, including development of oil from shale, and similar matters which are of great concern to our region.

But the Nation as a whole always occupied first place in his thinking, and this was reflected in his outstanding work as a member of the Armed Services and Public Works Committees.

He was indeed a U.S. Senator from South Dakota in the full meaning of those words. He represented both his State and the Nation, and he did a fine, workmanlike job on behalf of both. We will miss him.

On behalf of Mrs. Carroll and our daughter, I wish to express our deepest, heartfelt sympathy to Mrs. Case and her family in this time of bereavement.

Mr. HUMPHREY. Mr. President, I join with the distinguished junior Senator from Colorado in the expression of sympathy and condolences to Mrs. Case, her daughter, and other members of the family of our late beloved colleague, Senator Francis Case, of South Dakota. South Dakota is my native State, and it has surely been ably represented in the U.S. Senate.

Senator Case stood as a symbol of personal and political integrity. His record is one of great courage and dedication to the public interest. We shall miss this fine public servant, as will the people of his State.

I am most pleased to be able to associate myself today with the generous, yet factual and true remarks of the Senator from Colorado.

Mr. ANDERSON. Mr. President, like the able Senator from Minnesota, I am glad to associate myself with the remarks of the distinguished Senator from Colorado. I hope that fitting recognition will be made of the many worthwhile contributions he made to the public welfare both on the committees of which he was a member and in the Senate itself.

For example, Francis Case was a leader in the study of the production of artificial rainfall. Also, his work in the field of desalination of water was extremely important. One of the first two plants established in connection with the brackish water development is located in his State of South Dakota and stands as a tribute to the work of Senator Case in that situation.

Having attended college with him and having known him for a long time, I regarded him as one of the finest men ever to serve in this body.

I am glad the Senator from Colorado has made the statement he has made today, in which he was joined by the able Senator from Minnesota.

Mr. CARROLL. Mr. President, I thank the Senator from Minnesota and the Senator from New Mexico for their kind remarks. I feel certain that the family of Senator Case will be pleased to know that on this day, when the funeral is taking place in South Dakota, we who would have liked to attend, but could not because of circumstances beyond our control, desired to make these few remarks to the family during their time of sorrow.

#### AMENDMENT AND EXTENSION OF SUGAR ACT OF 1948

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1591, H.R. 12154, the amendment and extension of the Sugar Act of 1948, as amended, which has now been reported, and that it be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H.R. 12154) to amend and extend the provisions of the Sugar Act of 1948, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment.

#### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, June 26, 1962, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 860. An act to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes;

S. 1834. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended, by providing for an increase in the authorization funds to be granted for the construction of hospital facilities in the District of Columbia; by extending the time in which grants may be made; and for other purposes;

S. 3063. An act to incorporate the Metropolitan Police Relief Association of the District of Columbia;

S. 3266. An act to amend section 2 of the act entitled "An act to create a Library of Congress Trust Fund Board, and for other purposes," approved March 3, 1925, as amended (2 U.S.C. 158), relating to deposits with the Treasurer of the United States of gifts and bequests to the Library of Congress and to raise the statutory limitation provided for in that section;

S. 3291. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury;

S. 3350. An act to amend the act of August 7, 1946, relating to the District of Columbia hospital center to extend the time during which appropriations may be made for the purposes of that act; and

S.J. Res. 192. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

#### ADJOURNMENT

Mr. HUMPHREY. Mr. President, there being no further business to come before the Senate today, I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 27, 1962, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 26, 1962

The House met at 12 o'clock noon.

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

Job 22: 21: *Acquaint now thyself with Him and be at peace; thereby good shall come unto thee.*

O Thou who art the help and hope of all who come unto Thee with their trials and tribulations, their sorrows and sins, may we offer our noonday prayer in faith and humility, in simplicity and sincerity.

We penitently acknowledge that without Thy sustaining presence and power our life ebbs out its little day in futility and frustration, in weakness and weariness.

May we be assured that the Master's spirit of love and peace will someday be gloriously triumphant despite devastating revolutions and world-shaking crises.

In His name we offer our prayer.  
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. 7723. An act to amend section 303 (a) of the Career Compensation Act of 1949 by increasing per diem rates and to provide reimbursement under certain circumstances for actual expenses incident to travel.

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. 3840. An act to provide for the conveyance of certain real property of the United States to the Carolina Power & Light Co.; and

H.R. 8773. An act to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes.

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

H.R. 11879. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. KERR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

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

S. 1912. An act to increase the appropriation authorization for the completion of the construction of the irrigation and power systems of the Flathead Indian irrigation project, Montana.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 11131) entitled "An act to authorize certain construction at military installations, and for other purposes," 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. JACKSON, Mr. ENGLE, Mr. CANNON, Mr. BEALL, and Mr. GOLDWATER to be the conferees on the part of the Senate.

#### THE PRAYER ROOM IN THE U.S. CAPITOL

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 584 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That there be printed fifty-four thousand four hundred additional copies of House Document Numbered 234, Eighty-fourth Congress, first session, entitled "The Prayer Room in the United States Capitol", of which forty-four thousand one hundred copies shall be for the use of the House of Representatives and ten thousand three hundred copies shall be for the use of the Senate.

With the following committee amendment:

Strike out all after the resolving clause and insert:

*Resolved*, That there be printed fifty thousand additional copies of House Document Numbered 234, Eighty-fourth Congress, first session, entitled "The Prayer Room in the United States Capitol", of which forty thousand copies shall be for the use of the House of Representatives and ten thousand copies shall be for the use of the Senate."

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

Mr. HAYS. I yield to the gentleman from Pennsylvania.

Mr. WALTER. In view of the decision handed down by the Supreme Court yesterday, does not the gentleman feel that perhaps we are violating some of the tenuous provisions that the Supreme Court has placed in the Constitution of the United States? I certainly do not feel that we ought to violate the provisions of the Constitution by providing for the printing of any documents with respect to the Prayer Room.

Mr. HAYS. I might say to the gentleman, I operate on the theory that everything is OK until the Supreme Court rules against it, and they have not ruled against this, so I think we are safe.

Perhaps someone will bring suit, but in the meantime we have nothing to worry about.

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

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

Mr. GROSS. I am pleased to note that the Supreme Court overnight has not outlawed prayer in the House of Representatives.

Mr. HAYS. I think the House can run its own business. It has done so rather successfully in the past.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### SEVENTY-FIFTH ANNIVERSARY OF THE INTERSTATE COMMERCE COMMISSION

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 651, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That there be printed as a House document the proceedings in observance of the seventy-fifth anniversary of the Interstate Commerce Commission.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### SELECT COMMITTEE ON SMALL BUSINESS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Concurrent Resolution 454 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there shall be printed for the use of the Select Committee on Small Business, House of Representatives, three thousand additional copies each of parts I, II, and appendixes of "Hearings on Small Business Problems Created by Petroleum Imports", Eighty-seventh Congress, first session.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### COMMITTEE ON VETERANS' AFFAIRS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 476 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there shall be printed for the use of the Committee on Veterans' Affairs one thousand additional copies of the hearings entitled "Judicial Review of Veterans' Claims", Eighty-seventh Congress, second session.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### PRINTING OF REPORT OF THE PUBLIC HEALTH SERVICE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 480 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That the report of the Public Health Service of the Department of Health, Education, and Welfare, entitled "Motor Vehicles, Air Pollution and Health", prepared in compliance with the provisions of Public Law 86-493, be printed



as a House document; and that ten thousand additional copies be printed for the use of the Committee on Interstate and Foreign Commerce of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### SENATE COMMITTEE ON THE JUDICIARY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 69 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary one thousand additional copies each of parts 1 and 2 of its hearings on "Constitutional Rights of the Mentally Ill", and one thousand copies of its hearings on "Wiretapping and Eavesdropping Legislation", held by its Subcommittee on Constitutional Rights during the Eighty-seventh Congress, first session.*

The resolution was concurred in.

A motion to reconsider was laid on the table.

#### COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Concurrent Resolution 413 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities four thousand additional copies of a publication entitled "Supplement to Cumulative Index to Publications of the Committee on Un-American Activities—1955 through 1960 (Eighty-fourth, Eighty-fifth, and Eighty-sixth Congresses)", Eighty-seventh Congress, first session.*

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Concurrent Resolution 415 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities two thousand additional copies of the publication entitled "Cumulative Index to Publications of the Committee on Un-American Activities, 1938-1954", Eighty-fourth Congress, first session.*

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Concurrent Resolution 417, a copy of which I send to the desk, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities twenty thousand additional copies each of parts 1 and 2 of House Report Numbered 1278, Eighty-seventh Congress, first session, entitled "The Truth About the Film 'Operation Abolition'."*

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HAYS. Mr. Speaker, I would like to say that all of these resolutions which have just passed were reported from the Committee on House Administration unanimously, and the ranking minority member, the gentleman from Ohio [Mr. SCHENCK] was present.

#### SUBCOMMITTEE ON IRRIGATION, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation of the House Committee on Interior and Insular Affairs be permitted to sit during general debate this afternoon.

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

There was no objection.

#### SUPREME COURT DECISION ON PUBLIC SCHOOL PRAYER

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. TAYLOR. Mr. Speaker, yesterday the Supreme Court ruled that a New York public school prayer was an unconstitutional breach of the law of separation of church and state. Recently in a Pennsylvania case a three-judge Federal court ruled that reading the Bible and reciting the Lord's Prayer as an opening exercise in a public school were unconstitutional acts.

I find myself agreeing with Justice Stewart who said in his dissenting opinion that the Court has misapplied a great constitutional principle.

Our forefathers meant for this Nation to be free from religious domination but they were people of religious faith and fervor and I believe that they would be amazed at this decision.

Freedom of religion was not intended to mean freedom from religion.

Dr. Billy Graham, my neighbor and constituent said:

Followed to its logical conclusion, we will have to take the chaplain out of the Armed Forces, prayers cannot be said in Congress and the President cannot put his hand on the Bible when he takes the oath of office.

And I might add that we would have to take the Bible from the courtroom and "In God We Trust" from our coins, "One Nation Under God" from the pledge of allegiance to the flag, and prohibit the use of religious songs in school music programs.

This decision is not in the best interest of America. It is far reaching and is dangerous in its implications. Public education should be infused with some measure of religious faith. As we combat atheistic, militant communism we need to often remind students that the guiding principle of this Government has been and is "In God We Trust."

In line with this thinking, this morning I introduce an amendment to the Constitution which if approved by Congress and adopted by three-fourths of the States, would overrule the Supreme Court decision, and would make legal the reading of the Bible and offering of prayer in public schools.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. ABERNETHY. Mr. Speaker, the decision of the Supreme Court of yesterday, to which my friend from North Carolina [Mr. TAYLOR] has just referred, should once again demonstrate to the Nation that an unbridled Court has the power to destroy this country as well as faith in God upon which the country was founded.

The Court's decision was shocking to the world. Of course, it was most pleasing to a few atheists and world communism under the leadership of Premier Khrushchev.

I presume, Mr. Speaker, that we violated the law and insulted the Court this morning when we opened this session with prayer. It is to be hoped that Justices Warren, Black, Clark, Brennan, Douglas, and Harlan will not cite the Members of this House and its beloved Chaplain for contempt of court.

Indeed, if there has been any doubt in the minds of Members of Congress that the Court should be trimmed down to size in power, the decision of yesterday should have dispelled all doubt. Appropriate legislation is pending before the Congress to calm the power grab of these power-drunken men. We should lay aside all else until this job is attended to.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. WALTER. Mr. Speaker, the decision of the Supreme Court about which we heard last night comes as no surprise to me. This is just one more decision in line with the philosophy guiding the group of men sitting there as the Justices of our Court of last resort. They have been handing down similarly motivated decisions for a long while. As an example—just yesterday the Supreme Court upset the conviction of a Communist who was indicted for contempt of Congress and was evidently in contempt. At the same session, using almost identical language, the Supreme Court sustained the conviction of a labor racketeer who also was convicted of contempt of Congress.

I defy anybody to distinguish between these two cases.

Why was this decision as it was? Because the Supreme Court is determined to prevent the Congress of the United States from doing what we are obliged to do. Unfortunately, it is our own fault that the Supreme Court successfully invades our prerogatives. Several years ago a decision was handed down by the same Court in the case of *Cole* against *Young*, where the Court very clearly legislated. There is no question about it.

I introduced a bill designed to correct the situation. I was accorded a hearing, and—nothing was ever done about it.

There are more instances where the Supreme Court has overstepped its bounds and asserted for itself legislative prerogatives. I want to remind the ladies and gentlemen of this Congress that this beloved Republic of ours is as great as it is because of the jealousy each branch of the Government has displayed in protecting its own prerogatives.

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. POFF] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. POFF. Mr. Speaker, I want to join in the sentiments so eloquently expressed by the distinguished gentleman from Pennsylvania [Mr. WALTER], the chairman of our Judiciary Subcommittee.

The decision outlawing nondenominational prayer in the public schools is akin to the decision announced by the Court last year which held that it is unconstitutional for a sovereign State to establish a qualification for public office in that State "a belief in the existence of God." These two decisions represent a complete departure from established practice and precedent in American jurisprudence.

In my judgment, as someone has already said, the first amendment guarantees freedom of religion, not freedom from religion.

This prayer, which was completely nondenominational and nonsectarian, did no more than acknowledge the existence of an omnipotent being. The Supreme Court itself opens each of its sessions with the words "God save the

United States and this honorable Court." If the logic—or lack of logic—of this decision is carried to its ultimate extreme, then the Court undoubtedly soon will abolish this part of its ritual.

Mr. Speaker, may I inquire if this decision outlaws the invocation and benediction at high school graduation ceremonies?

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. PELLY. Mr. Speaker, I wish to join with other Members of Congress and register my indignant protest at yesterday's Supreme Court ruling against use of a prayer in our public schools.

The High Court's rule that use of a teacher to lead pupils in prayer is a violation of the Constitution causes me to express my belief that this interpretation is carrying the constitutional provision for separation of church and state too far.

The Constitution does not outlaw God. On the contrary it guarantees freedom of religion. I feel a State school authority has the right to establish a procedure of prayer providing, of course, the prayer is nondenominational.

Certainly the Court was in error. I agree with the dissenting opinion of Justice Potter Stewart that such prayer is not establishment of an official religion. There was no compulsion on a pupil to join in the prayer which simply said:

Almighty God, we acknowledge our independence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. JONAS] may extend his remarks at this point in the Record.

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

There was no objection.

Mr. JONAS. Mr. Speaker, the first amendment to the Constitution provides, among other things, that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The New York State Board of Regents adopted the following prayer for use in the public schools:

Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

The Supreme Court of the United States has just held, in effect, that this amounts to an "establishment of religion" and therefore violates the first amendment to the Constitution.

Justice Stewart of the Supreme Court dissented from this decision and stated that he thought "The Court has misapplied a great constitutional principle." I concur in these views expressed by Justice Stewart and deplore the action of

the Supreme Court in denying schoolchildren an opportunity to recite a nondenominational prayer.

I was shocked and distressed at this decision and will support a constitutional amendment to permit prayers to be recited in the public schools.

In these troubled times, it seems to me that we should be encouraging instead of discouraging prayer.

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. BECKER. Mr. Speaker, I want to join with the three previous speakers, my colleagues, in referring to the Supreme Court decision on yesterday. This is not the first tragic decision of this Court, but I would say it is the most tragic in the history of the United States and June 25, 1962, will go down as a black day in our history.

I have introduced a resolution to amend the Constitution that would permit prayer in all schools and I sincerely hope that it will receive immediate consideration by the committee responsible. I ask that fast action to correct the situation be started, so that we can have the voice of Almighty God not only in the Chambers of the Congress of the United States, where we need His guidance and wisdom, but in our schools in all parts of our country.

This was not an interpretation of the Constitution but once again writing law. The Supreme Court has been doing this in many decisions and unless the Congress takes drastic action, the Supreme Court will eventually rule that the Congress has no right to open our daily sessions with prayer. Let us show the American people that the Congress can act expeditiously in this all important matter.

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. KORNEGAY. Mr. Speaker, the decision of the U.S. Supreme Court in the case of *Engle* against *Vitale*, the New York Regents Prayer case, which was handed down yesterday, is very disturbing and distressing to me. The Court in this case held that a prayer which was used in the public school system of New York was an unconstitutional breach of the law of the land in that it violated the first amendment to the Constitution.

The prayer was very simple in its form, and it is inconceivable to me that it could have been offensive to anyone in that it merely asked God's blessing on the parents, teachers, and country, and acknowledged dependence upon God.

This decision should be disturbing to all God-fearing people in that it appears to foster and advance the cause of atheism. I am a staunch believer in the



separation of church and State but not in the separation of God and government. The Constitution was conceived and written, and this Government was established and promoted, by men of great faith in the Supreme Creator, under whom we all serve, including, I trust, the members of the Court. The faith of our forefathers was instilled in them at an early age, and we have the obligation to see that succeeding generations are not deprived of this sustaining faith and influence and that our deeply rooted and vitally cherished spiritual traditions are not made moot and meaningless.

My early training, education, and experience compel me to raise my voice in protest to this most regrettable and far-reaching decision by the Court. In an effort to correct this unfortunate decision, I am today introducing in the House of Representatives an amendment to the Constitution of the United States, which, if approved by Congress and adopted by three-fourths of the States, will correct this lamentable situation and return to the schoolchildren of America the right to have God's blessings asked on their parents, their teachers, and their country.

#### INVENTORIES OF STRATEGIC AND CRITICAL MATERIALS

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, yesterday when the House was considering extension of the Defense Production Act, I pointed out that I believed it was important that our committee hold further hearings on the act.

Our national stockpile and the Defense Production Act inventories of strategic and critical materials were accumulated to provide our country with a store of vital materials needed for defense and the essential civilian economy in event of enemy attack. Needs which had been set in terms of 5-year requirements subsequently were reduced to 3-year requirements. Because the accumulation program for the acquisition of these essential strategic and critical materials was pressed vigorously and was successful, we now find ourselves in the position of having substantial stockpile excess materials due almost completely to the fact of the change in basic planning requirements reducing needs from a 5-year to 3-year requirements program. Now we are faced with a substantial disposal problem.

Mr. Speaker, I think the Symington committee sideshow investigation is missing the boat. Instead of developing a brush-fire operation to the main tent Billie Sol Estes headliner, the Symington committee should be doing some commonsense, honest thinking about a worthwhile disposal program.

To my way of thinking we have a real opportunity in a disposal program. Our

partners in the common defense effort against the Soviet war potential, no less than ourselves should have real and urgent need for stockpiles of critical and strategic materials of their own. It seems logical they would welcome an opportunity to acquire substantial volumes of these materials and pay for them, perhaps in part, in gold. Certainly the opportunity exists for a worthwhile exchange on a mutually advantageous basis and thoroughly in keeping with the intent of the stockpile acts that these materials be accumulated to meet defense and essential civilian needs in the event of enemy attack.

Mr. Speaker, I think our committee should resume hearings on the Defense Production Act and thoroughly explore the possibilities of such a disposition proposal. I am convinced in my own mind that our committee has a fine opportunity to make a real contribution to the common defense effort of our free nation allies.

#### SUPREME COURT DECISION ON PRAYER IN PUBLIC SCHOOLS

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. JENSEN. Mr. Speaker, as a Republican in this House for 24 sessions, only 4 of which my party was in power, I have gotten quite used to being in the minority.

I have not always relished the circumstance, but I have endured it. However, due to yesterday's shocking Supreme Court ruling, I am sure I have not become one of a new minority.

I had always thought we could safely assume that acknowledgment of a Supreme Deity was somehow a universal common ground in this blessed land.

I am horrified that six supreme jurists now think such recognition has no place in the schools, where formative guidance is so important.

This is deliberate annihilation of a historical and sacred custom. I pray for America and its honorable Court.

#### STATE DEPARTMENT PROPAGANDA

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. HARSHA. Mr. Speaker, I see by an article in today's Washington Post that the State Department is urging all-out administration resistance to a mail ban on Communist propaganda.

I have today written the Secretary of State asking if this is his position on the Red ban and also asking him to disclose the names of those officials in the Department who are urging the defeat of this ban.

Such an attitude as this is certainly further evidence of the no-win or appeasement policy of the State Department in its dealings with communism.

I have urged the Secretary of State, in the interest and welfare of this Nation, if he is opposed to this ban, to change his position and adopt one of firmness toward communism.

Neither the Reds, nor the uncommitted world respect appeasement or weakness, but they do respect strength and firmness and if we are to win the cold war, we must be firm in our dealings with communism and stop this capitulation.

To eliminate this ban on Red propaganda in the postal rate bill would, in effect, make the American taxpayer subsidize the continuing distribution of this material.

It is inconceivable to me to ask the American taxpayer to finance the distribution of this propaganda designed to destroy our freedom and country.

We are spending more money on defense than ever before in the history of our country. Why? To deter Communist aggression. We spend over \$140 million annually in the U.S. Information Agency to combat Communist propaganda. It is ridiculous to subsidize the distribution of this very same propaganda by allowing it to be delivered free through the facilities of the Post Office Department.

When will these State Department officials wake up?

The SPEAKER. The time of the gentleman has expired.

#### SUPREME COURT DECISIONS

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. JOHANSEN. Mr. Speaker, I direct the attention of the House to the fact that there were at least two decisions by the Supreme Court on yesterday.

The upshot of the two decisions seems to be: prayer, no; obscenity, yes.

#### SUPREME COURT DECISION ON PRAYER IN PUBLIC SCHOOLS

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, there has been a great deal of disturbance about the decisions of the Supreme Court that were announced yesterday. Every Member of the House ought to read the case of Marbury against Madison decided in the early days of this Republic. You will find there the one possible loophole that could cause the failure of this Republic; it is the ability and the power of the Supreme Court to declare unconstitutional any act they desire to, and there is no appeal from it.

I introduced a resolution some time ago lodging in the Congress of the United States the same power to override decisions of the Supreme Court declaring acts unconstitutional that we have to override the veto power of the executive department of this Government. I would urge the Members of this Congress to look into that, because if we get that power in the Congress then there will not be need for a lot of empty words when one of these decisions comes out; we can act, and act promptly to cure the situation.

#### EXTENSION OF CERTAIN EXCISE TAXES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11879) to provide a 1-year extension of existing corporate normal tax rate and of certain excise tax rates, and for other purposes, with Senate amendments thereto, disagree to the amendments of the Senate and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

The Chair hears none and appoints the following conferees: Messrs. MILLS, KING of California, O'BRIEN of Illinois, MASON, and BYRNES of Wisconsin.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL, 1963

Mr. NATCHER. 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. 12276) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1963, and for other purposes; and pending that I ask unanimous consent that general debate on the bill be limited to 2 hours, one-half to be controlled by the gentleman from Arizona [Mr. RHODES] and one-half by myself.

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

There was no objection.

The SPEAKER. The question is on the motion.

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. 12276 with Mr. PRICE 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 consent agreement the gentleman from Kentucky [Mr. NATCHER] will be recognized for 1 hour and the gentleman from Arizona [Mr. RHODES] for 1 hour.

The gentleman from Kentucky is recognized.

Mr. NATCHER. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, at this time we present for your approval the annual District of

Columbia appropriations bill for the fiscal year 1963.

During our hearings, we carefully considered budget estimates totaling \$299,134,478. The President's budget submitted in January requested \$265,697,712 for the operation of the District of Columbia. Shortly thereafter, the District Revenue Act—Public Law 87-408—was enacted and two House documents were submitted. House Document No. 376 requested \$30,537,666 additional funds, and House Document No. 401 requested \$2,899,100.

The new Revenue Act will produce \$13,800,000 in 1963 and \$11,800,000 in subsequent years. The increase in 1963 added to other revenue increases approved by the Commissioners will produce the additional amounts contained in the House documents.

For the fiscal year 1962, we appropriated the sum of \$270,067,897 for the District. This amount compares favorably with the amount requested in the budget submitted in January. The decision of the District government to request an increase in certain taxes and to take action in raising other taxes, such as the tax on real estate, thereby placed the total request for the operation of the Capital City in the category of being the largest spending budget in the District's history. The final amount approved and now recommended to the committee is the largest amount ever recommended by our committee.

The District of Columbia is financed out of five funds: a general fund, a highway fund, a water fund, a motor vehicle parking fund, and a sanitary sewage fund.

The bill presented today provides for a Federal contribution of \$30 million for the general fund, \$1,938,000 for the water fund, and \$961,000 for the sanitary sewage works fund. The Federal payment requested for the general fund totaled \$32 million and the amount recommended by our committee is \$30 million. This is the amount approved for fiscal year 1962, and is an increase of \$5 million over the amount appropriated for fiscal year 1961.

A Federal loan of \$18.7 million for the general fund is requested and approved by our committee. This loan will exhaust existing loan authorization of \$75 million. Legislation is pending before the proper committee requesting additional loan authorization of \$75 million.

For fiscal year 1963 we recommend a total appropriation of \$290,059,000. Of this amount, \$237,546,000 is for operating expenses and \$52,513,000 is for financing "Capital outlay" projects. The amount we recommend is \$19,991,103 above the 1962 appropriation and \$9,075,478 below the budget estimates for 1963.

We recommend \$16,005,000 for "General operating expenses" during fiscal year 1963. This is \$536,340 above the current year and a reduction of \$368,000 in the budget estimates. For "Public safety" we recommend the sum of \$57,560,000. This is an increase of \$1,869,373 over fiscal year 1962 and a reduction of \$568,000 in the estimates. For "Education" we recommend \$56,817,000. This

is an increase of \$2,610,890 over the current year and a reduction of \$953,000 in the budget estimate. For "Parks and recreation" we recommend \$8,377,000. This is an increase of \$272,400 over 1962 fiscal year and a reduction of \$36,000 in budget estimates. For "Health and welfare" we recommend a total of \$66,528,000. This is an increase of \$4,232,910 over the current year and a reduction of \$1,633,000 in budget estimates. For "Highways and traffic" we recommend a total of \$11,470,000. This is an increase of \$565,900 over 1962 fiscal year and \$70,200 less than budget request.

For "Capital outlay" we recommend a total of \$49,713,000. This is an increase of \$6,455,100 over current year and a reduction of \$5,220,278 in budget estimates.

#### CAPITAL CITY

Our Capital City continues to be faced with a large public welfare caseload, a difficult crime situation, and increasing governmental costs.

Washington is one of the most beautiful cities in the world and should be a model city in every respect. It is the symbol of democracy for men and women the world over.

Today we are confronted with sudden shifts in population in certain sections of our city, and rapid movement to the suburbs of large numbers of middle and upper income families. Further increases in the real estate tax in the District will drive more people to the suburbs.

We have our transportation, highway, housing, education, welfare, and delinquency problems. A city with a great many old and very young people. A city with 32,575 people receiving welfare assistance, and with 116,420 school-children.

A city reporting 21,802 serious crimes in fiscal year 1961. All serious problems, but not insurmountable.

#### RESERVE FUNDS

For the first time since I have been a member of the Committee on Appropriations, we have established an adequate reserve, both for the general fund and for the highway fund. The budget requests submitted called for a reserve of \$1,488,000—\$350,000 for indefinite appropriations and \$1,138,000 for pending legislation pertaining to shorter hours for firemen, transit subsidies, and increased pensions for the widows and children of policemen and firemen. This is excellent budgetary procedure and we approve of this reserve request. In addition, we have increased the general fund reserve surplus \$3,060,544. This makes a total surplus of \$4,548,544. This surplus can be used to meet the interest on stadium bonds, provide for additional amounts which may become necessary for St. Elizabeths Hospital, and for possible salary increases for District employees. We also recommend the highway fund regular account surplus of \$1,675,382 which we have established. This amount is sufficient to meet indefinite appropriations proposed by the Department of Highways and Traffic and is adequate to continue highway programs held in abeyance pending additional studies and necessary arrangements for solution of removal of displaced citizens.



## METROPOLITAN POLICE DEPARTMENT

The citizens of the District of Columbia are entitled to a system of law enforcement which will insure them the right to enjoy their homes and business and to traverse the streets day or night without fear of assault. The same applies to the 17 million visitors to Washington each year, who, by the way, spend some \$380 million in the District during their stay in the city. For fiscal year 1963 the amount requested by the Metropolitan Police force is \$26,999,800. We recommend that the entire amount be appropriated; 56 additional police privates and 25 man-dog teams will be provided. This will bring the force up to a total strength of 2,900 and the Canine Corps up to 75 man-dog teams. The amount requested will also provide seven additional civilian employees and three precinct replacements. The best deterrent against crime is the foot patrolman. In order to have a more efficient police force, more foot patrolmen must be assigned to the precincts where the crimes are being committed.

The continuing increase in crime in the District must be halted, and our Capital City must not be a haven for law violators. Pressure groups must stop interfering with law enforcement, and our courts should keep in mind that the rights of the people must be protected as well as those of the law violator.

## WELFARE

The public assistance program in the District is in trouble. The disclosure that 66 percent of the 280 aid-to-dependent-children cases selected at random were ineligible for welfare payments is shocking and adequate warning that the welfare program must be overhauled.

The Department of Public Welfare administers all public assistance programs in the District. They include the four federally aided categories of the aged, the blind, the disabled, and dependent children. In addition, the Department administers a program of general public assistance at District expense.

We are in need of a new or adjusted public welfare program. Cost of such a program certainly has not been established. Corrective plans should be carefully studied and the cost firmly fixed in order that this committee may have a much better understanding of such a proposal than the one submitted at the close of the hearings. We recommend that the \$43,488 requested by the Department to restore the reduction made in the grants to the 2,440 families be refused. We believe that the Director should have additional personnel in his office to assist in the operation of this Department. We recommend five of the seven positions requested. Funds are approved for 10 investigator positions and an additional investigator for collections has been allowed. The total number of inspectors now on the rolls should be able to see that ineligible are discovered and, when reported, the Director must see that they are immediately deleted. We recommend \$21,856,000 for the operation of this Department. This is a reduction of \$1,337,700 in the budget requests.

The welfare problem is the most serious problem confronting the District today. Under no circumstances should children in the city go hungry or qualified welfare recipients suffer, but at the same time we are definitely not in favor of making this a welfare city.

## INNER LOOP HIGHWAY PROGRAM

The rivalry between the partisans of rapid transit and the proponents of the highway program is dangerous to the future development of the city. The proposed freeway system for the District is not a political issue and those who believe this to be the situation are in for a rude awakening. The confusion and disorder attempted by the pressure groups during the last few weeks will not accomplish the desired results. Our committee is very much concerned about the thousands of people who might be displaced by certain sections of the inner loop and we further are of the opinion that every consideration should be given to any and all proposed routes for the inner loop. Relocation problems must be solved by the Commissioners before the highway system can go forward. Again we most emphatically state that those who are opposed to highways and hope the temporary delay in the inner loop program will destroy the freeway system should be disappointed. Our committee is not a policymaking committee, and the testimony received during the hearings clearly justified our deletion of the three controversial sections of the inner loop—the east leg, interchange C, and the Northeast Freeway. The amount for the deleted sections totals \$1,166,700 and the surplus that we set up in the highway fund regular account totals \$1,675,382. This reserve should be carefully protected.

## FIRE DEPARTMENT

We enjoy in the District an excellent rating for fire prevention and protection. Washington, Detroit, and Los Angeles are rated by the Board of Underwriters as the top three cities from the standpoint of fire prevention. This is the kind of record that can be attained by the Welfare and Police Departments in carrying out their respective duties and responsibilities. We recommend the increase of \$806,000 in this Department for use in covering the cost of 84 additional firemen and other essential services and equipment.

## LIBRARY

The Central Library must be relocated. The present location at Eighth and K Streets NW. is deplorable and certainly is not conducive to the full use of a central library. A location that makes it necessary for employees to go to their cars at night in groups of two or more for protection against assault and robbery should not be condoned. This project should be placed high on the priority list, and time is of the essence.

## PERSONNEL

In 1958 the District had 23,163 employees. In 1962 the personnel totaled 26,200. For 1963 the number of new positions requested totaled 1,223. It would require \$5,300,000 for the new positions requested; 298 are requested to improve services or to inaugurate new

programs; 925 are considered vital to maintain present standards of operation; 12 positions are requested for the juvenile court and will include 2 new judges; 6 positions are requested for the Corporate Counsel's office to implement Public Law 87-413; 84 firemen are necessary to effect the reduction in the work-week for firemen from 60 to 56 hours, which was approved under Public Law 87-399. The number of new police patrolmen requested totals 56, and 297 new teachers are requested. We recommend only those absolutely necessary at this time, and some 500 new positions are denied.

## DISTRICT STADIUM

A bond issue was presented to the public in June of 1960 which realized the sum of \$19,800,000. A premium of \$31,600 was received in sale of bonds, and accrued interest of \$140,000 received. The total was then invested until required for payment to the contractor, and this action produced \$460,000. The total funds available were \$20,400,000.

The Armory Board estimates its earnings for the year will be \$200,000. The first 6 months' interest totaled \$415,800 and the Commissioners were compelled to borrow this amount. Another \$415,800 in interest will be due on December 1, 1962.

One of the Commissioners suggested that the present situation would call for a tax increase or an additional amount by way of Federal contribution. Under no circumstances should the taxpayers of the District be given another tax boost to defray the cost of this mistake.

## EDUCATION

We recommend all budget estimates for the purchase of textbooks for new schools. In addition, the bill provides \$419,000 for the purchase of books. In fiscal year 1962, \$283,000 was appropriated for books.

The amount requested for "Education" is \$57,770,000. We recommend the sum of \$56,817,000 for 1963. New teachers, totaling 297, were requested and we recommend that 193 be granted for the new fiscal year. When considering additional teachers over and above the number recommended, we must remember Dr. Hansen's testimony to our committee, which appears on page 684. Here we find that the number of temporary teachers continues to increase in the District. The percent of temporary teachers has increased from 16.4 in 1955 to 32.1 in 1962. The reason for the shortage of licensed teachers in the District is given, and further, Dr. Hansen stated that on the national level, 240,000 additional teachers are needed. Recruitment of teachers for the District is one of our serious problems. The number of new teachers recommended for 1963 is fully adequate under the circumstances existing today. Every capital outlay project for education is approved. Here we have 13 new schools, replacements, additions, and permanent improvements. The requests of the Education Department were carefully considered and for the first time in years the committee has recommended almost the entire amount requested and the amount suggested is fully adequate.

## DEPARTMENT OF PUBLIC HEALTH

The amount requested is \$44,554,400 and the amount recommended is \$44,269,000. Here we have a reduction of only \$285,400.

District of Columbia General Hospital has heretofore received the sum of \$925,000 for final plans for a central core which will integrate the existing pulmonary, medicine, and surgery buildings into a rectangular solid mass by filling in the space between them with new construction and to renovate and expand the present outpatient building to provide an up-to-date, totally integrated obstetrical unit. At the hospital today the bed complement is 1,430. This includes 137 bassinets. The core building proper will increase that to 1,658. The consolidation will cost \$11,800,000. The amount necessary during fiscal year 1963 totals \$2,100,000. We recommend this project.

We recommend the inclusion of \$393,645 for the control of venereal disease. This is one of the major health problems in the District. Venereal disease rate in the District in the age group from 15 to 19 is 4,876 cases per 100,000 population. The median for the United States is 276.

## POLICE AND FIRE SURGEONS' CLINIC

Our committee conducted an investigation of the medical services program of the Fire and Police Departments. We make certain recommendations which appear on page 7 of our report. The committee urges that these recommendations be carried out to the full in the interest of good management.

Mr. Chairman, in addition to receiving testimony from the officials of the District, we had before us citizens of the District and representatives of the different organizations interested in the welfare of the Capital City. We carefully considered every request for fiscal year 1963.

Mr. Chairman, our committee recommends this bill to the Members of the House.

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

Mr. NATCHER. I will be delighted to yield to the gentleman from Florida.

Mr. SIKES. I am reluctant to break the continuity of my distinguished friend's statement, because it is a very good statement, but I would like to call the attention of the Committee to the fact that I listened also to the distinguished gentleman when he presented his bill to the Committee on Appropriations. I think he and his subcommittee have done a very able job. I should point out that there was considerably better attendance at the meeting of the Committee on Appropriations than there is here today, but that seems to be the way we legislate on appropriation bills, without too much interest on the part of the membership. And that is unfortunate. But let me say that today the gentleman is again making a very significant and important contribution, and he is doing it in extraordinarily good form. I particularly appreciate the gentleman's efforts to do something about the twin problems of crime and welfare growth which are giving the city of Washington an extremely bad name throughout the

Nation. I wholeheartedly support what the gentleman's committee is trying to do in this difficult field. I hope he has the kind of support that he needs from the city of Washington and the kind of support that he needs from the city's newspapers in the effort to change and improve the disheartening conditions which now exist in Washington. Crime is rampant and welfare is growing. This situation and the halfhearted efforts to control both are now becoming a national disgrace.

Mr. NATCHER. I wish to thank my good friend, the gentleman from Florida [Mr. SIKES], for his fine statement.

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

Mr. NATCHER. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Chairman, I too want to commend the gentleman from Kentucky [Mr. NATCHER] for the terrific job that he and his committee are doing. I think it is a shame and a disgrace and a reflection not so much on the Congress of the United States as it is on the people who are in charge of these various programs as to the situation which exists here. The gentleman is well aware—and I think the Members of Congress and the Nation are well aware—of the fact that in this District here as a result of recent investigations there has been brought out the fact of a pouring out of the tax funds of the people of the District of Columbia, as well as contributions made by the taxpayers generally of the Nation, approximately \$6 million a year, in a welfare program in violation of the law. I think it is time for the people of the District of Columbia who are always coming up here and saying "Give us this, increase this, and increase that"—it is about time that they began to function and discharge their duties, because there is no question about it: These things lie right at their door, and someone's head should roll because of the illegal expenditure of over \$6 million per year to these welfare recipients who under the law have not been entitled to receive payments.

Mr. NATCHER. I thank my good friend, the gentleman from Florida [Mr. HALEY], for his contribution.

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

Mr. NATCHER. I yield to the gentleman from Alabama.

Mr. ANDREWS. Mr. Chairman, I want to express my appreciation for the splendid way in which the chairman, the gentleman from Kentucky [Mr. NATCHER] has handled this bill. I know of the gentleman's great interest in trying to assist in bringing about a better situation in the Nation's Capital.

Mr. Chairman, I would like to ask the gentleman if there is provision made in this bill for additional police dogs?

Mr. NATCHER. I am delighted to inform my friend, the gentleman from Alabama [Mr. ANDREWS] that we recommend an addition of 25 man-dog teams in this fiscal year. This will make a total of 75 dog teams. I would like, further, to say to the gentleman from Alabama that of the 50 dog teams presently in operation in the District of Columbia today, we have not had to purchase a

single dog. The dogs have all been given to the Police Department. One of the fine ladies' organizations here in the District of Columbia, some 3 or 4 years ago spent over \$2,000 and purchased five dogs in Frankfurt, Germany. Those dogs are part of the force. We recommend 25 additional dog teams.

Mr. ANDREWS. If the gentleman will yield further, I wish to thank the gentleman for making that recommendation in this bill, and say that in my opinion we get more for the money spent for dogs than in any other way in trying to prevent crime in this city. I have talked to any number of policemen in the last few months who are handling these dogs, and they tell me that in this city dogs do more to preserve order than any other single thing. They say it is terrific what those dogs can do. There are certain people in this city who do not respect police officers, who do not respect guns, who do not respect razors or ice picks. But they have a profound respect for those dogs. I would like to see the time come when we have a dog on every block and a dog in every scout car.

Mr. Chairman, I want to thank the gentleman for looking after the dogs for the police department.

Mr. NATCHER. I thank the gentleman for his statement.

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

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

Mr. KYL. Mr. Chairman, the gentleman from Kentucky [Mr. NATCHER] should be thanked and complimented for an accomplishment in another direction. Along with other Members, I have felt that there has been too much legislating in the appropriation bill providing funds for the District of Columbia. I especially want to point out the efforts of the gentleman from Kentucky [Mr. NATCHER] in solving for this community and for the police force what has been a very serious problem. I would like to ask the gentleman from Kentucky if he might clarify a little exactly what we propose to do in this section of the bill regarding promotions of policemen, and so forth, through means outside the civil service system. This has been a very serious situation. The gentleman is to be complimented particularly for his efforts to straighten this matter out.

Mr. NATCHER. Mr. Chairman, I want to thank my friend for calling this matter to the attention of the House.

As you will recall, some 6 or 7 months ago a general statement was issued to the effect that beginning as of that time no longer would promotions be made in the District of Columbia appropriations bill. As my good friend from Iowa well knows the way to destroy the Metropolitan Police force is to have pressure promotions made from time to time. Promotions should be made from the civil service register and, under no circumstances should anyone be taken from No. 16 on a list and put to the top of the list and promoted. That I am glad to say to the Members is a thing of the past.

In the bill we have before us today you will notice a provision that is the same



as was carried last year concerning five police officers. Those men were heretofore promoted in appropriation bills. In the hearings this year we discussed this matter with the proper officials in the District and were informed that this provision would have to remain in the bill this year. I want my distinguished friend to know that these are not new promotions. These are the same promotions that were made last year and several years ago and have continued to be carried in the bill from time to time.

The suggestion has been made, I want to say to my friend from Iowa, that next year that provision will be deleted and in its place a provision carried in the conference report to the effect that these promotions were made and these men shall continue in the present category. I want the gentleman clearly to understand that these are not new promotions. It will no longer be in the bill after this year.

Mr. KYL. Mr. Chairman, I would like to say that the gentleman has done an excellent job in a very difficult situation.

Mr. NATCHER. Mr. Chairman, I thank the gentleman.

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

Mr. NATCHER. I yield to my friend, the distinguished gentleman from Iowa.

Mr. GROSS. First of all, I want to compliment my friend, the gentleman from Kentucky, on the fine presentation he has made and to join the gentleman from Florida [Mr. SIKES] in deploring the fact that there are not more here to hear the statement he is making. I want to compliment the committee too on the exhaustive hearing it has held. Hardly a stone was left unturned in the affairs of the District of Columbia that this committee did not explore. I would like to ask the gentleman, since he is on the subject of freeways, if I read in the hearings that the Southwest Freeway is supposed to be completed by mid-1962? It is mid-1962 now or awfully close to it. I wonder how much longer it will be before we can expect to see the Southwest Freeway completed? Does the gentleman have any information on it?

Mr. NATCHER. That matter was discussed at the time the highway officials appeared before our committee. We asked them the very same question that my distinguished friend from Iowa has just asked. They have assured us that they are behind a matter of months on this particular project, and it will not be completed within the time they indicated at the beginning, but it is in process of completion and we hope before the calendar year closes that it will be completed.

Mr. GROSS. Could the gentleman shed any light on this situation, and I do not find this in the hearings and it may be beyond the reach of the committee, but the taxpayers went down to Jones Point in Virginia and built this six-lane or eight-lane traffic bridge across the Potomac River, and yet we find Independence Avenue still carrying the same truck traffic from New York and other points along the eastern seaboard on south, and no relief from the heavy

traffic in Washington. It was my understanding when the Jones Point Bridge bill was voted through the House that when it was completed it would relieve Washington streets of through traffic but we find that the trucks and cars are still coming through the city. Is there no ingress to or egress from that bridge on the Maryland side of the river? What is wrong?

Mr. NATCHER. Not until after this freeway system has been resolved. During the past week, as the gentleman knows, we have had two traffic jams on Independence Avenue. It took some 40 or 50 minutes to get down to the park one afternoon, by virtue of changing the traffic down at the Department of Agriculture corner. As soon as this freeway system is resolved, I can say to the gentleman that that heavy traffic will come off Independence Avenue. The gentleman is exactly right, it should not be on there at this time.

Mr. GROSS. Well, somebody is fumbling the ball somewhere, that they have not diverted this through traffic over the Jones Point bridge. Is it that they do not have the roads in Maryland in anticipation of which this bridge was built? Something is wrong somewhere along the line and seriously wrong.

Mr. NATCHER. I would certainly agree with my friend, and I want to thank him for his comments.

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

Mr. NATCHER. I yield.

Mr. WHITTEN. I would like to say for the record that I think the District of Columbia as well as the Nation is extremely fortunate in having the gentleman from Kentucky, my good friend BILL NATCHER, chairman of this subcommittee. All of us know he is a member of several important additional appropriation subcommittees. He is the ranking member of the Agricultural Appropriations Subcommittee which is vital to his own area and on which I have the privilege of working with him. But this is the National Capital, it is something in which the whole Nation has an interest, and I think that the people in the city are extremely fortunate, and I know the Nation is, that BILL NATCHER has taken over this chairmanship. I congratulate him as well as those who serve with him on this fine presentation the gentleman has made.

Mr. NATCHER. I thank my friend from Mississippi.

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

Mr. NATCHER. I yield to the majority leader, Mr. ALBERT.

Mr. ALBERT. Mr. Chairman, I wish to join those who have complimented the gentleman for his excellent presentation. The Congress and the people of the District and of this country owe him and his committee a debt of gratitude for the fine job they have done.

Mr. NATCHER. I thank my friend from Oklahoma.

Mr. RHODES of Arizona. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the first time I have had occasion to help present this

bill without the presence of our good old friend and former colleague, Louis Rabaut. Louis was chairman of this subcommittee for many years and did, I think, an outstanding job for the District of Columbia. He was a Member of the House who was greatly beloved by us all. He has been missed greatly. However, I certainly want to add my words of commendation to the present chairman of this subcommittee, the gentleman from Kentucky [Mr. NATCHER]. In BILL NATCHER the District of Columbia has a staunch and effective friend.

I think the industry with which he approached his task and the fine ability with which he handled it is best attested by the fact that the gentleman from Iowa, the most thorough Member of the House of Representatives, probably the most thorough person who ever sat as a Member of the House of Representatives, has just said that the hearings were so well handled and the subject matter so well covered there was very little left to be said. I find myself in that position, too, after the presentation of our very able chairman of the subcommittee here on the floor of the House.

There is not much to be said except to reiterate the feeling that has been expressed here that Washington is a Federal city, the beloved Capital of our beloved country, that belongs to the constituents who live in my district as much as it belongs to the people who live here in the District of Columbia. All of us on this subcommittee have approached our task with the feeling that we are legislating not only for those who live in the District, but for those Americans who from time to time find themselves fortunate enough to be able to travel here to the seat of our Government, to be inspired by the beautiful buildings, the atmosphere, and the history which looks down upon every person who is able to come to the District of Columbia.

We feel very definitely that we want this city to remain worthy not only to be the Capital of the greatest country in the world, but a credit to the American people who have made this the greatest country in the world.

We are all ashamed, we are all possessed of a feeling of frustration when we read in the papers about the things which go on on the streets of Washington.

The chairman has reported the details which we have taken into consideration and the things which we provide in this bill to help the Police Department cope with this situation. He has also presented very completely and very fully the fact that the Welfare Department is undergoing a very difficult period in its history. As he has indicated, we are all willing to help in every way we can to get this Department through this very difficult period in its history.

When a situation such as the one described by the chairman occurs, where out of 280 cases on the welfare rolls taken at random, 66 percent should not have been there in the first place, you can see what we mean when we say the Department is in a difficult period of its history. You can see there is much to be done in weeding out those who for

reasons of their own have decided they would like to prey on the taxpayers of the District of Columbia by becoming welfare recipients without a legal right to become welfare recipients.

There is plenty of money in the District of Columbia, as there is in your district and mine, to take care of those who are deserving to be on the welfare rolls; but there is not money to take care of the chiseler, and we do not intend to tolerate the existence of the chiseler on the welfare rolls of the District.

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

Mr. RHODES of Arizona. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman's clear statement suggests lax administration somewhere. Do District officials contend they have not had enough money to properly administer relief? If so, has adequate provision been made for money in this bill for personnel?

Mr. RHODES of Arizona. When the Welfare Director was before the committee, he made a request for funds and positions. The chairman of the subcommittee asked him what priority he placed on these positions. The No. 1 priority was in his own office to go through the welfare records so that on the face of it, at least, each person who is on the roll would be entitled to be there. The reason he made this first is that in the investigation it was discovered that 10 cases of the 280 should not have been on the welfare rolls and would have been taken off by a perusal of the records in the office.

Yes, there has been some laxness in the office. Whether it was because of lack of personnel or whether it was because of improper blocking out of the areas of responsibility is anyone's guess.

The second priority was for investigators, people to go out and investigate cases which appeared to be regular on the face, but, which, after investigation might be discovered to be cases which should not be on the rolls at all; where there may have been a man living in the house or where the person who was the head of the family may have had a job, which would not entitle him to be on the welfare rolls, or for some other reason.

So, I say to my friend from Iowa I believe the necessary funds for supervision have been included in this bill and that we should expect a great improvement in the next year in the administration of the welfare program. If there is not, I for one will be greatly disappointed and will have some pointed remarks to say about those who would be responsible for it.

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

Mr. RHODES of Arizona. I yield to the gentleman from Florida.

Mr. HALEY. Would not the gentleman agree with me that a person who puts someone on the rolls, and had taken the time to put him on the rolls, certainly should have been knowledgeable enough to know what the laws were so that he would see that those laws were obeyed, and that the people were really

entitled to be on the rolls in the first place?

Mr. RHODES of Arizona. I think the gentleman from Florida is absolutely right. However, I think, with all due respect to the welfare worker, I should say this: There has apparently been a feeling in the Welfare Department that the first thing you do for an applicant is to put him on the rolls and then find out later whether he should be on. Now, I happen to think that is wrong, and I know the gentleman from Florida thinks it is wrong, and I think my chairman will agree with me that we made it abundantly clear in the hearings that we do not expect this to be done any more. We expect that this program will be handled with compassion; we expect that the human needs will be taken care of, where they fit under the laws under which the Department operates, but we do not expect any more people to be put on the welfare rolls and to be kept there without further study and without further investigation.

Mr. HALEY. Mr. Chairman, if the gentleman will yield further, has there been any request to the Congress or to your committee heretofore for funds before this situation arose? Has there been a request for funds to make this investigation? And, if there has not, why, at this late date, when everybody now is aware of the situation of millions of dollars having been expended illegally, has this been brought up for the first time? Do you not think that somebody in this welfare setup should be held responsible for it?

Mr. RHODES of Arizona. I will say to my good friend from Florida, if my recollection serves me right, we put additional investigators on during the last fiscal year, and therefore the idea of investigating to make sure that a welfare recipient should be on the rolls is not a new one. But, it is certainly receiving more emphasis now than it has in recent years. However, about 5 years ago an investigation was launched which resulted in the so-called man-in-the-house rule being adopted. So, this problem has received attention, but it needs more.

Mr. KYL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count; 51 members are present, not a quorum.

The Clerk will call the roll.

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

[Roll No. 129]

Addonizio	Dorn	Macdonald
Alford	Dulski	Mailliard
Anfuso	Farbstein	Martin, Nebr.
Bass, N.H.	Flood	Morrow
Bates	Flynt	Monagan
Berry	Gallagher	Morrison
Blatnik	Garland	Moulder
Blitch	Hagen, Calif.	Pilcher
Boykin	Hall	Powell
Brewster	Harrison, Va.	Pucinski
Buckley	Hoffman, Mich.	Reifel
Coad	Hollifield	Riley
Cramer	Horan	Robison
Curtis, Mass.	Jones, Mo.	Saund
Davis	Judd	Scherer
James C.	Kearns	Selden
Davis, Tenn.	Kowalski	Shelley
Diggs	Libonati	Smith, Calif.
Dingell	McSweeney	Spence
Dooley	McVey	Stratton

Stubblefield  
Teague, Calif.  
Teague, Tex.

Thompson, La.  
Thompson, N.J.  
Thompson, N.J.  
Wallhauser  
Wilson, Calif.  
Yates

Accordingly, the Committee rose; and Mr. ALBERT having assumed the chair as Speaker pro tempore, Mr. PRICE, 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. 12276), and finding itself without a quorum, he had directed the roll to be called, when 365 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Arizona [Mr. RHODES] is recognized.

Mr. RHODES of Arizona. Mr. Chairman, with reference to the Department of Education, I think it is worthy of note that the subcommittee has recommended all of the funds requested by the Board of Education for new construction. This will start the ball rolling to take care of such historic old eyesores as the Hine Junior High School and some of the other structures around the city which need to be renovated or replaced. It will also take care of certain new buildings where required by increase in population, shifts in population, and other reasons.

We also have provided all we feel the Board of Education can properly spend by way of acquiring new teachers and new personnel this year. The amount of money authorized and appropriated for that purpose will not only take care of our estimates for the need for increased teachers because of the increase in school population, but will also provide for a slight decrease in the pupil-teacher ratio of the District of Columbia schools.

In the Parks and Recreation Department we have also provided ample funds for continuing the very successful roving leader program. The roving leader program consists of some very dedicated people who have as their function in life to become acquainted with the young people of the District of Columbia in an attempt to lead them into areas and activities which are helpful physically and mentally, and to get them away from some of the types of activities which we characterize by the term "juvenile delinquency." These people are in the Recreation Department because this was thought to be the best place for them. They do a magnificent job, and in my opinion have a more decisive effect in solving the problems of youth than any other group of comparable size.

The chairman has covered the situation as far as the inner loop is concerned. Let me say that there is a study being made which is supposed to be completed in November as to the overall problem for mass transportation in the District of Columbia and in the immediate vicinity. But in the next breath, I would like to say this is not the only reason we have taken into consideration in failing to appropriate funds for the northeast leg of the inner loop, the east leg, and interchange C.

The chairman has capably pointed out in these hearings that there will be great



dislocation as far as people are concerned. There are many people whose houses will be torn down, who will have to move, if these particular legs are constructed along the present alignment. So we feel it is not only necessary to take a long look at the alignment, as far as economy is concerned, but we also think as far as human convenience, in fact human emotions, are concerned, it is necessary that we displace as few people as possible. We feel the interim period can be utilized by the legislative committee and by the District Commissioners in an attempt to provide legislation to take care of the burdens which will fall on those people whose lives will be dislocated as a result of the construction.

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

Mr. RHODES of Arizona. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I ask the distinguished gentleman from Arizona, is it contemplated by your subcommittee that you will put off indefinitely these two legs of the inner loop?

Mr. RHODES of Arizona. Our state of mind is something like this: We do not feel that we are a policymaking committee unless it becomes necessary for us to make policy. We feel the fact that two of the three District Commissioners came before our committee after having approved the budget with these legs in the budget and said they had changed their minds, that they had withdrawn their support from these legs, caused the red light to go on as far as we were concerned; and, therefore, it would be better for the type of committee that we are to give those who are engaged in the business of studying plans like this a chance to restudy the whole situation.

We were also told there might be a reasonable alternative route for the east leg which would take not only less money than the alignment which is now contemplated but would result in the displacement of no people, and also might well result, if the National Park Service will go along with it, in the development of the west bank of the Anacostia River to a point where it would be a much more attractive stream than it now is.

Mr. SPRINGER. May I say to the gentleman that our subcommittee had extensive hearings on this matter, and the Commissioners came before us and said they had withdrawn their support from the proposed plan at present; however, this is a very important part of the future of transportation in this city. Realizing this subcommittee of the Appropriations Committee is not a policymaking committee, I accept what the gentleman has said here today. It seems to me, though, we ought to push ahead as rapidly as possible with this entire inner loop if we are to meet the problem of the traffic conditions of the next 10 years, insofar as the District of Columbia is concerned.

Mr. RHODES of Arizona. As one member of the subcommittee, I agree with the sentiments expressed by the gentleman from Illinois. Let me state that there are sufficient funds available in the reserve fund mentioned by the chairman of the subcommittee to pro-

vide for construction of the legs of the inner loop if the District Commissioners decide. In fact, if they desire to make such allocations along these alignments, there are funds available for that, or for restudy of the alignments in case they decide to do so.

Of course, it will require a supplemental appropriation, but at the same time funds are available, if appropriated, to provide the wherewithal for these jobs.

Mr. GROSS. I will say to the gentleman that first things ought to come first, and in my opinion District officials ought to get the freeways now under construction to the point where they can serve the heavy burden of traffic before embarking upon other programs, if the new programs would tend to slow down completion of the freeways. We are in serious difficulty now because of the lack of completion of the freeways already started.

Mr. RHODES of Arizona. Of course, I would agree with the gentleman if that were the situation. However, I regret very much, again as one member of the committee, the necessity of reprogramming the rest of the inner loop, because the situation the gentleman mentioned is not exactly the case; in other words, the construction of the Southwest Freeway and the Southeast Freeway would in no wise have been inhibited by the continuance of the program of the rest of the inner loop. This will undoubtedly put the construction of the inner loop system back at least 1 year. We regret the necessity of doing it. We expressed ourselves rather graphically in the subcommittee hearings that we are displeased at the timing of the change in position of certain of the District Commissioners on this point.

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

Mr. RHODES of Arizona. I yield.

Mr. GROSS. I made the previous suggestion because I look at the new, new House Office Building, or whatever it is called, that has been under construction for what, 5 or 6 years? The Lord only knows when it is going to be completed. I do not know whether the appointment of Mr. McCloskey, the contractor, as ambassador to Ireland will tend to slow it down some more or not, but there is something radically wrong with the construction schedule of this building. I doubt that it took so long to build the Empire State Building in New York.

Mr. RHODES of Arizona. As the gentleman from Iowa said, this is not a subject with which this subcommittee deals, but I do think that his remarks are quite timely, because I, too, have been worried about the length of time it takes to construct buildings on Capitol Hill. The gentleman will remember that the other body built an office building which seemed to have taken an inordinately long time. I notice other buildings around Washington which have gone up in rather good time, built by the General Services Administration. I often wonder whether it would not be a good idea for the Congress, if it should—I do not know now why it ever would—decide to construct another building, why it

would not be a good idea to turn the job over to the General Services Administration and let them construct it. They have the best construction know-how in Government, and we should use them.

Mr. GROSS. And let Mr. McCloskey build bridges or divide the construction contracts among others so that he is not involved in everything and spread so thin that he cannot complete his jobs in a reasonable time.

Mr. RHODES of Arizona. Then gentleman from Iowa's points are well taken, as they always are.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield further?

Mr. RHODES of Arizona. I yield.

Mr. SPRINGER. May I say that the distinguished gentleman from Texas [Mr. Brooks] and his subcommittee held extensive hearings last fall on this and other related problems here in the District of Columbia. I testified before that committee with reference to a bill introduced by the gentleman from Wisconsin [Mr. Reuss]. This whole problem of traffic in Washington was gone into extensively. In connection with the problem brought out at that time and what was being undertaken, I thought the subcommittee was overlooking some facts that were relevant to the hearings and record that for the benefit of the House today.

Mr. Chairman, unless we are able, each year, to make some progress on the inner and outer loops, those particular problems in another 10 years will cause us to find ourselves in some real difficulty in the District of Columbia.

Mr. RHODES of Arizona. Mr. Chairman, there is another problem concerning the highway system of the District of Columbia which has been rather conveniently swept under the table for the last few years, and that is the manner by which the inner loop will be connected with neighboring Montgomery County, Md. The Wisconsin Ave. corridor has been well closed and locked by action of Congress. As far as I can tell, there have been no plans brought forth, and none contemplated, for connecting with the rather extensive system of roadways being built by the State of Maryland in Montgomery County.

Mr. Chairman, I hope that this problem will be the subject of study, and that the District Commissioners and the Highway Department will address themselves to these problems in the very near future.

Mr. Chairman, in closing I wish to point out again that we have provided a reserve fund in this bill. I for one—and again I am speaking as only one member of the committee—hope that the District Commissioners will save it. If they do not save it, I hope they will use it wisely. I might even say, and I certainly do not mean to be threatening anyone, that the first occasion upon which my interest might well be drawn to this reserve fund will come at the time the members of the government of the District of Columbia testify before the committee of the other body which appropriates funds for the District of Columbia. In other words, we feel that



this reserve fund is here for the purpose of providing a cushion for the District. However, certainly, this cushion should be used in a very judicious manner. I for one do not look very kindly upon suddenly concocted uses which might make themselves apparent after the hearings of the House subcommittee and during the hearings of the Senate subcommittee in this legislative area.

Mr. NATCHER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, the subcommittee of the District of Columbia Committee on Appropriations once again brings to you today for your approval the District of Columbia appropriations bill. It has been a pleasure serving with our chairman, whose ability and knowledge are exceeded only by his affability and congeniality, the gentleman from Kentucky [Mr. NATCHER]. On this committee there were members who are expert in various fields—in the field of education, in the field of juvenile delinquency, in the field of welfare. The committee was ably assisted by Earl Silsby, our staff director.

The city of Washington is one of the most beautiful and cleanest cities in the world. It should be a model for our civilized governments to imitate. From the air, the view of the Capitol, the various memorials, the Government buildings, the sprawling environs with the Potomac River meandering through the heart of the city and spanned by several bridges are white and clean, and a sight to behold. But within the city there has been and is terror, unrest, waste, poverty, illiteracy. The beauty of the glistening institutions and marble buildings is offset by the ugliness of crowded and dilapidated schools, the inefficiency of inadequate, disjointed, and physically inefficient hospitals, the decay of morality of a large number of unwed mothers with crowded children's villages, the illegitimacy, poverty, and high incidence of venereal diseases. Our beautiful spacious avenues are accompanied by rundown neighborhoods where terror stalks and the lawless run amuck. Danger lurks for the unwary and the unsuspecting. Our newspapers dramatize the cases of murder, robbery, and aggravated assault, which terrorize the populace. The decent and law-abiding people are aroused and have resolved to put an end to this lawlessness, which in 1961 resulted in 21,802 reported major crimes.

A great deterrent is the cop on the beat, the foot patrolman. A greater deterrent is a police officer and his faithful companion, the shepherd police dog. The greatest deterrent is an aroused public which resolves to put an end and reduce this criminality and lawlessness.

Seventeen million people visit Washington annually. They spend \$380 million a year in the District. Seven hundred sixty thousand residents populate this town and hundreds of thousands commute from the nearby States to work, eat, and shop in this city. They must be protected. They will be protected so that they can walk the streets in safety and unafraid.

We on the District Subcommittee believe that this plot of land called our Capital City, hemmed in by several States, consisting of 30,667 acres or 10 miles, must be a mecca where the American people and the foreigner can visit and live in safety. We have recommended for approval \$26,999,800, every penny that the Metropolitan Police Department requested for fiscal year 1963. We recommended approval of 56 additional police privates, which brings the total police strength to 2,900, and an increase in the canine corps of 25, which will bring this corps of safety to 75 man-dog teams. One night while walking from my office to my apartment through poorly lit streets and through an area where buildings had been demolished, I was comforted when I happened upon two police officers patrolling the dark streets with their trained lithe sinewy police shepherd dogs. Others in the area have experienced the same feeling of safety. It is noteworthy that the District has not had to buy one dog to the present date. They were donated to the city by residents who take pride in their Capital City and want to see this community safe. It costs about \$1,500 per year to maintain these silent effective sentinels. They are worth much more than their cost and are feared by the violator of law.

Testimony before the committee disclosed part of their effectiveness. It is the committee's belief that the increase in police personnel, man and beast, led by the efficient and dedicated Police Commissioner, Chief Murray, will increase the efficiency of our Metropolitan Police force and should reduce major crime in the District. The muggers, the yokers, and the lawless must be made to realize that this District means to make Washington safe for the aged and the young, the visitor and the resident.

The committee presents a balanced budget. The committee recommends a total of \$290,059,000 of which \$237,546,000 is for operating expenses, and \$52,513,000 is for financing capital outlay projects. The amount recommended is \$9,075,478 below budget estimates, but \$19,991,103 above appropriations for the current fiscal year 1962. The sources of revenue are from real estate, personal property, excise taxes, inheritance taxes, fines, and so forth; \$217,088,000 is estimated to come from these sources prior to Public Law 87-408. Public Law 87-408, which Congress enacted last year, will bring in \$14,672,000. The Federal payment is \$30 million, the same as last year with an additional \$3,199,000 derived from Federal contributions to water fund, sanitary sewage works fund, and to the metropolitan area sanitary sewage works fund. Twenty-six million comes from Federal loans making total collections of \$291,001,000.

#### HEALTH AND WELFARE

The health and welfare of the people of any community are major concerns of civilized society. The committee recommends \$66,528,000 for the activities of health and welfare during the next fiscal year. This is a decrease of \$1,633,000 in the estimates and an increase of \$4,232,-

910 over 1962 appropriations. We recommend a reduction of \$1,337,700 in welfare from the estimates. Our welfare costs amount to \$21,856,000.

Welfare is the yardstick of a community's compassion and sympathy for the unfortunate, the distressed and impoverished. Compassion manifests itself in programs for aid to dependent children living at home with their parents or in institutions, in aid to the blind, to the aged, to the disabled, or to the destitute who cannot work or the aged who are indigent and need medical care. A 1-year residency is required before a person in the District may be eligible for welfare except with respect to aid to dependent children where no residency requirement obtains. Most of the welfare recipients are longtime residents of the District; 49 percent of the welfare recipients lived in the District more than 10 years; 4 percent lived in the District for a period between 1 to 2 years; 12,406 individuals and heads of families receive public assistance. About 1,138 cases a year are closed and go off the welfare rolls to be replaced by an equal number; 85 percent of the people receiving public assistance are Negroes; 93 percent of aid to dependent children are nonwhites. This demonstrates that many Negroes are underemployed with little or no income or job opportunities. It also indicates that there is a need for education, guidance, and instruction.

Some of the Members made an inspection tour of the District to learn what is being done. One of the places which my colleague, Congressman RHODES, and I visited was Junior Village, which is the Department's institution for dependent children. Over 675 children are frequently housed in quarters built for 320. The average children population is 508. A visit there will tear your heart out. Children long to be loved, fondled, and made part of a family. The District is doing the best it can under the circumstances. The committee has recommended the approval of 77 of the 100 positions requested primarily to staff new facilities that will be put in operation during the year. In our haste to be charitable, proper investigation is not made before the applicant is given public assistance.

With our charity there has come waste, chiseling, and chicanery. As investigation was conducted recently; 280 cases were chosen at random—63 percent of the relief recipients who were investigated were found to be ineligible for welfare for various reasons. In some cases ineligibility existed because a paramour was receiving the benefits of the relief check, which situation is commonly known as the man in the house. The committee believes that 10 investigators should be added to investigate the chislers and the man-in-the-house situation. This normally must be done at night. It might be wise to put these investigators in a department other than in the Department of Welfare where social workers and employees view the problem with softness and frequently with impractical attitudes. In fairness to the taxpayers of the city, immediate



steps must be taken to clear the rolls of ineligible welfare recipients.

In addition, grants to large families were cut back by the Senate in 2,440 cases involving large families. The committee denied the request to restore \$43,488 of those funds.

Public health poses serious problems. The committee reduced estimates by \$285,400 and increased the appropriations over 1962 by \$3,751,000. The total amount recommended for public health was \$44,269,000.

The committee learned of a corrosive condition existing and developing in the District. The rate of infectious venereal diseases in the District in the age group from 15 to 19 is in the ratio of 4,876 cases per 100,000 population while the median in the United States is 276. One need not spell out the consequences to posterity if such trends continue or expand. The committee has recommended an inclusion of \$393,645 to control venereal disease. It also recommends that legislation be passed eliminating parental consent for treatment of venereal disease. A careless or miscreant youth will suffer in silence and spread contamination rather than get parental consent to be cured.

Some of the committee, including myself, visited the District of Columbia General Hospital to review the plant and the programs. While the staff is of the best and interns are plentiful, the facilities are outmoded and antiquated. Operating rooms and recovery rooms are situated off the corridors where employees constantly pass and equipment is stored, with attendant noises in moving them about. Such conditions are not conducive to repose before an operation or recovery after surgery where trauma exists. Admitting quarters are cramped and inconvenient. Patients requiring emergency treatment must stand up and cannot be seated while waiting because of the lack of space. X-ray facilities are situated at a distance from confinement quarters, and there is much waste of time and energy because of the separation between the treatment quarters and the examination facilities. Consequently, the committee feels that this intolerable condition in the District of Columbia General Hospital should be rectified immediately, and, therefore, recommends approval of \$12,670,000 for the consolidation of the District of Columbia General Hospital and for improvement of the mechanical and utility services.

#### EDUCATION

The city of Washington consists mainly of the young and the old. Of the 760,000 residents, 144,932 are children attending elementary schools; 128,482 are in public schools. There are 2,150 teachers in the grades between 1 and 6. The pupil-teacher ratio is 31.6 to 1 and the teacher's salary begins at \$4,800. It costs an average of \$445.67 annually to teach a pupil. Does the District get its money's worth in its educational system? I am not certain.

Recently a U.S. Senator in a histrionic fashion displayed obsolete books which tended to discredit the Congress in its appropriations. Last year the Ed-

ucation Department requested funds for books and asserted that it needed \$283,000 for schoolbooks. This committee, under the chairmanship of our beloved late colleague, Louis Rabaut, did not hesitate and approved \$283,000, the sum which the Board of Education said it needed. The Board of Education now claims that it was conservative and in error as to what it needed. The committee believes that without textbooks and library books, children cannot properly learn. Therefore, the committee has approved all the budget estimates for the purchase of textbooks. In addition, this bill provides \$419,000 for the purchase of books for the schools and the libraries, \$394,000 for textbooks and \$25,000 for purchase of library books. We trust that the Board of Education knows its need and that it will not say next year once again that it was conservative in its request.

I, for one, am dissatisfied as to the results derived from the Teachers College. I feel that the District is not getting its money's worth in the production of teachers. The Teachers College graduates only 92 teachers of which only 65 are willing to teach in the District of Columbia after receiving a free education from the District schools. Knowing that teachers are necessary, not only to teach, but also to provide classes sufficiently small so that children can receive more individualized attention, the committee recommends appropriations for a total of 193 teachers, 90 in the elementary schools, 89 in the junior high schools, and 14 in the senior high. There is one ray of hope in the District school system. It is the adoption of a plan known as the Amidon plan. It is a program which emphasizes the three R's and the teaching of the basic studies. The program is being gradually accepted throughout the District and offers hope to educate the children so that they will not be functional illiterates—those children who have been exposed to education, but have not learned how to read or compose a sentence.

My colleague, Congressman RHODES and I, together with the Commissioners, inspected the notorious Hine Junior High School. Several years ago fire destroyed part of the institution. Despite the deplorable conditions, the burned and charred floors, ceilings, and doors on the top floor, and the antiquated facilities, the school building is still being used and is congested far beyond its capacity. The committee is of the belief that quick action is indicated and a higher priority must be given to replace this eyesore and hazard. It is conceded by the authorities that this building is the worst school building in the city. Consequently, the committee approves \$400,000 to start the replacement of Hine Junior High School at Seventh and C Streets.

All in all, the committee recommends an appropriation of \$56,817,000 for the operation of the public school system of the District during the fiscal year 1963. This is an increase of \$2,610,890 over 1962, and a cost of \$953,000 in the budget estimates.

Other appropriations are made for highways and traffic, sanitary engineer-

ing, parks and recreation, and other agencies of the Government. They are too detailed to enumerate and discuss. They may be seen in the committee report.

The committee has considered every request for fiscal year 1963 very carefully. It has been a privilege to serve on this subcommittee. Until home rule is granted, if it ever is, we, in Congress, have a duty to consider the appropriations for the plans and programs which the Commissioners submit to us. I believe that this committee has done its duty diligently and painstakingly. We request our colleagues in the Committee of the Whole to approve our recommendations.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. SANTANGELO. I am happy to yield to my colleague, the gentleman from New York.

Mr. ROONEY. Mr. Chairman, I should like to commend the distinguished gentleman from New York [Mr. SANTANGELO] for the great interest he has properly taken in the fiscal affairs of the District of Columbia. This is a subject that most Members are not devoted to. The gentleman from New York, indeed, should be complimented for the interest he has taken in behalf of the people of the District of Columbia and their problems. He has gone into the ramifications of this appropriation bill as he goes into every subject, thoroughly, and with an intelligent and humane approach. Mr. Chairman, the gentleman from New York will, I am sure, receive the commendation of all Members of the House of Representatives for his work on this Subcommittee on Appropriations.

Mr. SANTANGELO. I thank my colleague from New York.

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

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

Mr. MARSHALL. Mr. Chairman, I wish to join in these remarks of commendation. It has been my privilege to serve on the Agricultural Subcommittee on Appropriations with the gentleman from New York [Mr. SANTANGELO]. I know how hard he works and how diligently he works in performing all of the tasks that are assigned to him.

Furthermore, I want to take this opportunity to say that this Subcommittee on Appropriations for the District of Columbia has done an excellent job in my estimation. I think you have written a fine report. I hope Members of the House have an opportunity to read that report.

It is a fine thing when you have public-spirited people who have taken the interest in the Capital City of the United States that this committee has taken in the activities of the District of Columbia. It was my privilege to know very well our former colleague, Louis Rabaut, who did an excellent job as chairman of this subcommittee. When Louis left this world, I thought, perhaps, it would leave a void, but the chairman of the committee, the gentleman from Kentucky, Congressman NATCHER—who I also served with on the Agricultural Subcommittee on Appropri-

ations—has come along and has done an excellent job. I note with a great deal of pleasure that a number of people in the District of Columbia are appreciative of the work he is doing and we have had some fine comments in the Washington papers concerning the work that this committee has done. Certainly, as a Member of this body, I hope in every way I can to support this committee in the excellent things they are doing to improve our Capital City and to work for the welfare of the people within the city. Your work with the police department, your suggestions on health, especially on venereal disease, and your proposals for the welfare department ought to be followed.

Mr. SANTANGELO. I thank my colleague from Minnesota.

Mr. RYAN of New York. Mr. Chairman, will the gentleman yield?

Mr. SANTANGELO. I yield to my colleague, the gentleman from New York.

Mr. RYAN of New York. Mr. Chairman, I should also like to join in commending the gentleman from New York [Mr. SANTANGELO] for the thoroughness of his presentation here today. It reflects the sincerity and the seriousness with which the gentleman from New York has gone about his work on this Subcommittee on Appropriations for the District of Columbia and I think that the House of Representatives has really benefited a great deal by the gentleman's statement here today.

Mr. SANTANGELO. I thank my colleague.

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

Mr. SANTANGELO. I yield.

Mr. BAILEY. I am just curious to note this generous increase in the appropriation for law enforcement here in the District. Did your committee discuss the possibility that this added expenditure might not have been necessary if you had entered a 10 o'clock curfew in the city of Washington?

Mr. SANTANGELO. We did not go into that particular subject. The subject of a curfew is one that I personally, as member of a New York State legislative committee, went into when we had a statewide study in the field of juvenile delinquency. It appears that because of the warm weather—and the District of Columbia is a hot place in summer; I think the gentleman will agree with that observation—it would be almost impossible and impractical to take boys or girls off the streets and keep them indoors when it is 90 degrees at night and their home surroundings are uncomfortable.

Mr. RHODES of Arizona. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Chairman, first I would like to congratulate our distinguished chairman, the gentleman from Kentucky [Mr. NATCHER], for the thoroughness with which he did his job in interrogating the witnesses who testified on behalf of this appropriation, and on his considerate attitude which he took toward the problems of the District of Columbia. He did a marvelous job. Also the gentleman from Arizona [Mr. RHODES], the ranking minority

member of the committee, is to be congratulated on the interest he has taken in the District and its problems. It had been my pleasure to serve for many years on this committee, for several years as chairman of the committee. I can appreciate the problems of the District and the problems which these gentlemen were confronted with and how they handled them. They did a marvelous job.

Mr. Chairman, I am also interested in our Nation's Capital. I say "our Nation's Capital" because the District of Columbia, the Capital, belongs to all the people of the 50 United States. It does not belong to the people of the District of Columbia. They just happen to be here. And certainly I am opposed to home rule. I have always been opposed to home rule, and I do not think I shall ever vote away my constituents' right to control their Nation's Capital. I want to make that position clear.

But along with such authority as I am asking for my people, the authority I hope they will retain, I also want to assume for them a part of the responsibility. It has always been my thought that responsibility goes along with authority, or that authority be delegated commensurate with responsibility. I feel my district has the responsibility of making our Nation's Capital the finest capital in the world. I want to contribute to that effort. But I do want to here and now do away with the fallacy that there is only one thing necessary to make a great capital, there is only one thing necessary to make great schools, and that is money.

We have been operating here in the Capital on a false premise that there is only one thing necessary to make this the greatest capital in the world, and that is money, money, money.

Let us talk about the school system of the District of Columbia, a matter I know a little something about. For years and years we have been told that all the school system of the District of Columbia needed was more money. Under Dr. Corning, the former Superintendent of Schools, we heard that song year after year, money, money, more schools, more classrooms. I had hoped that when we changed Superintendents that philosophy might be changed also. But under the present Superintendent I have seen little change so far.

The other day three young, well-briefed high school students walked into my office. They wanted to see me. I gave them some time. I was interested in what they had to say.

I asked them what they were concerned with. They said, "Mr. WILSON we are being cheated."

I said, "Oh, you are? In what way are you being cheated?"

"Mr. WILSON, we are being cheated out of our education."

I said, "That is interesting. I am very sorry to hear that. In what way are you being cheated?"

"Well, Mr. Wilson, we do not have enough classrooms, we do not have enough teachers."

I said, "You do not have enough classrooms, you do not have enough teachers? What time do you report to school

in the morning? And when are you tardy?"

They said, "We are tardy at 10 minutes after 9."

"What time do you get out of school?"

"We get out of school at 3 o'clock."

And Dr. Hansen according to a newspaper report says the teachers run over themselves in getting out of school at 3 o'clock.

I said, "My children are tardy at our school at 8:10 c.d.t. That is an hour and 20 minutes earlier than here by sun time."

They go to school and they report there an hour and 20 minutes earlier by sun time, and they do not get out until 3:30 o'clock.

If you will pardon a personal reference, my daughter, a student there, has won a national merit scholarship, and of the 16,000 finalists she was beaten by only 6 people in the United States for the top honors. That speaks well for our school system.

Now, this is one of the public schools back home where she is tardy 10 minutes past 8 and where she has to work until 3:30.

I said to the three young pupils who visited me, and I also said to Dr. Hansen, if you would just increase the length of your school day by one period, your pupil-teacher ratio in grade school would drop below the national recommended level of 30 to 1. In high school below the recommended level of 25 to 1. I think in our Bedford schools we have many more than 25 students per teacher in high school and we have more than 30 pupils per teacher in grade school. Our teachers work 2 hours longer per day than in the District of Columbia. But, they can not solve their problem by maintaining a shorter day. It looks to me like—and this is one of the things I am unhappy about—that the District of Columbia schools are being run for the benefit of the teachers and not for the benefit of the pupils. Add one period per day and you solve your classroom and teacher shortage problem.

Now, these youths also made another complaint that they were being cheated because they did not have enough textbooks. Well, Abraham Lincoln did not have very many textbooks given to him; in fact, there were not many textbooks available at that time. But, he wanted an education. He walked many, many miles to pick up material from which to study and learn to read. Now, if these youngsters are interested in getting an education, they should not permit themselves to be cheated because they do not have textbooks. I know they can earn enough money in the District of Columbia to buy textbooks to aid in getting an education. That was not a very good excuse.

I am also unhappy about the curriculum in the District schools. I believe students in the District schools in the District of Columbia won only two scholarships, and I believe that that includes both public and private schools. That is not very many, considering the population involved and the number granted in the United States.

I think we should have an extended period, what we call the lengthened



period, consisting of 55 minutes or else add two new periods. I think the laboratory period should be extended so that the children would have an opportunity to get the equipment out, assemble it, perform experiments and put the equipment away before the period is over. That cannot be done now with the 40-minute period, and admittedly so, by the superintendent of schools during the hearings which we have just finished. A 40-minute period is not sufficiently long to assemble laboratory equipment, perform experiments, take the equipment down and put it away as it should be.

Now, you have heard some remarks about how the Amidon plan operates. I do not want to be a person to throw cold water on a plan, but you know, when the heat is on, you like to divert the attention of the people to something else. That is one of the oldest tricks in the trade. In the District they talk about the Amidon plan. If you can find anything new in the Amidon plan that is not being practiced in every good school system in the United States, I would like to have you point it out. I have studied the plan from beginning to end. It consists of a few very brief statements of principle, and they do not amount to anything new. There is nothing in this Amidon plan or that set of principles that is not being carried on in every good school system in the United States. I could take you out to Montgomery County, Md., adjacent to the District of Columbia, and prove to you that every one of those principles is being and has been in operation in those schools for many, many years.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Indiana. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. Mr. Chairman, I would like to take this opportunity to compliment my colleague upon his statement as an educator as well as an experienced legislator. I think the gentleman has had ample opportunity to view these problems of educational facilities in the District of Columbia with a practical and yet a very experienced eye. I feel that the gentleman's remarks are justified in receiving the very comprehensive attention of all the Members of the House.

Mr. WILSON of Indiana. I thank the gentleman from Indiana [Mr. HARVEY] for those kind remarks.

Mr. RHODES of Arizona. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I want to thank the gentleman from Arizona [Mr. RHODES] for allowing me this time, and compliment the gentleman upon his presentation earlier this afternoon, particularly his statement that the committee will keep a close watch on the deplorable relief and assistance situation in the District of Columbia. It is my hope that with the excellent start which the committee has made under the able leadership of the gentleman from Kentucky [Mr. NATCHER] and the ranking minority member, the gentleman from Arizona [Mr. RHODES], that it will certainly follow through next year on that

and other problems to which it gave so much attention this year.

Mr. Chairman, I do not find in the bill—and I have been reading in the papers about the difficulties—anything in connection with the new stadium in Washington. Am I correct that there is nothing in the bill with respect to an appropriation for the stadium? I wonder if the gentleman could enlighten me as to that situation?

Mr. NATCHER. If the gentleman will yield, I would like to say to the distinguished gentleman from Iowa that no request was made of the subcommittee for fiscal year 1963 for the District of Columbia Stadium. As the gentleman well knows, in June 1960, bonds were placed on the market, totaling \$19.8 million, for use in the construction of the stadium. The interest derived from the money before payment to the contractor, the premium on the bonds, and one or two other items, ran the amount up to \$20 million for this particular stadium—a little over \$20 million.

For the present calendar year they will take in some \$200,000. There will be a deficit. The District of Columbia Commissioners only recently had to borrow a little over \$400,000 to pay the interest now due. On December 1 of this year another \$400,000 interest payment will become due and there will be no money to pay this. They very frankly said to our subcommittee that there were only two plans at the present time as far as the stadium is concerned; one, the Federal payment must be increased or taxes increased in the District of Columbia. I want to say to my distinguished friend from Iowa that our subcommittee informed the Commissioners that under no circumstances will we come back to Congress and ask for an increase in the Federal payment for the payment of any money on the District of Columbia Stadium. That is No. 1.

And No. 2, we do not believe under any circumstances the taxpayers of the District of Columbia should have their taxes increased to pay interest on this stadium.

As the gentleman knows, under the law that was passed concerning this stadium, between now and the year 2007 it goes back to the National Park Service of the Department of the Interior. I believe that during those years this stadium will be a losing proposition and some arrangement must be made immediately to take this burden off the taxpayers of the District of Columbia.

Mr. GROSS. Mr. Chairman, I am very pleased to have that statement from the gentleman and the attitude he takes toward this proposition because unless someone keeps the door closed either the taxpayers of the District of Columbia or the taxpayers of the entire Nation are going to have to pay this huge bill. I opposed the legislation providing for this stadium when it first came to the House floor. I did not think then that it could be financed on the basis on which some people thought it could be done. The Federal Government has \$2 or \$2½ million invested in this stadium; and unless someone keeps the door closed the taxpayers of the entire country are going

to pay for a very expensive stadium. I suggest that a stadium could have been built for far less than \$20 million and served the purpose adequately. So I am more than pleased to have the statement from the gentleman.

I have one serious criticism of the bill to be found on page 7, the provision which reads as follows:

*Provided, That the outpatient rate under such contracts and for services rendered by Freedmen's Hospital shall not exceed \$5 per visit and the inpatient rate shall not exceed rates established by the Commissioners based on audited costs—*

And so forth. The gentleman from Kentucky is very well acquainted with the entire provision, I am sure. Will the gentleman explain that to me a little further?

Mr. NATCHER. Mr. Chairman, I would like the gentleman to know that the committee does not favor the procedure that has been used in the District of Columbia down through the years pertaining to the contract hospitals. Here the provision on page 7 says that the rate of \$30 up, up to \$36, as developed by the hearings to be based on audited cost ascertained by the District of Columbia Commissioners may be paid the contract hospitals. I want the gentleman to know that his objection is valid. We agree with him. I want the gentleman to know this. We granted and we recommend to the House \$2,100,000 for use in construction the main core section of the District of Columbia Hospital with an overall cost for this new core section of \$11,800,000. We recommended \$2,100,000 in this bill for this particular project to get underway.

I want the gentleman to know that this matter of contract hospitals has been given serious consideration this year and some arrangement will be made next year to delete this provision from the bill. We will be in a better position at that time to take care of this matter after we start the District of Columbia General Hospital main core section construction.

It is based on this, I want to say to my distinguished friend. The cost per day in the District of Columbia General Hospital is \$36. It is true that in some of the other hospitals in the District it runs \$28, \$29, and \$30, so why should they receive \$36 just because that is the day basis in the District of Columbia General Hospital? We so explained to the Commissioners.

I want the gentleman to know this: This is a provision that has been carried in the District of Columbia appropriation bills all down through the years. This year it is based on audited costs. It might be \$31, it might be \$31.50, but not to exceed \$36. The gentleman is entirely correct, and I want him to know that in the future we will not be contending with this particular provision.

Mr. GROSS. I will say to the gentleman that I do not like this open-end provision. I will be constrained to make a point of order against the language and I hope that in conference a better provision can be worked out.

Mr. NATCHER. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. SIKES].

Mr. SLACK. Mr. Chairman, I wish to congratulate the gentleman from Kentucky [Mr. NATCHER] and the members of his subcommittee for the fine work done on this bill. The hearings reveal the careful and painstaking manner in which the committee has brought out the facts with a very close check on expenditures.

The work the gentleman from Kentucky [Mr. NATCHER] has done as chairman has reflected itself in the reputation he has carved within the District of Columbia.

Mr. NATCHER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from South Carolina [Mr. McMILLAN], chairman of the Legislative Committee on the District of Columbia.

Mr. McMILLAN. Mr. Chairman, I have asked for this time to congratulate you as chairman of the Subcommittee on Appropriations for the District of Columbia and the members of his subcommittee on the fine service they have rendered the people of Washington and the United States. I have watched this committee work during the past few months and they have spent days, weeks, and months to help make our Capital a beautiful and safe place to live. I think if the District Commissioners and the heads of the District government agencies will cooperate with the gentleman from Kentucky [Mr. NATCHER] and his committee we will be able to make our budget in the District of Columbia balance so that it will not be necessary to increase taxes every couple of years. I again want to congratulate the gentleman from Kentucky [Mr. NATCHER] and every member of his subcommittee on doing a fine job and the cooperation they have given me and my committee.

Mr. NATCHER. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I, too, congratulate the chairman of the Subcommittee on Appropriations for the District of Columbia, the gentleman from Kentucky [Mr. NATCHER] and his colleagues on the subcommittee on the splendid job they have done, particularly with reference to the highway program in the District of Columbia.

A special subcommittee of the Committee on the District of Columbia, composed of the gentleman from Kentucky [Mr. BURKE], the gentleman from Rhode Island [Mr. St. GERMAIN], the gentleman from Virginia [Mr. BROYHILL], the gentleman from Maryland [Mr. MATHIAS], and I, as chairman, has dealt with this problem recently. I concur that the cautious approach recommended by the Natcher subcommittee and the full Committee on Appropriations is the proper one. There are many great decisions to be made in connection with the highway program, not the least of which is the dislocation of 28,000 people who live in areas involved in projected highway programs in the District of Columbia. In our hearings, it appeared that no serious thought had been given to what would happen to those people, and I am delighted by the action of the Committee on Appropriations that at least those people will have some opportunity to

be considered by the governmental authorities of the District of Columbia.

Another problem that was brought to our attention was the one of the removal of some 400 acres of revenue-bearing property in the District of Columbia in the downtown area by this highway program from the tax books. That certainly relates itself to the financial future of the District of Columbia.

During our hearings and, I am sure, during the hearings of the Subcommittee on Appropriations, we found in this community practically all of the civic organizations, both of the major political parties and two of the three District Commissioners agreeing that the cautious and thoughtful approach to the highway situation is the proper one at this time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RHODES of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, these problems in the District of Columbia are great, but many of us are hopeful that if this go-slow program is adhered to, that with the development of a rapid transit system in the District, and with the coordination of the highway program with the rapid transit system, there will be a great savings to the people of the District and that there will be a great lessening of the displacement of human beings who have no place to go in the District if their homes are uprooted by the rapid advance of concrete strips through their communities.

Mr. Chairman, again I congratulate the gentleman from Kentucky and all those who have labored so diligently with him to bring about a result which, I think, will be in the best interest of all the people in the District of Columbia.

Mr. NATCHER. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Kentucky [Mr. BURKE].

Mr. BURKE of Kentucky. Mr. Chairman, I want to take the time, as has been done by so many others here, to commend my colleague, the gentleman from Kentucky [Mr. NATCHER] and the gentleman from Arizona [Mr. RHODES] and their colleagues for the splendid job they have done. As a member of the Legislative Committee on the District of Columbia, I have some appreciation of the thorny nature of some of these problems. Especially in view of the colloquy that took place between the gentleman from Illinois [Mr. SPRINGER] and the gentleman from Arizona [Mr. RHODES], I should like to ask the gentleman from Kentucky [Mr. NATCHER] if this is not what the committee means:

On page 4 of the report, in discussing the elimination of certain projects from the highway program, beginning in the fifth line on page 4, we find this language:

However, to expedite this matter \* \* \* there will be an adequate amount in the highway fund to solve this and other important problems which will confront the District highway officials in the near future.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. RHODES of Arizona. Mr. Chairman, I yield the gentleman 1 minute.

Mr. BURKE of Kentucky. I would like to ask the chairman if that does not mean despite the existence of this money in the fund that no funds may be spent on these new projects until the highway officials of the District return to the Congress and get specific appropriations for these projects.

Mr. NATCHER. The gentleman's statement is correct. I would like to point out to him the fact that in setting up the reserve in the highway fund with the amount of \$1,666,000 we had in mind that this matter could be resolved and should be resolved. There are adequate funds in the bill to take care of this matter at the proper time.

Mr. BURKE of Kentucky. I thank the gentleman.

Mr. RHODES of Arizona. Mr. Chairman, I have no further requests for time.

Mr. NATCHER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill.

The Clerk reads as follows:

#### HEALTH AND WELFARE

Health and Welfare, including reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital; and for care and treatment of indigent patients in institutions, including those under sectarian control, under contracts to be made by the Director of Public Health; \$66,528,000: *Provided*, That the outpatient rate under such contracts and for services rendered by Freedmen's Hospital shall not exceed \$5 per visit and the inpatient rate shall not exceed rates established by the Commissioners based on audited costs, and such contract rates and rates for services rendered by Freedmen's Hospital shall not exceed comparable costs at the District of Columbia General Hospital: *Provided further*, That this appropriation shall be available for the furnishing of medical assistance to individuals sixty-five years of age or older who are residing in the District of Columbia without regard to the requirement of one-year residence contained in District of Columbia Appropriation Act, 1946, under the heading "Operating Expenses, Gallinger Municipal Hospital," and this appropriation shall also be available to render assistance to such individuals who are temporarily absent from the District of Columbia.

Mr. GROSS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Mr. Chairman, I make a point of order against the following language beginning in line 24 on page 6, and ending in line 2 on page 7: "and for care and treatment of indigent patients in institutions, including those under sectarian control, under contracts to be made by the Director of Public Health."

And the following language beginning in line 2 of page 7 and ending in line 9 of page 7:

*Provided*, That the outpatient rate under such contracts and for services rendered by Freedmen's Hospital shall not exceed \$5 per visit and the inpatient rate shall not exceed rates established by the Commissioners based on audited costs, and such contract rates and rates for services rendered by Freedmen's Hospital shall not exceed comparable costs at the District of Columbia General Hospital.



Leaving in on line 2 of page 7 the dollar sign and figures: "\$66,528,000".

Mr. Chairman, I make the point of order that the language I seek to have stricken is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. NATCHER. Mr. Chairman, I have discussed this matter with my distinguished colleague, the ranking minority member [Mr. RHODES]. As pointed out to the Committee a few moments ago, this is a feature that has been carried in the District of Columbia appropriation bill for a great number of years; a provision that the members of the subcommittee do not favor. I believe, also, that this matter can be worked out after the bill goes to the other body, and in the conference report we can work out a provision that will not only meet with the approval of the committee but also, I think, with that of the distinguished gentleman from Iowa.

We concede the point of order.

The CHAIRMAN. The point of order is conceded.

Mr. NATCHER. Mr. Chairman, I ask unanimous consent that the balance of the bill be considered as read and open to amendment at any point.

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

There was no objection.

Mr. RIVERS of South Carolina. Mr. Chairman, I move to strike out the last word and ask unanimous consent to speak out of order and to revise and extend my remarks.

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

There was no objection.

#### SUPREME COURT DECISION TO ABOLISH PRAYER IN PUBLIC SCHOOLS

Mr. RIVERS of South Carolina. Mr. Chairman, the Nation was shocked yesterday by the decision of the Supreme Court outlawing prayers in public schools as unconstitutional. Mr. Justice Stewart—the lone dissenter—stated it mildly when he said the Court misapplied "a great constitutional principle."

The State Board of Regents of New York adopted the following prayer:

Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

What is wrong with this prayer? Only a court composed of agnostics could find its defects.

Mr. Chairman, the Court has now officially stated its disbelief in God Almighty. This, to me, represents the most serious blow that has ever been struck at the Constitution of the United States. I know of nothing in my lifetime that could give more aid and comfort to Moscow than this bold, malicious, atheistic and sacrilegious twist of this unpredictable group of uncontrolled despots.

This is not the first time the Court has veered off into a tangent of unjudi-

cial chaos. You will recall in the 1954 decision of the school cases, the only authority the Earl Warren court could hang its nonjudicial hat on was Gunnar Myrdal and his ridiculous production known as "The American Dilemma."

Mr. Chairman, if this Court is to continue to go unbridled into every direction of the compass, the next thing we can expect is the outlawing of the prayers of the Congress of the United States and the abolishing of the pledge of allegiance to the flag of the United States. Never in my 22 years as Member of this Congress have I witnessed such a complete breakdown of the moral makeup of this judicial body. Ninety percent of its time has been spent on the protection of Communists, Communist sympathizers, fellow travelers, and problems directly affecting the National Association for the Advancement of Colored People. Earl Warren has indoctrinated this Court with a toxin that has just about destroyed every vestige of respect which the American people once held for this body. This is a tragedy.

Mr. Chairman, this Court legislates—not adjudicates—with one eye on the Kremlin and the other eye on the headquarters of the NAACP.

Mr. Chairman, it is high time that the Constitution of the United States be amended. If any provision that is outmoded, outdated, and antiquated, it is that provision which permits members of the Supreme Court to hold office during good behavior. These men should be unmasked and compelled to stand for their positions in an election before the American people. Their tenure of office should not exceed 10 years at the most. The Constitution should be brought up to date and referendums held which would require these men to state to the American people their dangerous propensities before they are shrouded in a robe of mystery and permitted to strike without notice at the basic concepts of the greatest document ever devised by the mind of man.

Falling this, Mr. Chairman, it is time for the Congress to at least exercise its constitutional right under article III to drastically restrict and limit the appellant jurisdiction of this court which flaunts its authority in our very faces and it flaunts its authority because we have permitted them to run rampant over us.

Bear in mind that article III of the Constitution says that the Supreme Court shall have appellant jurisdiction both as to law and fact with such exception, "and under such regulations as the Congress shall make." The time has come to remove from this body of agnostics their jurisdiction to determine the social and economic future of America.

Mr. Chairman, I trust this body will recognize the fact that yesterday the Supreme Court repealed Public Law 851 which was the act of July 30, 1956. This was a joint resolution enacted by the Congress that the motto of the United States would officially be known as "In God We Trust." It will be found in 36 U.S. 186.

I suggest we amend that law if we are to permit the Supreme Court to continue on without change by adding to the motto the following: "In God we trust to the extent that the Supreme Court of the United States permits it."

Finally, Mr. Chairman, so that my northern friends and particularly my Republican friends will not take exception to my remarks about the NAACP that we also suggest that the schoolchildren of this Nation will no longer be permitted to learn Lincoln's immortal Gettysburg Address because, Mr. Chairman, that magnificent address has the unconstitutional words contained that this Nation "under God shall have a new birth of freedom." The Supreme Court has said that we must not permit our children to listen to such heresy. Therefore, we would suppose that the Gettysburg Address can no longer be required reading throughout the schools of America.

Mr. NATCHER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. PRICE, 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. 12276) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1963, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. NATCHER. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER pro tempore. 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.

The SPEAKER pro tempore. The question is on the passage of the bill. The bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE TO EXTEND

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

#### EXTENSION OF CORPORATE NORMAL TAX RATE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the conferees on

the part of the House have until midnight to file a conference report on H.R. 11879.

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

There was no objection.

#### MIGRATION AND REFUGEE ASSISTANCE ACT OF 1962

Mr. WALTER submitted a conference report and statement on the bill (H.R. 8291) to enable the United States to participate in the assistance rendered to certain migrants and refugees.

#### TRADE EXPANSION ACT OF 1962

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 712, Rept. No. 1924), which was referred to the House Calendar and ordered to be printed:

*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 (H.R. 11970) to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and shall continue not to exceed eight hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, but said amendments shall not be subject to amendment. At the conclusion of such consideration, 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.

#### VACCINATION ASSISTANCE ACT OF 1962

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 699 and ask for its immediate consideration.

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 (H.R. 10541) to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases, which may in the future become susceptible of practical elimination as a public health problem through such programs. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the

bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. 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. SISK. Mr. Speaker, I ask unanimous consent that House Resolution 699 be amended to strike out on page 2, line 2, the word "Judiciary" and insert "Interstate and Foreign Commerce".

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

There was no objection.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentlewoman from New York [Mrs. ST. GEORGE] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 699 provides for the consideration of H.R. 10541, a bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs. The resolution provides for an open rule with 2 hours of general debate.

The purpose of H.R. 10541 is to authorize a 3-year program of special project grants to States and, with State approval, to local communities, for intensive vaccination programs against the four diseases which constitute significant public health problems. The intensive programs contemplated by the legislation must be aimed at immunizing practically all susceptible persons in the community, and particularly children under 5 years of age.

Under the provisions of the bill, Federal grant funds may be used for the purchase of vaccine for children under 5 years of age and for the salaries and related expenses of additional State and local health personnel required for planning, organizational, and promotional activities in connection with intensive community programs, and to maintain the epidemiologic and laboratory surveillance required.

The States and communities, for their part, would be responsible for supporting, through public funds or otherwise, all other elements of the intensive programs.

The methods of organizing and conducting local programs would be left to State and local determinations.

The maximum appropriation authorized by the legislation for grants would

be \$14 million for the fiscal year ending June 30, 1963, and \$11 million for each of the 2 succeeding fiscal years.

Mr. Speaker, I urge the adoption of House Resolution 699.

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule makes in order consideration of H.R. 10541, a bill that my colleague from California [Mr. SISK] has gone into and explained. It is a simple bill, Mr. Speaker. But on the other hand it seems to some of us a little bit astonishing that at this time in our development as a nation we need to go into vaccination on such a big scale. It was my impression at least that we were pretty well taken care of in this respect. Now we find that far from being taken care of we have got to go out and spend in the next 3 years an additional \$36 million to have this program carried through in the proper manner.

Certainly no one in this country or in this Congress could oppose vaccination. On the other hand, there are some people who, for religious and conscientious reasons, have reservations against vaccination. It is my understanding that in this bill they will not be compelled to accept it against their own wishes or against the dictates of their conscience.

Apart from this one criticism, I have not yet had it successfully explained to me why so much money is needed and why the program has to be so greatly enlarged. I can see no possible objection to this resolution and I hope it will pass.

Mr. McCULLOCH. Mr. Speaker, will the gentlewoman from New York yield to me for a unanimous-consent request?

Mrs. ST. GEORGE. I yield to the gentleman.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent that the remarks I made earlier today under the 1-minute rule be carried at the end of the proceedings of the legislative day; and that I be permitted to include therein the majority opinion of the Supreme Court in the case that has been discussed so much here today, together with the concurring opinion of Mr. Justice Douglas and the dissenting opinion of Mr. Justice Stewart.

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

There was no objection.

Mr. SISK. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order.

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

There was no objection.

#### ONE NATION UNDER GOD

Mr. WILLIAMS. Mr. Speaker, I am sure most Americans were as shocked and outraged as I was by the Supreme Court's decision of yesterday, which had the effect of outlawing prayer in our public schools. Surely no action ever taken by an agency of Government in America has been so destructive of the basic foundations of our society. The



implications of this decision and the interpretations which it suggests are more terrifying even than the threats of another war.

Mr. Speaker, I will have more to say on this subject in days to come, as I am sure will others who can detect in this and other recent actions a deliberate and carefully planned conspiracy to substitute materialism for spiritual values, and thus to communize America.

Mr. Speaker, in all our highly vaunted 20th century wisdom, which has enabled us to split the atom and to send men around the earth in space, there has yet to be found a suitable substitute for faith in the existence of a Supreme Being, the edict of the Supreme Court to the contrary notwithstanding.

Recently, I came into possession of a copy of an address delivered in Jackson, Miss., to the annual convention of the Mississippi Congress of Parents and Teachers, on April 11, 1962, by Dr. W. Douglas Hudgins, pastor of the First Baptist Church of Jackson, and entitled "One Nation Under God."

This address is of such significance, and is such an excellent analysis of the American system and all that it means, that I shall include its text as part of my remarks. In the light of yesterday's revolutionary ruling by the Supreme Court, this address should be of special interest to Members of Congress and Americans everywhere who still look upon our great country as one nation under God.

Mr. Speaker, I ask unanimous consent to include as part of my remarks the text of an address delivered by Dr. W. Douglas Hudgins, pastor of the First Baptist Church, Jackson, Miss., entitled "One Nation Under God."

**THE SPEAKER.** Is there objection to the request of the gentleman from Mississippi?

There was no objection.

(The matter referred to follows:)

#### ONE NATION UNDER GOD

(By Dr. W. Douglas Hudgins)

"One Nation Under God." You will recognize today's subject as a phrase from the meaningful "Pledge of Allegiance to the Flag of the United States." After years of use, the pledge was changed by a 1954 congressional resolution which added the words, "Under God." Currently it sets forth this: "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Are we really one nation under God? If we would listen to the loudest voices of our current moment we would be led to believe that we are one world without God. Within recent hours, in the city of Washington, the attorney general of this State, the Honorable Joe Patterson, has been serving with many other attorneys general as a "friend of the court" in a legal hearing having to do with the principle of offering prayer to God in the public school room.

Less than a year ago, to the amazement of millions of God-fearing citizens of this Nation, the Supreme Court ruled that "it is unconstitutional" for the Federal Government or any State "to require a belief in the existence of God" as a qualification for public office. Such an unprecedented capitulation to Marxism, paganism, and blatant atheism left Christian America stunned, and now the legal move on the part of similar

pagans to ban a simple classroom prayer offered to Almighty God shocks us back into sensibility. If such a governmental trend continues we might soon be called upon to turn in all our cash because it bears the motto, "In God We Trust."

In July of 1961 David Lawrence, in his syndicated column, made this significant comment: "From the time of our earliest history our peoples and our institutions have reflected the traditional concept that our Nation was founded on a fundamental belief in God. On July 4, 1776, our Founding Fathers proclaimed our Declaration of Independence which no less than four times refers to the existence of the Creator. This same document appeals to 'The Supreme Judge of the World' that this Nation be free, and pledges our Nation to support the declaration with a firm reliance on the protection of divine providence."

Look, if you please, at where we are in this moment. The Supreme Court has decreed that "belief in the existence of God" is no longer necessary as a requirement for public office, and even while we are here assembled today the basic religious principle of prayer to the God of all peoples is having to be defended against a minority pressure from atheists, agnostics, freethinkers, and "intellectuals" who have outgrown their need for the Divine.

For many years we have boasted of the fact that we live in the greatest democracy in the world. Actually, we do not live in a democracy. We live in a republic, for our manner and method of government is by and through those elected representatives whom we elect to public office. We do not make our laws or issue edicts for ourselves. Those whom we elect do, but we cannot be unaware of the fact that the judicial branch of our Government has taken unto itself by unprecedented presumption the actual task of governing by the route of unwarranted interpretations of our Constitution.

The fact that those who seek to chip away, little by little, our basic tenets and our unabashed faith in God are very much in the minority is one of the deeply serious aspects of our present plight. Let me remind you that we are a nation of 180 million people. Of this number only one-tenth are of an ethnic group much in the limelight for the past several years. But, this decided minority, by shrewd political maneuvering and tremendous public image, aided and abetted by a philosophy not indigenous to our shores, has forced its will and injected its presence by force and legal chicanery upon the nine-tenths of our citizenship. Politically, it is a well-known fact that each of the major political parties seeks the support of this ethnic minority, as well as other minorities in labor, education, and economics, to swing an election in its favor. Thus, as was evident a year and a half ago, the support of small minorities may swing a very close election one way or the other. I make no apology for giving voice to my feeling of deep concern over such a procedure of pressure on the great majority by any small minority of our population.

We need to remind ourselves that a gradual departure from what most of us believe to be constitutional government began a generation ago. Following the debacle of 1929, our Nation suffered through the agonies of the great depression. Banks were closed, jobs were nonexistent, fortunes were lost, suicides were common, suffering was intense. The great industrial bubble had burst. The jazz age was over. In such a perilous plight our beloved country, many believed, would rediscover its soul and return in repentance to the Almighty. But, that did not happen. Instead, under the leadership of a man who spoke of the "fear of fear," America swapped its birthright of individual freedom and liberty for the bread of economic improvement and allowed the Federal Govern-

ment to assume the responsibilities of the individual and the States. Sweeping changes in our way of life were instituted and the trend has continued unabated. The crisis of World War II aggravated the situation, and events since have not lessened the trend.

From the questionable concessions at Yalta, through the tragedy of Korea, the stalemate in Berlin, the fiasco in Cuba, the impasse in South Vietnam, and the impotence of the United Nations, our national prestige has gone down and down, until today in many areas we are laughed to scorn, in others spat upon, and in some, violently hated. Taking money from your pocket and mine our Government has sought to be a "benevolent Santa Claus" to many of the nations of the world only to learn at long last that we are despised for our kindness and hated for our paternalism. Our coffers are more than empty and our national debt is staggering. As a nation we owe more than \$300 billion—or approximately \$1,650 for every man, woman, and child in our Nation. Just to pay the interest, it takes more than \$10 billion of our national budget each 12 months, and with each passing year Congress seems eagerly willing to lift the ceiling. As the national budget annually approaches the astronomical figure of \$100 billion we cannot help observing that our moral problems increase and our departure from individual responsibility to God accelerates with each passing year.

I am not a pessimist. As a Christian I cannot be, for I believe that the Eternally Sovereign God has not taken His hands off the reins of the affairs of men. But, I am not a utopian optimist. "Pollyannism" died 30 years ago. And, how well I agree with someone who said, "You cannot anesthetize the future by hoping for the best." Maybe I am a cross between the two; maybe I am a "possimist." Actually, I hope I am a Christian realist. As a realist, I feel a deep conviction that this treasured Nation of ours is facing its moment of greatest crisis.

Early in 1960 I delivered a sermon in my pulpit here in this city on the subject "Decade of Destiny." In it I said that "the future of America and its role in the world depends on what it does with itself in the decade of the sixties. When 1970 arrives we will have decided our fate." That, I still believe. The 10 years in which we are living will prove to be a decade of destiny. Will we still be one Nation under God—or will we have succumbed to the insidious materialism of current paganism and decided that we no longer need recognize the reality and sovereignty of the Eternal God?

Some four and a half centuries before the coming of Christ a serious, strange, mystic, and brave man had the courage to utter a word of warning to his nation. That man was the Prophet Jeremiah; the nation was Judah; and the record is carried in the Old Testament book that bears the prophet's name. In the second chapter of that book there is this warning: "Hath a nation changed its gods? But my people have changed their glory for that which doth not profit. They have forsaken me, the fountain of living waters, and hewed them out cisterns, broken cisterns, that can hold no water. What unrighteousness have your fathers found in me, that they are gone far from me, and have walked after vanity, and have become vain? Where are the gods that thou hast made thee? Let them arise, if they can save thee in the time of thy trouble: for according to the number of thy cities are thy gods, O Judah."

Jeremiah was the voice of God to a people who felt that they had outgrown their need for the Almighty. They assumed that they were impregnable from without and unsalable from within. But, alas, within a short time, disaster befell them and they, including the prophet himself, became cring-



ing serfs to a world power who destroyed them as a nation.

Such a story falls on deaf ears today. Our American culture is not in much of a mood for Jeremiahs. Serious, introspective, reflective thinking does not seem distinctly to characterize our space-age citizenship. Our American people appear to have been put under some kind of mental and spiritual sedation by what may aptly be called the fluidity of crisis.

That expression is more meaningful than at first it might appear. We pass so rapidly from one crisis to another that we seem to be unable correctly to evaluate ourselves and the moral universe about us. All of us in this room have lived in three distinct epochs of world history. The first was the gigantic industrial age of achievement and economic supremacy—those years from about the turn of the century through the great depression of the thirties, ending in World War II with its threat to our peaceful security. The second great epoch through which we have lived began on December 2, 1942, when a few men of science, under the football stands at Grant Field, Chicago, demonstrated the control of fissionable material. That experiment, although we did not then know it, ushered in the atomic era, dramatically demonstrated by the first atomic bomb dropped on Hiroshima in 1945. When the war was over miracles began to be wrought by the principle of atomic energy and we were in the fantastic achievements of the nuclear era. Then, on October 4, 1957, Russia put up the first sputnik, followed 2 years later by the first moon-rocket, and we were in the space age. One conquest after another has occurred in the vastness of the universe about us, and the almost unbelievable trip Col. John Glenn made around the earth a few weeks ago has given America a new and worthy hero and reestablished, to a great degree, our national prestige. The industrial era lasted about 40 years; the nuclear era, 15. How long we will live in the space age before another epoch dawns there is no way of knowing.

We are chastened, however, when we realize that in the space of these 60-odd years of the 20th century as we have made fabulous achievements in the realm of the material and the scientific we have made such feeble progress morally and spiritually. Have we, as Americans, changed our gods? Current leaders want us to look upon the New Frontier, but maybe we had better look carefully to see if the New Frontier is actually the brink of disaster. If we are citizens of "one nation under God" it would well be that we should be more concerned in seeking old paths than in scouting new frontiers.

Laconic, but very realistic, Jeremiah voiced a concern that was very much in the minority; but the refusal of Judah to heed him resulted in the total collapse of his nation and its absorption by a pagan power. Judah's capitulation, however, did not occur because of overwhelming military conquest. It came because the people themselves had taken their eye off Jehovah and fashioned new deities for themselves. They were not just conquered; they deteriorated from within. Complacency, luxury, ease, self-confidence, and trust in their own achievements went parallel with their assumption that they could get along without God.

In the multitude of voices falling on our ears today, where do we hear, "This is the way, walk ye in it"? Who in the Halls of Congress; who in the executive branch of government; who in State legislatures; who in education; who in business stands like the ancient prophet crying, "Hath a nation changed its gods?" Instead, in the space of a mere 12 months, we hear the highest court in the land plausibly opine that requirement of a belief in the Supreme Being on the part of a public official is unconstitutional and a little group of freethinkers

and agnostics prating against the practice of simple prayer to the Almighty in the classroom. Perhaps we need to be reminded of the temperament and the conviction of those who agonized over the principles of our Constitution in its inception. Those men, beyond any doubt, intended to found a nation based on a recognition of God and His guiding providence.

History records this bit of conviction from Benjamin Franklin. During the Constitutional Convention as the problems seemed to mount and mere human wisdom seemed insufficient, Franklin addressed the Chair and said, "Our different sentiments on almost every question \* \* \* are a melancholy proof of the imperfection of the human understanding. I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth, that God governs the affairs of men. And, if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? 'Except the Lord build the house, they labor in vain that build it.' I therefore move \* \* \* that prayers imploring the assistance of Heaven \* \* \* be held in this Assembly every morning \* \* \*." Today, I am ashamed to admit, many of our national "brain trusters" would say that Franklin and his associates were naive, if not stupid.

Old Jeremiah went even further than asking where his people had closeted God. Listen as he thunders, "But my people have changed their glory for that which doth not profit. They have forsaken me, the fountain of living waters, and hewed them out cisterns, broken cisterns, which can hold no water." Judah had replaced Jehovah with deities of its own creation. Perhaps unconsciously, but nonetheless really had they done so. To pledge fealty only to their own God would have been too narrow, too provincial, too nationalistic, too patriotic. They wanted to be like other nations. They wanted to create a sense of "sympathy and brotherliness" to surrounding countries, to peoples of a different culture and religious faith. In their compromise for convenience they signed their death warrant, and I am convinced we are doing the same thing.

I am not trying to preach to you today, but if preachers are the only ones in our beloved nation who dare lift their voices against our current paganism and godless contemptuous trends in American culture, then let it be preaching. Pressure of today's "one worlders" intimidates those who still have convictions that this is one nation under God. Think of it—for 10 years we have paid most of the expense of the United Nations while in that organization we have consistently been berated, insulted, and bombarded by the nefarious manipulations of a coalition of peoples whose political philosophy denies the very existence of a deity. As if not to offend these atheists, as well as devotees to any other non-Christian religion, we have given tacit assent to an unwritten rule of that body that the name of God shall not be used in its official deliberations. With our money we have created a meditation room in the Headquarters Building, but it cannot contain word or symbol that attests to our belief in or dependence upon a Holy God. Is it not time for us ordinary citizens to rise up and cry, "Blessed is that nation whose God is the Lord"?

How far astray have we gone in creating false gods for ourselves? What have we substituted for the worship of God himself? The god of money is one. Ask about the success of a person and nearly every time the answer will be in terms of how much he has made or how much he is worth. Graduates ask not "What may I learn?" nor "What can I develop to be?"—but, "How much will I make and what are the fringe retirement benefits?"

Status, or prestige, is another. The battle in the business office or the social whirl for standing is bankrupting young couples and

sending the middle aged to cardiac beds and mental institutions.

Sensationalism is yet another. Look at our current novels, or plays, or motion pictures. To read through the popular novel you have to wade through the sewer and the cesspool in company with social tramps and admired libertines. On the stage homosexuality and perversion are paraded in brash verbiage that should embarrass even a male audience. On the screen the perfidies of a sinuous harlot are portrayed in the atmosphere of angelic adoration and the morally positive individual is held up to ridicule and scorn. Religion often is seen as the hypocritical cloak of suppressed bestial desire, and God, whenever He is recognized at all, must become nauseated over attempts to describe or portray Him.

Pleasure is yet another god of our own creation. As the workweek shortens and leisure time increases, our madness for pleasure takes us from home, from family, from church, and from God.

Security. Can security become an impotent god? Many of our people today have been inoculated with the idea that the Government owes them security from the moment of birth to the hour of their burial, often including both. The clamor for security will bankrupt us if the trend continues. Work is something many people want to be free of, not a responsibility imposed by a just and equitable God.

One nation under God. We rise in justified protest against any and all forces, governmental and personal, economic and educational, that seek to positionize us as pagan. But how does America act in its relation to God? What about its thousands of churches, more than half empty on Sunday morning and dark entirely on Sunday night? What about our materialistic profaning of the Lord's Day with business open as usual and citizens marking it as just another day in the week. What about the staggering increase in the number of alcoholics in our Nation and the frightful repercussions of illicit traffic in narcotics? What about our dreadful sag in moral convictions, the indulgent attitude of society toward promiscuous sex indulgence, the rise in perversion, the mania for gambling, the wild abandon in revolt against authority? One nation under God. Yes—but are we, really?

Beyond any doubt there is to be a day of reckoning. Jeremiah warned his people of it; our own must be warned of the same thing. Laws will not change human nature; an about-face in statesmanship will not recruit for us the love and respect of all nations; new pronouncements from a supreme bench will not transform our morals; legislative action will not insure our survival. But, because we are one nation under God there is a ray of hope. It lies in the way of moral commitment and spiritual awakening. This "Decade of Destiny" must produce a new moral fiber in America, or we will have lost our great chance in time.

What can we do? What can I do? What can you do? What can the plain, average citizen of this Nation do? Where shall we begin? How may we insure that these United States of ours shall continue to be that one nation under God whose prestige and principle we cherish? How can we return to that unashamed sense of devotion and dedication to an eternal God as the sovereign authority over us in every walk and way of life? In a world that is largely pagan, how can we positionize ourselves as a Christian nation—a nation with a belief in and a devotion to the Almighty, at the same time allowing to any citizen the inherent right to believe as he pleases?

First of all, we who believe in God must recognize that He is alive today, regnant and sovereign. We must realize that He is omnipotent and omnipresent now as He was in centuries long gone by. There must be a



fundamental faith in Him as the ageless God, the Supreme and only God, who has not yet relinquished the control of the nations to any man, no matter how powerful he may be as dictator or president. This faith in God takes precedence over the United Nations, over the rulers of the nations, over the President and officials of this Nation, over the Supreme Court, over Congress; even over our so-called great universities and brilliant men of science. He is the One who issues His own edicts and pronounces His own judgments. History records nation after nation that has risen to human greatness but, forgetting Him, has disappeared in the crematory of time. There must return to America an unshaken faith in God.

Second, there must come among us a new and higher standard of morality and personal character. Moral conduct must supplant our immoral decadence. Virtue again must become an unsullied characteristic of our interrelationships. The home must be returned as the citadel of society and must serve as a holy haven for the sharing of many of the problems of our complex living. Truth once more must characterize us in speech, in government, in contract, in dealing one with the other. Honesty and integrity, from the examination in the classroom to big business between government and industry, must prevail in the complex activities of the everyday world. Industry and self-reliance must be revived, the dignity of work must be recaptured, the stewardship of individual responsibility to God and our fellow man must be restored. In short, a new moral stamina must be produced—the kind of attitude produced when the individual recognizes that "Thou, God, seest me."

In the third place, it would appear to me that we need to set a new standard of measurement for those whom we put in public office. If we are one nation under God why do we elect men and women to places of public office and service who themselves either deny the authority of God or assert to themselves a wisdom greater than the Divine? In our broad plea for tolerance in the past few decades, we have shied away from inquiring into a candidate's personal religious convictions and seem to be oblivious, many times, to the fact that our favorite candidate is agnostic, atheistic, or noncommittal in the manner of his faith in God. Personally, I would much rather have as my representative leader in the Governor's office, the Halls of Congress, or the White House, a man who is possessed with a great faith in God than an even more experienced person who makes his concept of God subservient to his own personal ambitions or a modern philosophy stemming from Marxianism or an even lesser threat to our spiritual well-being. Party lines, pressure groups, organized minorities, special interests, personal ambitions, and petty politics will have to be ignored if we put men in places of office who will maintain us as a God-fearing and honoring people.

Finally, I have no hesitation in suggesting to you that there is something even greater than your parent-teacher organization—as great as that is. You teachers—God bless you—have a real job with some of our children, and you are underpaid and overworked; but the school is not America's greatest institution. You parents, your home is—or ought to be—the most cherished place in this world to your children; and it is God's first institution for the human race. But it is not the only one. I refer to the church. Call it the cathedral, the church, the synagogue, the mission—whether you are Catholic, Jewish, or Protestant—it is the one institution that we cannot afford to bypass or neglect if we are to keep America one nation under God. There is a church or a house of worship near you. Most Ameri-

cans live within 12 blocks or 10 minutes of one. Your house of worship, with your participation and support, can help us keep this land of ours one nation under God.

Unquestionably we are drifting toward irreverence, paganism, religious apathy, spiritual indolence, moral decadence, welfarism, and, I believe, the Federal State. Only a moral resurgence in rededication to the Almighty himself will enable us to maintain our place of responsibility in this decade of the sixties. America must be one nation under God. Let us hear, then, the word of the Old Testament writer when he says to his people of the long ago, "If my people, who are called by my name, will humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and heal their land."

One nation under God. So grant it, Almighty God.

Mrs. ST. GEORGE. Mr. Speaker, I yield 10 minutes to the gentleman from Colorado [Mr. DOMINICK].

Mr. DOMINICK. Mr. Speaker, I want to take this time to discuss with you some elements of H.R. 10541, because I think the bill is an extremely important one and because I think the principles I am going to bring out for you are extremely important in our whole form of government.

This bill is a simple bill, as has been said. It provides for grants by the Federal Government for distribution to States and to local communities—keep this in mind, to States and local communities—for vaccination and, as a second point, for paying the salary in the States or local communities of any person who is active in the organization or the promotion of a vaccination campaign in that area.

This has the effect of putting the Federal Government right smack in the middle of every community in the United States. Any community within the authorization limits here that has a health officer or public health nurse or any other kind of health official which wants to say, "We are going to hire personnel for a community health program," can simply go ahead and put the salary of that person on the Federal Government, and the Federal Government is then right in the business of paying the salaries of the people in this area. I do not know how all of you feel about this particular extension of Federal authority, but it seems to me that this is going even further than we have been asked to go in many other bills during the course of this administration. It strikes me that never before except in connection with the proposed Urban Affairs Department, which was defeated on the floor of this House, have we been asked to inject directly into the local government the Federal Government, through its arm of the Public Health Service, by payment of the salaries of those local personnel who may be active in a campaign in that area.

Secondly, I want you to notice that there is no provision in this bill for any matching funds. It is a straight Federal grant. The only expense the State has to bear is whatever additional expenses may be involved in any community which are over and beyond the ones provided for in this bill.

I also want to call your attention to a couple of other points which I think may be of interest. We have already in the law two programs providing for the purchase by the Federal Government and distribution to the States of vaccines which may be necessary for vaccination and inoculation programs. These laws remain in effect until 1965. The appropriations are available for purchases of vaccine and distribution to the States under bills which are already law. And yet here, we are in the guise of an authorization in fact doing nothing more than two things: In the guise of an authorization we are in fact making an additional appropriation for these purposes and, second, we are extending those programs in the guise of an authorization for this paying of State and local community health officer salaries.

For the life of me, I cannot understand why it is necessary for the Federal Government to get into this realm. For the life of me, I cannot understand why, when we have laws already on the books which will solve the problem, it is necessary for us to pass another law at this point in order to promote something which the local communities in many cases are doing themselves.

Now why do I make the last statement? I have before me an article written by Gene Lindberg on page 11A of the June 24, 1962, issue of the Denver Post. It is entitled "The Public Urge To Help Make 'Stop Polio' Campaign a Success." I will attach to my remarks a copy of this story so that the fine work of Denver and the surrounding communities with the help of local industry, the medical societies, the public health officials in this very field which we are today considering may be apparent to all. The vaccine in this voluntary effort is being supplied by one of the major companies in the State, Great Western Sugar Co. The vaccine is being made available on a voluntary basis through the doctors, through the Denver Medical Society, through the Colorado Medical Association, through the State Public Health Services, and there is not one dollar in this great program of State money or Federal money.

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

Mr. DOMINICK. I yield to the gentleman.

Mr. STAFFORD. Mr. Speaker, I realize only too well that to oppose the humanitarian objectives of this legislation would be somewhat attuned to opposing motherhood. But, I do wish to associate myself with the stand taken by my good friend and colleague from Colorado [Mr. DOMINICK].

This is another case of moving the Federal Government entirely into an area which is a State responsibility. In my own State of Vermont, we have had such a program of vaccination for many years, and I am informed by my State commissioner of health that this legislation would merely mean replacing some State money by Federal funds.

Since 1955, as a matter of fact, Vermont has had a permanent statewide and State-supported program for mass

polio vaccination, on which our small State has spent over a half million dollars.

But now the Federal Government is called upon to assist the unfortunate children who live in States which have evidently failed to face up to their responsibility in this respect. It would seem to me that the States that have not already done so would do better to emulate Vermont, than to once again come running to Washington.

Mr. DOMINICK. I certainly thank the gentleman from Vermont for his contribution, and I think the remarks he has made were of great value in emphasizing the problems here involved.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. DOMINICK. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. In Maricopa County, Ariz., there has been a program that has been quite successful to provide the Sabin vaccine for all the people in the county. In other words, schoolchildren and anybody who desires to use this treatment, and it has all been free. The estimate is that 90 percent of the people in the county have been thus treated. I certainly feel, as the gentleman from Vermont expressed himself, that this is a problem for the States to deal with and one which they can meet and one which they have shown that they had the desire and the ability to meet.

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

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

Mr. LINDSAY. Can the gentleman tell me what the precedents in this matter are? I know that the National Health Foundations engage in a good many Federal programs in the medical field having to do with the prevention and control of disease. Are most of these programs engaged in on a matching basis or with some community participation and are some of them outright grants?

Mr. DOMINICK. The two grant-in-aid programs which are shown on page 9 of the report, so-called appendix B, are both matching grant programs. Under these programs, for example, there were vaccinations given in the year 1960 for polio and 5,818,000 inoculations were given. We have continuing appropriations and authorizations under title V of the Social Security Act, and we also have it under section 314(c) of the Community Health Services Facilities Act. So we already have funds available for this program which will go beyond this particular program that we are faced with today. I do want to say to the gentleman from New York, if we can get certain amendments on this bill, probably I will not oppose it. It seems to me, in view of the existing programs, that we ought to take the Federal Government out of the position of paying the salaries for the promotional and organizational employees who will be involved.

Mr. LINDSAY. I thank the gentleman.

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

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

Mr. KYL. At the proper time, I intend to offer an amendment which will eliminate these payments for the promotional people. Does it not occur to the gentleman that, perhaps, most of the funds included in this bill would be utilized in a vast selling program rather than to actually accomplish the job that the bill purports to do?

Mr. DOMINICK. I am sure that this would be so. I think it would go further than that and be used by local communities as an excuse for hiring additional personnel whom they may need for other community planning, use them for that purpose but pay their salaries under this provision.

Mr. KYL. Can the gentleman see any reason for including this in the bill?

Mr. DOMINICK. I can see absolutely none. I offered an amendment in committee but it did not go through. I have a similar amendment before me now.

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

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

Mr. COLLIER. As a result of the colloquy here today we can understand that this program in essence is duplicatory, inasmuch as presently the several States under existing public health programs are now able to receive funds for the operation of local public health functions. Obviously an inoculation project is a public health function. Public health personnel in the various States, county health departments, municipal and township health departments, are able to secure Federal funds for salaries, provided, of course, the various health departments qualify under the State public health laws. There is nothing in the present law which does not permit any community, any health department, regardless of whether it is county, municipal, from securing matching funds through the States and using this money for the purpose of the vaccination or other public health programs.

I might add that in 1954, I believe it was, when the broad program of Salk vaccine inoculation was undertaken, the city of Chicago carried out a campaign under the direction of Dr. Bundesen of all the children in the city. The same thing is true in my district.

While I have no objection to this legislation, it could be carried out by extending programs already created. This program is unnecessary by reason of existing programs in State, county, and local health subdivisions.

Mr. DOMINICK. I thank the gentleman for his contribution.

The article from the Denver Post to which I referred earlier in my remarks follows:

PUBLIC URGED TO HELP MAKE "STOP POLIO" CAMPAIGN A SUCCESS  
(By Gene Lindberg)

This is Stop Polio Sunday—Volunteers needed.

A huge army of volunteer workers led by private doctors is now in action, donating thousands of hours of time and effort to the second phase of the Greater Denver mass polio immunization program.

But these volunteers can't win the fight alone. They need the voluntary help of every man, woman, and child in the 10-county area in which 120 clinics are offering type III oral polio vaccine. The goal is at least three-quarters of a million residents—everyone older than 3 months.

"To put this thing over, the citizens must volunteer to help themselves—to help themselves to the free services of the doctors, nurses, pharmacists, law enforcement officers, Scouts and Scoutmasters and a host of civilian workers manning the clinics," Dr. Joseph McCloskey, Denver Medical Society, cochairman of the Stop Polio Committee, said Saturday.

"There is no charge for this service, but those who are able are asked to donate 25 cents each toward the cost of the vaccine. No one will be refused if unable to contribute.

"The citizens who cooperate with us are doing far more than volunteer a few minutes of their Sunday time to safeguard themselves and their own families. They're taking part in a huge mass effort to stamp out the threat of polio forever in this 10-county area. They're helping safeguard babies not even born yet."

For those who received the type I Sabin oral vaccine during the first two Stop Polio Sundays, it's time now for the type III vaccine. This safeguards against the second most dangerous type of polio virus.

For those who missed the type I vaccine, here's the chance to get type III protection in the simplest, fastest possible way. Later on, the public will be notified when type I Sabin vaccine again becomes available, through private doctors. It's not available right now.

Most of the clinics will be open from 11 a.m. until 7 p.m. Four-hour shifts have been worked out for some 300 doctors and as many nurses, pharmacists, Red Cross workers, Scouts and Scout leaders and volunteers from parent-teacher associations, school health clubs, women's clubs.

Clinic supplies were slated to be picked up early Sunday morning at central distribution headquarters set up by each of the six cooperating county medical societies. Standing by to rush additional supplies if necessary will be the Civil Air Patrol, Boulder County sheriff's office, Aurora police, Jefferson County sheriff's jeep patrol, Denver police and auxiliary police, El Jebel motorcycle patrol, Marry's Roamers Motorcycle Club, and Red Cross Motor Corps.

Roache Ambulance Service again offers to take any invalids to the nearest clinic. Mobile clinics are being supplied by Fitzsimons General Hospital, Denver-Chicago Trucking Co., and King Soopers Stores.

The oral vaccine is tasteless, odorless, creates no uncomfortable aftereffects. It can be taken in a little water, but the simplest way is by taking two drops of it on a sugar cube.

More than a million cubes for this Sunday, and next Stop Polio Sunday, July 1, have been volunteered by the Great Western Sugar Co., without charge. Later, this fall, the type II Sabin vaccine will be offered at Sunday clinics to complete the mass immunization drive against all three types of polio infection.

It will help speed up the lines at clinics if individuals and families will fill out the registration blank printed in this issue of the Sunday Post. Just fill in the blank at home and save delay at the clinic.

A list of the clinics in the 10-county area is printed also in this issue. Time there, unless otherwise noted, is 11 a.m. to 7 p.m.



In Denver there will be mobile as well as fixed clinics. Starting at 9:30 a.m. Sunday, one mobile unit will operate on the following schedule:

Sacred Heart School, 2800 Lawrence Street, 9:30 to 10:30 a.m.

Annunciation Church, 3621 Humboldt Street, 11 a.m. to 1 p.m.

Curtis Park, 1:30 to 2:30 p.m.

Twenty-third and Larimer Streets, 2:30 to 3:30 p.m.

Sacred Heart School, 2800 Lawrence Street, 3:45 to 5 p.m.

St. Cajetan's Church, Ninth and Lawrence Streets, 7 p.m.

Another mobile clinic will operate at Quigg Newton housing project, 4407 Mariposa Street, from 11 a.m. to 1:30 p.m., and at Stapleton housing project, 201 East 51st Avenue, from 2 to 4 p.m. And a clinic will be held in the GAO Club, 4700 Lipan Street, from 8 to 9 p.m. Sunday.

#### YOU NEED THEM ALL

The oral polio vaccine is administered in three steps, type I, II, and III.

For complete protection, you must take all three types.

Several weeks ago many of you received type I "sugar cubes."

You still need to get type III in the current program, detailed in other stories on this page, and later you must also get your type II.

#### SABIN ORAL VACCINE CLINICS LISTED FOR 10-COUNTY AREA

Stop-polio clinics will be at the following locations in the 10-county Greater Denver area Sunday. At this time the type III Sabin oral vaccine will be given out.

Unless otherwise specified, hours will be from 11 a.m. to 7 p.m.

#### Denver

University of Denver Medical Center, 2040 South Josephine Street.

Mobile clinic, lower downtown area (8:30 a.m. to 2 p.m.).

Quigg Newton housing project, 407 Mariposa Street (11 a.m. to 1:30 p.m.).

Stapleton housing project, 201 East 51st Avenue (2 to 4 p.m.).

Elitch's Gardens, 4620 West 38th Avenue, north end of Trocadero Ballroom.

Elementary schools: Ashland, 2475 West 29th Avenue; Ashley, 1914 Syracuse Street; Barrett, 2900 Jackson Street; Berkeley, 5025 Lowell Boulevard; Bromwell, 355 Columbine Street; Cowell, 4540 West 10th Avenue; Crofton, 2409 Arapahoe Street; Ebert, 410 23d Street; Fairview, 2715 West 11th Avenue; Garden Place, 4425 Lincoln Street; Gilpin, 720 30th Street; Greenlee, 1156 Lipan Street; Knapp, 500 South Utica Street; McMeen, 1000 South Holly Street; Sabin, 3050 South Vrain Street; Schmitt, 1820 South Vallejo Street; Slavens, 3000 South Clayton Street; Swansea, 4630 Columbine Street; Whiteman, 451 Newport Street.

Junior high schools. (Every junior high school in Denver will be used): Baker, 574 West Sixth Avenue; Byers, 150 South Pearl Street; Cole, 3240 Humboldt Street; Gove, 1325 Colorado Boulevard; Grant, 1751 South Washington Street; Hill, 451 Clermont Street; Horace Mann, 4130 Navajo Street; Kepner, 911 South Hazel Court; Kunsmiller, 2250 South Quitman Street; Lake, 1820 Lowell Boulevard; Merrill, 1551 South Monroe Street; Morey, 840 East 14th Avenue; Rishel, 451 South Tejon Street; Skinner, 3435 West 40th Avenue; Smiley, 2540 Holly Street; Denver Junior Academy, 2665 South Emerson Street.

High school: Thomas Jefferson, 3950 South Holly Street.

YMCA: 25 East 16th Avenue.

Catholic schools: Cure d'Ars, 3200 Dahlia Street; St. Elizabeth's, 1020 11th Street; Blessed Sacrament, 1973 Elm Street; St.

James, 1250 Newport Street; Presentation of Our Lady, 659 Julian Street; Loyola, 2350 Gaylord Street; All Saints, 2559 South Federal Boulevard; and Precious Blood, South Colorado Boulevard and East 11th Avenue.

*Arapahoe County (covering Douglas and Elbert Counties)*

Englewood elementary schools: Cherrellyn, 4550 South Lincoln Street; Clayton, 4600 South Fox Street; North Englewood, 3100 East Elati Street; Scenic View, South Raritan and West Warren Avenues; Washington, 3185 South Washington Street.

University Hills Medical Arts Building, 4401 East Yale Avenue.

Littleton schools: Centennial Elementary, 3360 West Berry Avenue; Littleton High, 199 Littleton Boulevard; Peabody Elementary, 3125 East Peabody Avenue; South Elementary, 6390 South Windemere Avenue.

Gem stone parking lot, 5450 South Broadway (noon to 6 p.m.).

Fort Logan District 75: Elementary School, West Kenyon Avenue and South Knox Court. Cherry Creek School District 5: Cherry Hills Elementary, 2400 East Quincy Avenue.

Castle Rock: Douglas County Junior High.

#### Adams County

Aurora: Aurora High School, 11th Avenue and Moline Street; West Junior High, Delmar Parkway and 13th Avenue; North Junior High, Montview Boulevard and Peoria Street; St. Plus Elementary, 14th Avenue and Yost Street; Sable Elementary, 2601 Sable Road; South Junior High, Parkway Drive and Fletcher Road.

Brighton: Brighton High School.

Bennett-Strasburg: Mobile Clinic A—Bennett, 11 a.m.-3 p.m. Bennett-Watkins School, Strasburg, 3 p.m.-7 p.m., public school.

Byers-Deer Trail: Mobile Clinic B—Byers, 11 a.m.-3 p.m., public school; Deer Trail, 3 p.m.-7 p.m., public school.

Adams City: Adams City Junior High, Kearney Junior High.

#### Larimer County

Fort Collins Schools: Dunn, Barton, Moore, Laurel, Putman; Colorado State University Student Health Service.

Area around Fort Collins: Wellington School, Timmath School, Cache la Poudre School at Laporte, Garfield and Washington Schools in Loveland.

Estes Park: American Legion Hall (11 a.m.-5 p.m.).

*Clear Creek Valley (covering Clear Creek, Gilpin, and Jefferson Counties)*

Golden: Golden Senior High School, 701 24th Street; Pleasant View Elementary, 15920 West 10th Avenue; Manning Junior High, 13200 West 32d Avenue.

South Lakewood: Bear Creek Elementary, 3125 South Kipling Street; Alameda Senior High, 1355 South Wadsworth Boulevard; Creighton Junior High, 75 Independence Street.

Lakewood: Molholm Elementary, 6000 West Ninth Avenue; Lakewood Senior High, 9700 West Eighth Avenue; Jefferson Senior High, 2305 Pierce Street.

Wheat Ridge: Wheat Ridge Senior High, 9505 West 32d Avenue; Martinson Elementary, 6625 West 45th Avenue.

Arvada: Arvada Senior High, West 57th Avenue, and Balsam Street; Secret Elementary, 6875 West 64th Avenue; Fitzmorris Elementary, 6250 Independence Street.

Evergreen: Evergreen High.

Idaho Springs: School in Idaho Springs.

Thornton: Thornton Elementary, 900 Epfinger Boulevard.

Northglenn: Holstrom School, Grant and Garland Streets.

Westminster: Gregory Hills, 8030 Irving Street; Skyline Vista Elementary, 7395 Zuni Street; Baker Elementary, 3555 West 64th Avenue.

Central City: Clark Elementary School (3-7 p.m.).

#### Boulder County

County: Nederland School, Lafayette, Louisville, Bloomfield and Lyons High Schools, Longmont Community Center.

City of Boulder: Centennial, Casey, and Baseline Junior High Schools, Fairview High School, Martin Park Elementary School, Wardenberg Health Center (University of Colorado campus).

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, one of our greatest causes of epidemics are floods. For the 8th consecutive day this House has been in session. I rise to speak in behalf of the Waurika Bureau of Reclamation project. Today, I wish to pose a question to you, my colleagues. If your constituents had suffered through years of floodings in the spring, and droughts by late summer, if your constituents had their homes and possessions swept away by flood currents year after year, what would you do about it?

Knowing most of you, as I have for many years, I think you would fight for the interests of your people. I think that you would do everything physically possible to alleviate this unfortunate and unnecessary situation.

Gentlemen, when I ran for Congress 2 years ago, I made a promise to the people of Waurika that I would give the best of my abilities in trying to secure this project. I told them that everything physically possible would be done to secure passage of the Waurika Dam.

One of the first things I did upon my return to Washington was to introduce H.R. 2084, a bill authorizing the construction and maintenance of the Waurika Dam. I have since pursued every means known to me to gain passage of this measure.

To date, we have laid the groundwork, we have cooperated in every way with Oklahoma's two Senators, ROBERT S. KERR and MIKE MONROE. With their leadership and with the help of the good people back home, we have secured approval from the Bureau of Reclamation and the Secretary of the Interior. We have gotten the green light from the Bureau of the Budget. We have talked with the leadership of this House; we have even asked the President to encourage the leadership of the House to push this measure.

Mr. Speaker, I have no doubts as to the eventual passage of this bill. I honestly believe that if this bill does not become law this year, it will next. But this is not the point I am trying to bring out. My people are flooded out of their homes almost annually. I wish to exert every effort, share any part of the burden, and make any sacrifice that they may not have to endure such hardship in the future. Another year probably

means another flood and consequently more millions in damage down the drain. If it be physically possible to prevent this tragic loss, I wish to pursue a course which will make this possible.

Through constant pressure, and wonderful cooperation of all parties concerned, we have moved forward at a swift pace, up till now.

My colleagues, we have every reason to believe that this project will make it all the way through the Senate this year. Yesterday, June 25, 1962, reports were made in the Senate included S. 114, authorizing the construction of the Waurika reclamation project, Oklahoma, with amendments (S. Rept. 1621). It is here in the House where the problem exists. Water rights on other projects involving Oklahoma and Texas are in contention. It is most difficult to reach an agreement especially in view of the fact that we are awaiting the decision of an interstate water compact commission. We, in Oklahoma, have agreed to abide by the Commission's ruling. We will ask for no special rulings. We will not ask that the Commission give us any water that should not rightfully be ours. To my knowledge, Senator KERR and I have both personally assured our honorable Texas colleagues that their rights will not be maligned by the use of politics. We have offered the gentlemen every assurance of our good faith.

Mr. Speaker, it is in a spirit of humility that we ask Members of this House to stand up and be counted. It is difficult for a public servant to stand by while the people whom he serves suffer an almost annual pillaging at the hands of a flood torrent that could be halted. We appeal to the Members of this House. We ask for your help.

Mrs. ST. GEORGE. Mr. Speaker, I have no further requests for time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

#### RESIGNATION OF MEMBER

The SPEAKER laid before the House the following communication, which was read:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 21, 1962.

HON. JOHN W. MCCORMACK,  
The Speaker of the House of Representatives.

Sir: I beg leave to inform you that I have this day transmitted to the Governor of New Jersey my resignation as a Representative in the Congress of the United States from the 11th District of New Jersey.

Very truly yours,

HUGH J. ADDONIZIO,  
Member of Congress.

#### VACCINATION ASSISTANCE ACT OF 1962

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 (H.R. 10541) to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs.

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. 10541, with Mr. LOSER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman, the bill under discussion—H.R. 10541—is titled the Vaccination Assistance Act of 1962.

The purpose of this legislation is to authorize a 3-year program of special project grants to the States and, with State approval, to local communities, for intensive community vaccination programs against four contagious diseases which constitute significant public health problems—polio, diphtheria, whooping cough, and tetanus. The intensive vaccination programs contemplated by the legislation must be aimed at immunizing practically all susceptible persons in the community with particular emphasis on the immunization of children under 5 years of age.

The maximum appropriation authorized by the legislation for grants would be \$14 million for the fiscal year ending June 30, 1963, and \$11 million for each of the 2 succeeding fiscal years.

Vaccine could be purchased with the Federal grant funds authorized under the bill only for children under 5 years of age. In addition, the grant funds could be used for salaries and related expenses of additional State and local health personnel required for planning, organizational, and promotional activities in connection with intensive community programs, and to maintain the epidemiologic and laboratory surveillance required.

The States and communities, for their part, would be responsible for supporting, through public funds or otherwise, all other elements of the intensive programs—including the services of physicians, nurses, and other health personnel required in the conduct of public vaccination programs; the purchase of vaccine for persons other than children under 5; and the purchase of syringes and other materials required for administering the vaccine.

The requirement that the States or local communities match Federal grants by providing certain services and materials needed to carry on extensive immunization programs takes the place of

the usual matching requirement found in other Federal grant-in-aid legislation which specifies the number of State or local dollars that must be expended for every Federal dollar granted.

A majority of the committee decided that the usual cash matching requirement is poorly suited to the needs of this particular program. The adoption of the cash matching procedure would tend to delay the initiation of State and local programs pending appropriate action by State legislatures and local appropriating bodies. Furthermore, to attempt to apply the usual cash matching requirements to this type program might lead to serious complications in the administration of such programs and might require detailed, and consequently very expensive, cost accounting procedures. In reaching this decision the committee took into consideration the fact that the Salk vaccination program authorized by Public Law 84-377 similarly did not require cash matching by States and local communities. However, substantial State and local contributions were required under that program in the form of services and materials needed for the administration of the vaccine, as in the case under this legislation.

The methods of organizing and conducting local programs—including the choice as to which of the available polio vaccines shall be used for different groups—would be left to State and local determinations.

The bill provides, however, that nothing in the legislation shall be construed to require any State or any political subdivision or instrumentality of a State to have an intensive community vaccination program requiring any person who objects to immunization to be immunized or to have any child or ward of his immunized.

The bill would also require each State or political subdivision or instrumentality of a State, which applies for a grant of vaccines or of funds to purchase vaccines for use in connection with an intensive community vaccination program, to provide the Surgeon General with assurances that, if it receives the grant, it will make available to any physician in the area in which the program is to be carried out amounts of those vaccines reasonably necessary to permit such physician to immunize his patients who are in the group for whose immunization such grant is made.

The committee considered the advisability of including in this paragraph a specific provision prohibiting any physician from charging his patients for vaccines provided free to him under this program. The committee determined that this was unnecessary, but wishes to make it clear that it assumes that no charge will be made by any physician to his patients for the vaccine itself—as distinguished from any possible charge for administering the vaccine.

The committee held hearings on the legislation on May 15 and 16, 1962, in the course of which it received testimony from, among others, the Secretary of Health, Education, and Welfare and representatives of the Association of State and Territorial Health



Officers, the American Public Health Association, the National Tuberculosis Association, and the AFL-CIO. All of these witnesses testified in favor of the legislation. The committee also received a communication from the American Medical Association favoring enactment of the legislation substantially in the form of the committee amendment.

The committee is convinced on the basis of the testimony which it received that intensive community vaccination programs are necessary if the threat of epidemics of these diseases is to be wiped out.

The fundamental fact underlying this legislation is that we have a continuing public health threat in the United States because of our failure to use the vaccines we have against these diseases. Although the number of cases and deaths from the four diseases covered by this legislation has declined since vaccines became available, the large number of unvaccinated persons in the United States constitutes a continuing public health threat. A few figures clearly indicate the situation that allows this avoidable and totally unnecessary risk of serious epidemics.

Two-thirds of the children under 5 years of age in the United States have not yet received the recommended course of vaccine against these diseases. Even among schoolchildren who are the best protected group, more than one-third are not fully vaccinated. Among adults the protected population amounts to less than 20 percent. It is this large number of incompletely vaccinated people—and particularly the preschool children—that represents a community health hazard because any such group contains the potential of an epidemic outbreak.

Evidence indicates that epidemics have begun in unimmunized groups and that most of the cases in these four diseases occur in these groups. It has been shown that the unimmunized are primarily from the lower income groups who are not reached by the usual type of health program.

During the next 3 years, there will be about 33,600,000 children under 5 years of age in the United States, including those now in this age group and those born during that period of time. With widespread community participation in the vaccination programs authorized by this bill, it is estimated that approximately 25 million of these children will receive vaccinations against the four diseases through this program.

The committee has also been advised that this legislation also has important national defense implications. At present the adult population of this country has a low percentage of immunization against tetanus and diphtheria. In time of disaster these two diseases could be of major importance.

In case of a nuclear attack a large percentage of the casualties are likely to suffer wounds contaminated with dirt. The spores of tetanus are universally present in the soil and, therefore, many of the wounded would be potential cases

of tetanus. Even with immediate hospital treatment—which will not be available in time of disaster—less than 50 percent of the tetanus cases would survive.

In bomb shelters crowded living conditions are conducive to diphtheria. Diphtheria was a major health problem during World War II in Germany. Therefore, establishing immunity to these two diseases now would be of great importance in case of a future war.

While the provisions of the legislation respecting use of Federal funds for purchase of vaccine are limited to the purchase of vaccines for children under the age of 5 years, the promotion and organization of intensive community vaccination programs would greatly stimulate the diphtheria and tetanus vaccination of older children and adults. In addition, experience gained from conducting such intensive community programs would be of much value in case of an emergency.

Thus, while the legislation is not designed as a national defense measure, the programs contemplated under this legislation might have a substantial impact in this regard.

While the programs to be made possible under this program are limited in duration, they will have many benefits.

First and foremost, of course, will be the protection to many thousands of individuals against unnecessary suffering and death. The community, at the same time, will be secure in the knowledge that it is safe from the threat of epidemics that endanger every segment of it. Economically, the Nation will benefit by the preservation of the productive capacity of thousands who might have been disabled or dead.

In addition, there is reason to believe that these intensive campaigns will greatly increase our knowledge and experience with regard to intensive immunization programs. This knowledge and experience can be used to establish regular community programs to immunize newborn children before they are 1 year of age so that the gains under the programs authorized by this legislation may be perpetuated.

Finally, new techniques developed in the course of these programs may prove of great value in furthering other health programs.

For all of these reasons the committee feels that the merits of this legislation have been amply demonstrated, and that the cost of this legislation will be justified in the light of the benefits which can be expected.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the distinguished chairman has covered very ably a good part of what this bill is about. However, I thought there ought to be some emphasis placed on two or three points. I know a lot of people are wondering who has supported this legislation. The program was brought forward by the Secretary of Health, Education, and Welfare. It has been supported by the representatives of the Association of State and

Territorial Health Officers, the American Public Health Association, the National Tuberculosis Association, and the American Medical Association.

It seemed to me, as I listened to this testimony, that it was supported by about every agency which I would anticipate would either have an interest or a direct influence in favor of the legislation. In examining these witnesses, all of them had gone into it in great detail and there were certain reasons, I think, why this program had been undertaken in some States but there were still large areas throughout the country where nothing had been done and insofar as our testimony revealed nothing was intended to be done.

It is these areas, I think, that this legislation plans to cover.

Although the number of disease cases and deaths from the four diseases covered by this legislation—polio, diphtheria, whooping cough, and tetanus—has declined sharply since vaccines have become available to protect against them, the failure to administer the vaccine to substantially all of the population in the United States constitutes a continuing public health threat. The threat of epidemics of these diseases can be avoided and therefore the continuing threat constitutes a totally unnecessary risk.

I was somewhat amazed to know that two-thirds of the children under 5 years of age in the United States have not yet received any course of vaccine against these four diseases. This means that only one out of three children under 5 in the United States has received any immunization from these four diseases.

Now, remember this, in spite of the fact that the vaccine and the cost of the vaccination are available, nothing has been done with respect to two-thirds of the population.

It is this large number of incompletely vaccinated people—and particularly the preschool children—that represents a community health hazard because any such group contains the potential of an epidemic outbreak.

Let us turn our attention to the matter of State and local matching of funds.

Paragraph (3) of subsection (c) provides that each applicant for a grant for use in connection with an intensive community vaccination program must provide the Surgeon General with assurances that, if it receives the grant, it will furnish such other services and materials as may be necessary to carry out the program. In any intensive community vaccination program carried out under this legislation the States and local communities would provide—

First. Professional services to administer the vaccine.

Second. Vaccine for individuals 5 years of age and over.

Third. Registration and recordkeeping at vaccination clinics, and

Fourth. Equipment and Supplies—other than vaccine—needed to carry out the program.

The requirement that the States or local communities match Federal grants

by providing certain services and materials needed to carry on extensive immunization programs takes the place of the usual matching requirement found in other Federal grant-in-aid legislation which specifies the number of State or local dollars that must be expended for every Federal dollar granted.

There was one important amendment which was added by a Member of our committee. This provides—and this is subsection (d) of the same paragraph 3. This subsection provides that the Surgeon General may, at the request of a State or other public agency, reduce a grant under this legislation to such agency by the amount of the costs arising from detailing personnel of the Public Health Service to such agency when such detail is made for the convenience of and at the request of such agency and for the purpose of carrying out a function for which the grant is made.

Many Members have asked me what happens at the end of the 3-year period, and I think an answer ought to be given as to whether or not this program will be continued or whether there will be some kind of program that will continue after the end of the 3-year period.

Under title V of the Social Security Act the Secretary of Health, Education, and Welfare is authorized to make grants to States to assist in the extension and improvement of maternal and child health services. These grant funds are also being used to assist States in the support of continuing vaccination services for children and will be available for such purpose after the termination of the 3-year period of intensive vaccination activity proposed by the committee amendment to H.R. 10541. The approximate numbers of vaccinations provided with the aid of grants under this program during the year 1960 against each of the diseases covered in the committee amendment are as follows:

Whooping cough.....	2,475,000
Diphtheria.....	3,593,000
Tetanus.....	3,777,000
Poliomyelitis.....	5,818,000

The annual appropriation authorization for maternal and child health grants is \$25 million. The entire amount of this authorization is now being appropriated. It would be possible, however, for the Congress to increase the appropriation ceiling if it were determined that additional Federal financial support for continuing vaccination programs for children should be supported from this authorization after June 30, 1965.

The maternal and child health grant funds are allotted among the States on the basis of the number of live births and the financial need in the States. State and local matching is required on a dollar-for-dollar basis for one-half of the appropriation, with no matching required for the other one-half of the appropriation.

Thus the program will be continued, may I say, and it is anticipated that it will be continued through title V of the Social Security Act after the end of the 3-year period.

Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, it is a somewhat difficult thing to take exception to certain areas of legislation of this type, because it might place one in the position of favoring sin or opposing motherhood. However, I have some pertinent questions that I think Members of this House should consider as we evaluate the legislation before us; and I might say in almost the same breath that as a former president of a public health board no one is more sold on the necessity of a broad vaccination program than am I. I think, nevertheless, it should be understood that at the present time, as I pointed out somewhat briefly in my exchange of words with the gentleman from Colorado [Mr. DOMINICK] that we have on the books at the present time a program which provides the several States with Federal financial assistance for the operation of their health departments. In turn the various community health departments, the various county health departments, may qualify for additional financial aid from their States for general public health programs.

Nowhere in existing law under this program is there any foreclosure of the use of these funds for a community program of vaccine or inoculation.

I believe the chairman pointed out one-third of the youngsters in the country have not received Salk vaccine shots—the fact remains that there have been and still are in operation public programs for the inoculation of youngsters with Salk vaccine. In fact, I understand that administering the program has now become so improved it is only a question of giving the youngster a treated lump of sugar in order to provide the same effect that previously three shots of Salk vaccine required under the original programs which were adopted back in 1954 with the advent of the Salk vaccine.

If we are going to inoculate youngsters and give them the necessary vaccinations prior to school age—and I might say this seems like a very, very sensible approach to this problem—obviously, then, the number of cases where these types of programs for school-age children would be vastly reduced by reason of the fact the program at preschool age would take care of the problem in this field which generally was left until the child entered school. I understand this would be particularly so in the case of Salk vaccine programs.

I would like to direct a question to any member of the committee for the record. Was there any testimony, or has there been an instance where a preschool program of vaccination or inoculation of any nature could not be conducted because of a shortage of funds, either at the community or State level? Was there any instance where such a program was foreclosed by not having sufficient funds or where communities wanted to offer such a program but could not do it because they could not afford it? Was it indicated by anyone in authority that pres-

ently the various State Public Health authorities found a lack of funds to conduct programs for their vaccination or inoculation programs?

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

Mr. COLLIER. I yield to the gentleman from Colorado.

Mr. DOMINICK. On page 69 of the hearings, I asked the specific question of Dr. Smith, who was testifying:

Is there any indication in the States that people are not becoming vaccinated because there is no available vaccine or funds for the vaccination?

Although no direct reply was given by Dr. Smith, he said:

In every area where we have made studies, the fact that there are in particular population segments large groups who have not been vaccinated does not mean that the community has not got vaccination facilities available.

In other words, he is saying the reason they were not vaccinated had nothing to do with lack of funds across the States.

Mr. COLLIER. I thank the gentleman.

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

Mr. COLLIER. I yield to the gentleman from Arkansas.

Mr. HARRIS. In order that we can relate the whole story of Dr. Smith, see what he said in the next paragraph. Our colleague from Colorado [Mr. DOMINICK] asked the question:

And have the States failed to take the initiative in conducting such campaigns?

I think the States are doing a big part of the job. When you look at the number of school-age children who have been completely immunized, it is an impressive picture. The fact that they have not been able to get to the preschooler—and particularly the preschooler in the lower socioeconomic area—is not because they would not like to but because they have not had programs to point to this particular critical area.

Mr. COLLIER. I will say in conclusion while I do not oppose this legislation, I simply would hope that in its administration those States which have been able to fulfill their responsibility in this field in the past not be given priority at any time so that any funds made available through this program would go into those areas where there are inadequate funds to do the job and that such aid would be directed to those communities which are unable to meet their responsibility.

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

Mr. COLLIER. I yield to the distinguished gentleman from Arkansas.

Mr. HARRIS. I want to compliment the gentleman on his statement and I want to join him and emphasize the importance of what the gentleman has said. The purpose of this program is to stamp out these diseases everywhere in the United States. And, where it is needed the most is where I think the agencies should concentrate, just as the gentleman has stated. Our purpose



is that in all areas of the country where the disease exists or might exist that it be wiped out, and the gentleman, in my judgment, is eminently correct and I want to join him in such course as I can in making it clear to the agency who is to administer this program.

Mr. COLLIER. I thank the gentleman.

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

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

Mr. KYL. In the testimony which was presented, from a medical standpoint was it indicated that this mass immunization would have to be repeated at intervals, or is this a one-shot proposition?

Mr. COLLIER. I would say to my good friend from Iowa that he is starting with a premise with which I do not concur. This is not a mass immunization program. Certainly, \$14 million the first year of the program and \$11 million the 2 following years could hardly be considered sufficient funds to provide any mass inoculation program. Knowing a little something of the cost of administering a vaccination program from experience in a community of 57,000 people, I can assure you that the funds provided here would not provide any mass national program. However, I recall that in the hearings it was pointed out, as I tried to point out in my closing remarks, that there is a job to be done in various areas of the country for one reason or another to stimulate, if you please, inoculation programs. Of course, as the bill prescribes, it is mainly directed to awakening the public to the need of this program at a preschool age, whereas presently broad programs of this nature are, as you know, conducted at a time when the youngsters reach school age, when, generally speaking, health records are maintained in the school system through either the public health authorities or the local school authorities or both.

Mr. KYL. Then, this is an intensive program instead of a mass immunization program. Take a youngster 3 years of age; he gets a shot for tetanus. Does he get another one at 6 or 8 or 10, or is he through with the thing?

Mr. COLLIER. As I understand it, a tetanus shot—and I got this information from my friend, the gentleman from Oregon [Mr. Durno], who is certainly a medical expert—is required every 3 years. However, this varies, as I understand it, with various types of shots. I understand, of course, that the Salk vaccine shots are effective for a longer period of time than is a tetanus shot.

Mr. KYL. If the gentleman will yield further, we are assuming today that having once received the Government shot, the youngsters will go back willingly and take his next succeeding shots?

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 2 additional minutes in order to respond to the question posed by the gentleman from Iowa [Mr. Kyl].

Mr. COLLIER. I would simply say that we are not assuming in this legislation as it is written that the Government might have to continue the program. I think an important part of this program is public education. Once a given number of people are awakened to the need, urgency and importance of this type program, that by its very nature it will, as new shots are needed, stimulate a deeper understanding on the part of the local community, general public, and the parents.

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

Mr. COLLIER. I am happy to yield to the gentleman from Arkansas.

Mr. HARRIS. In the first place, this legislation provides for a crash program. It terminates within a period of 3 years. In the second place, based upon what experience I have had, I believe that every 2 years, in order to be completely effective against tetanus, it requires a booster shot. I know what the medical authorities told some of us, at least, that if one travels outside the United States in certain areas of the world, one is required to take a booster if one has not been inoculated within a period of 2 years. I think I am right.

Mr. COLLIER. Mr. Chairman, I yield back the balance of my time.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. Dominick].

Mr. DOMINICK. Mr. Chairman, first of all I want to pay some compliments to the chairman of our committee, the distinguished gentleman from Arkansas [Mr. Harris]. I think he has done an excellent job in trying to bring this program within some reason, compared to what was originally proposed.

For example, originally, and during the testimony, we had proposals that this be extended to any kind of communicable disease where there was an available vaccine or inoculation. This proposal was rejected.

Mr. Chairman, the chairman of the committee, the gentleman from Arkansas [Mr. Harris], also took great pains to insure, wherever he could, that the States would have some autonomy over the operation of the program provided for in this bill. In my opinion, although the bill purports to have something in it providing for State control, the amendment that was submitted for this purpose, in fact, did not accomplish that purpose. It seems to me to be a clear indication that the Federal Government is still dealing directly with the local community.

Mr. Chairman, during the process of this discussion we have had some comments about who has endorsed the bill. Reference was made to the fact that the public health officers had endorsed it, as well as the American Medical Association, and so on. But in each case, both the Public Health Service and the American Medical Association have indicated that the Federal program such as it is, or the grants for the program, should be made to the States, and worked through the State Public Health Officer, and not with the local communities. It strikes

me that this is the glaring discrepancy in this bill—that we still do not have that accomplished. This is one reason for the amendments that I have been trying to get adopted.

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

Mr. DOMINICK. Yes; I would be delighted to yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, if the gentleman will turn to page 5 of the amended bill, lines 11 and 12, he will observe that the committee adopted the principle of the amendment offered by the AMA and the health officers when we included the language "with the approval of the State health authority." So no community can receive any benefit from it unless it goes through the State health authority.

Mr. DOMINICK. I am fully aware of that amendment. The point I am making is that the program does not originate with the State. The program originates with the local communities, each one fighting for its share of the cake.

Mr. HARRIS. Mr. Chairman, will the gentleman yield further?

Mr. DOMINICK. I yield.

Mr. HARRIS. As I understand, that is not the case. If the State provides a program that comes through the State, then the Secretary testified, as the gentleman vividly recalls, that it would go through the State health department. He also said that should a State not offer a program of its own and a community, in need of a program, made direct application, then the Secretary could through the program deal directly with the community. In order to meet that contention, as the gentleman knows, we amended the bill to include this language so that even though a community may make direct application, if the State health officer does not have a program under the law, they may not receive the aid unless it is with the approval of the State agency.

Mr. DOMINICK. I am glad the gentleman has cleared up the record on that point because I want the record to be crystal clear that before any local community program will be approved by the Surgeon General for implementation under this act it must be approved by the State health department first; is that correct?

Mr. HARRIS. Yes, and I want to thank the gentleman for bringing this question up. I am glad that we have had the opportunity to make abundantly clear what the facts are. We want the record to show the legislative history of this proposed legislation; how it was presented to us at the outset, the hearings we held at which we had these various ideas presented; the fact that there might be a conflict between a community and the State, and that the committee met the problem by providing that we must have approval of the State health department. Also, that we can take care of an emergency that might arise in a particular community within a State. So I think the gentleman has performed

a fine service in bringing this to the attention of the House and making the record here.

Mr. DOMINICK. I thank the gentleman.

Mr. Chairman, there are several other points I would like to make for the record, if we can make them crystal clear.

This program, as I understand it, carries grants for the sole purpose of the four diseases mentioned here and not for any other diseases; is this correct?

Mr. HARRIS. The gentleman is correct. It specifically provides for these four only.

Mr. DOMINICK. And is it not also true that the committee rejected a proposal that it be expanded to include two other diseases?

Mr. HARRIS. I am reminded that the original proposal of the Secretary of HEW requested standby authority for other diseases, but the committee did not go along with that request.

Mr. DOMINICK. There are several other matters that I think should be pointed out here. You will see on page 3 of the report the reasons for the legislation. This shows quite clearly that although the number of disease cases and deaths from the four diseases covered by this legislation have declined sharply since vaccines have become available to protect against them, the failure to administer the vaccine to substantially all of the population in the United States constitutes a continuing public health threat.

And yet the fact of the matter is that this bill contains a specific provision that no State has to take this program, if it does not want to, and no one has to be inoculated if he does not want to be. So we still have the position where we have two programs presently available with funds to supply vaccines, with the admission from the witnesses that the fact that people have not been vaccinated was not due to the lack of vaccine or funds. We are not requiring anybody to be vaccinated under this program yet we are providing more funds. It does not seem to me that this is a very logical approach in an authorization bill. I have just as much sympathy for those people who have been affected by these diseases or who are threatened by them, because I have had some of these in my own family and I know how crippling they can be, but if you are simply trying to promote public education in the field of getting inoculated or getting vaccinated for these four diseases, I wonder whether this is the way to go about it.

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

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

Mr. SPRINGER. The gentleman is right in what he has read. Portions of that I read in my speech a few minutes ago. Regardless of the fact that these people are inoculated, the threat is still there. There may be States that will not accept this program. There is nothing the Congress can do. The threat is still there. But I think from the testimony we have had there is a

threat when two-thirds of the children under 5 are not inoculated.

Mr. DOMINICK. One-third.

Mr. SPRINGER. Two-thirds are not inoculated.

Mr. DOMINICK. It depends upon whose testimony you read.

Mr. SPRINGER. I am reading from the report. I thought that was substantially the testimony. But this is the reason I am supporting this legislation. As I heard the testimony I had a feeling that when a child got to school his chances were much improved for not ever getting these diseases, because his teachers and those who came in contact with him would then try to induce his parents to do something about the inoculation. The large area we are trying to cover here is an area which I think is composed of social strata which never would recognize the need to do anything about it, unless there was this kind of program undertaken to educate them to the necessity for doing something about it. That is basically the reason I support this legislation.

Mr. DOMINICK. I do not know whether or not the gentleman was in the Chamber when I talked on the rule, but at that time I put in as an extension of my remarks a newspaper article on a program going on in Colorado right now.

This program is being conducted massively. It is being conducted totally free and without any cost to the Federal Government or the State health department. It is being done by the doctors and companies in the area in order to try to get people in the area aware of what is going on. It strikes me that that is the type of thing we need, and not more money when we already have the money available in two other programs.

Mr. SPRINGER. May I state in answer that the State of Colorado is one of the most progressive along this line.

I think that is a well-known fact. I congratulate the gentleman, coming from Colorado. His State is a farseeing one in undertaking this. May I say within a very large number of States, nothing is being done about this particular problem and that was very well testified to in the testimony. But if the gentleman wants to take the States of Colorado, Illinois and California and a few others as an example, I do not think that is representative of what this legislation seeks to cover.

May I say the gentleman from Colorado [Mr. DOMINICK] did do a good job in the committee. He is one of the most thought-provoking members of the committee. He was there at every session of the committee asking questions and he did a good job on this legislation. What I am saying here today is not in derogation of the gentleman, but I am praising the gentleman for the excellent job he has done and he deserves tribute for the energy and the ability he displayed when this bill was before the committee.

Mr. DOMINICK. I appreciate the gentleman's comment very much and thank him.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. DOMINICK. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. The gentleman mentioned the program that is now going on in the State of Colorado.

I would like to state that in Nebraska we also have such a program and our vaccinations for polio have run as high as 80 percent in the city of Omaha. Grand Island recently concluded one and they were slightly higher than 80 percent. The people were charged 25 cents. If they did not have the 25 cents, they were given this polio vaccine without any cost. It was conducted by the people of those cities and the city of Nebraska without any material cost to the citizens of our State. I commend the gentleman for his views. I would like to point out also in a questionnaire I sent out to Nebraska this spring, one of my questions was in regard to this particular program. You may be interested in knowing that 73 percent of the replies were in opposition to the Federal Government appropriating any money for this program. Only 20 percent were in favor and 7 percent, not sure.

Mr. DOMINICK. I appreciate the contribution of my colleague.

I know that Nebraska, Illinois, and other States are doing a very fine job here. I, frankly, have not been able to find out what States have not been. Nowhere in the record is there any specific indication of what States have not been doing a good job on this program and, yet, here we are asked to appropriate more money in order to go ahead and do this when we have two programs with continuing authorizations already available.

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

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

Mr. KYL. I can tell the gentleman this, if we offer programs of this type, there will be a lot of States that will not do the job voluntarily.

Mr. DOMINICK. I would agree with the gentleman from Iowa. That is one of the problems I think we are facing in continuing to pass this type of program.

One of the additional points I want to make here is to make sure I am correct, and I would ask this of the chairman. I gather, Mr. Chairman, from page 9 of the report that there are two programs presently in existence which will go beyond the term of this bill providing sums under which vaccination services for these diseases and others can now be supplied.

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

Mr. DOMINICK. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman is correct in a sense in that an individual can go to the Public Health Office in a given community, and if they need a given shot, they can obtain it. But there are no programs of this kind to give emphasis to it to get the people concerned to the point that these children that they are trying to reach will be brought in either to the doctor's office or the Public Health Office for the purpose of immunization. In other words, it is a hit-or-miss casual proposition as it is now under the two programs mentioned.



Secondly, we are not making the progress we should to avoid a possible disaster in either one of the fields involved here, in my judgment.

Mr. DOMINICK. I appreciate that answer from the chairman. Under section 314(c) we make matching grants to the States for establishing and maintaining a public health service, and it would certainly seem to me that this gives ample scope to provide this type of educational endeavor, if they feel it is necessary under that type of program.

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

Mr. DOMINICK. I yield.

Mr. HARRIS. Notwithstanding there has been such a marvelous complementary program in Colorado, is the gentleman satisfied with what has been done in the field to stamp out these four diseases?

Mr. DOMINICK. I would never be satisfied until it is stamped out permanently.

Mr. HARRIS. Of course not, not until we get that done as it has been done in the case of malaria. We do not have to worry about malaria any more, and in the case of certain other diseases we have had almost complete immunization. There is no reason why we cannot achieve that result in this instance.

Mr. DOMINICK. I would certainly agree with the gentleman. My question is simply whether we need this type of program in order to achieve that result. The point I am making is that we already have continuing programs in this field. It strikes me we are seeking to make additional funds available in an entirely new program.

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

Mr. DOMINICK. I yield to the gentleman from Indiana.

Mr. BRUCE. Does the gentleman think an additional program is going to influence any more people to bring their children in for immunization shots?

Mr. DOMINICK. We do have this problem. I doubt very much if the program inaugurated under this bill would cause people to take any further action in view of the tremendous work the television and radio stations and the press have been doing to awaken them to the need.

Mr. BRUCE. It certainly has been brought into the homes of the people over a long period of time.

Mr. DOMINICK. I thank the gentleman for his contribution.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. Durno].

Mr. Durno. Mr. Chairman, I am not only a Member of this Congress, but also a doctor. I would say to the distinguished chairman of this committee that I have seen a patient die of diphtheria, sitting in front of that patient. I saw two German prisoners of war die in Germany as a result of tetanus. I would not want to do anything in this world that would make it possible to have something like that happen to a child or an adult in the United States. I appreciate your bringing this subject to the floor of the House, but I think it would

be less than fair if I did not criticize what I think are weak points in this bill.

I was interested in what the gentleman from Indiana just said with respect to the tremendous amount of publicity, the constant barrage by radio, television, and press, and I would want to add to that, Mr. Chairman, the medical profession as well. The county medical societies of the United States have been actively engaged in this program for a number of years, ever since the Salk vaccine came into existence.

I was home in May, and I saw a thousand children and adults line up at a junior high school, and with two or three drops of a solution of live virus put into their mouths, go on their way. They repeated that in a week or two. They will take a final dose somewhat later.

This whole matter of vaccination and inoculation is not a constant thing. Some require 2 years, some require 3 years, and also there are new inoculations being developed. We presently have a vaccine for influenza, which our Armed Forces are using, I believe, and, of course, we have smallpox, which I do not think this bill covers. There is no worse disease in the world than black smallpox. There is also hepatitis that we are seriously concerned about, which is another virulent disease. There is nothing said in this bill about that.

The point I want to make here is this: A 3-year crash program will not do this job. It is going to be an ever continuing, constant effort on the part of State health organizations, the county health organizations, the medical societies, press, radio and television; and, where necessary, appropriations by local subdivisions of government, by States, or in rare instances by the Federal Government.

So I would say to you, first, I think this is going to be a continuing program. It should be a continuing program if the Federal Government is going to enter this field.

I want to stress No. 2. I do not think it is the provision of medicine that is going to protect the one-third or two-thirds of the children of this country who are not protected. It is going to be this education we have been talking about. That is the thing that is going to do the trick—education.

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

Mr. Durno. I yield to the gentleman from Arkansas.

Mr. HARRIS. I want to highly compliment the gentleman that out of his vast experience he is bringing to the House today information that he is imparting to us. It was confirmed in a letter which the committee received from the American Medical Association. The gentleman so well said the medical profession has taken the lead in these fields over the years and is still going to be in the forefront. The gentleman is so correct. The purpose of this legislation is an effort to emphasize and try to persuade people through educational processes and familiarity with the need and the necessity for it. That is the reason for this legislation. And we hope

after this is accomplished, just as the gentleman has so well said, existing programs may with some modifications take care of the continuing needs in the future.

I want to again compliment the gentleman for his splendid statement.

Mr. Durno. I thank the gentleman. And may I ask one question? What is the priority with respect to these three programs? It has been repeatedly stated here today we have two programs, and now we are to superimpose a third program on top of the two. What is the priority of those?

Mr. HARRIS. Actually, what is referred to in the other two programs is a provision that has long been in the Public Health Service. Section 314(c) provides a general public health program that includes what we are talking about here today, but it does not emphasize or give special attention to diphtheria or polio or whooping cough or tetanus. It is just included in the overall program, but here we recognize the need for and the importance of wiping out these diseases which could strike a community at any time and all the children, especially those under 5 years of age. This is to then give priority, by this particular program, in an effort to do something about these four dreaded diseases that would provide health patterns in any community in the country.

Mr. Durno. I thank the gentleman.

In conclusion, Mr. Chairman, I just want to make these three points over again. I think this is a continuing program, or it will be, and if the Congress proposes to adopt this kind of a program, it should be continuing. I think it is going to be an expansive program which is going to involve a lot more diseases, a lot more inoculations, and a lot more shots than have been delineated here in this bill. Thirdly, I do not think that it is the dollars in this bill or the medicine in this bill that is the answer. I think the answer is a continuation and an acceleration and an extension of the program of public health, and those public programs should originate at the county level and at the State level more than at the Federal level.

So, in voting for this bill I think you have to decide in your own mind whether or not you want to extend the Federal arm of medical care into the total field of inoculation and vaccination, realizing that it is going to be expanded; realizing that it is going to be continuing; and realizing that it is going to cost you \$36 million in the next 3 years.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. Roberts].

Mr. ROBERTS of Alabama. Mr. Chairman, I rise in support of the vaccination assistance legislation. This legislation has been described by the esteemed chairman of the Interstate and Foreign Commerce Committee as an administration bill; and indeed President Kennedy has requested enactment of this legislation. I would like to recount to the House today that sometimes administration bills actually originate in

the House of Representatives, and the present legislation constitutes an excellent example.

On March 16 and 17, 1961, the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce, of which I have the privilege to be the chairman, conducted hearings on the oral polio vaccine. The hearings were occasioned by a request made by President Kennedy to the Congress to appropriate \$1 million for approximately 3 million doses of the vaccine to be stockpiled in case of polio outbreaks in the United States. Hearings of our subcommittee were called on short notice since under the provisions of the Public Health Service Act relating to biological products, no person may sell a vaccine unless such product has been manufactured in an establishment licensed by the Department of Health, Education, and Welfare. The subcommittee had been informed that as of March 14, 1961, when the Presidential request for appropriations was made, no applications for licenses had been filed by pharmaceutical manufacturers for the production of the oral polio vaccine.

It was the purpose of the subcommittee hearings to lay the complete facts with regard to the Salk and Sabin vaccines before the American public.

At the close of the hearings I requested Secretary Ribicoff to review for the subcommittee the vaccine picture in the light of all the testimony which had been presented in the subcommittee hearings. On April 10, 1961, Secretary Ribicoff submitted a preliminary report on the vaccination picture in the Nation. As stated by the Secretary the main facts brought out in this report are as follows:

First. The problem as it exists is not limited to poliomyelitis, but there is inadequate immunization against other important diseases for which specific, effective immunizing substances are available.

Second. Low levels of immunization are present throughout the Nation, both in urban and rural areas, and are concentrated in those segments of the population where average incomes are low.

Third. The problem is not so much the type of vaccine that is available, not so much the actual provision of vaccine, but the development of methods of making sure that those now without protection become immunized.

On May 1, 1961, Secretary Ribicoff submitted a further report to the subcommittee which dealt with factors which contribute to the lack of immunization in large segments of the population and which suggests types of activities which might alleviate the situation and alternative ways of solving the problem.

It is my understanding that the reports prepared at the request of our subcommittee were brought to the attention of President Kennedy and as a result thereof legislation was prepared, the enactment of which was requested of the Congress by the President. Thus, if the executive branch can claim paternity in the case of this legislation, I feel I should point out to the House that the legislative branch can at least claim to be the "grandpappy" of this bill.

It goes without saying that I personally feel very strongly that this is good legislation. The details of the legislation have already been discussed by the chairman of our full committee, the gentleman from Arkansas [Mr. HARRIS], and there is no need for me to say anything further with regard to this legislation except to state that the price in dollars for this program is small indeed if we are able to eradicate four diseases which constitute a serious public health menace.

Mr. Chairman, I include as part of my remarks two reports of the Secretary of Health, Education, and Welfare, dated April 10, 1961, and May 1, 1961, in the RECORD at this point:

THE SECRETARY OF HEALTH,  
EDUCATION, AND WELFARE,  
Washington, D.C., April 10, 1962.

HON. KENNETH A. ROBERTS,  
Chairman, Subcommittee on Health and  
Safety, Committee on Interstate and  
Foreign Commerce, House of Represent-  
atives, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is the preliminary report of progress in the review of the vaccination picture in the Nation, as you requested on March 17, 1961.

The main facts brought out in this report are as follows:

1. The problem as it exists is not limited to poliomyelitis, but there is inadequate immunization against other important diseases for which specific, effective immunizing substances are available.

2. Low levels of immunization are present throughout the Nation, both in urban and rural areas, and are concentrated in those segments of the population where average incomes are low.

3. The problem is not so much the type of vaccine that is available, not so much the actual provision of vaccine, but the development of methods of making sure that those now without protection become immunized.

The Public Health Service is continuing their review of the problem and will be pleased to continue cooperating with your subcommittee in any way that you desire.

Sincerely,

ABRAHAM RIBICOFF,  
Secretary.

#### PRELIMINARY REPORT OF PROGRESS IN THE REVIEW OF THE VACCINATION PICTURE IN THE NATION

At the request of the Subcommittee on Health and Safety of the Committee on Interstate and Foreign Commerce, the Public Health Service has made a review of the immunization status of the Nation with particular reference to poliomyelitis. This document is a progress report on the review as requested by the subcommittee at the conclusion of the hearings on March 17, 1961.

No attempt has been made to review the relative merits of poliomyelitis vaccines, for this was adequately covered in the hearings. It is the considered opinion of the Public Health Service that massive reduction in the occurrence of paralytic polio depends less upon the type of vaccine used than upon our citizens' acceptance of immunization procedures. For many years to come, physicians will undoubtedly exercise their freedom of choice and independent scientific judgment in using either inactivated virus vaccine or attenuated oral vaccine. Many physicians will use both. Therefore, this review deals with the extent of the problem of immunization and the logistics necessary to overcome the relative lack of nationwide immunity.

The problem is not confined to children. Children, however, are at the greatest risk;

and concentration on protecting them offers the means for long-range progress in building health protection against diseases for which specific methods of prevention agents are available.

In considering the immunization status against poliomyelitis, it is appropriate also to consider the immunization status against other diseases for which excellent immunizing substances are available. Today we have available, as well as polio vaccine, excellent vaccines against diphtheria, tetanus and whooping cough (DPT). These three diseases together cause more deaths than does polio. The crippling of diphtheria, which so often affects the heart, and the chronic lung disease and mental retardation that follow whooping cough add to the seriousness of these diseases. Tetanus, except for rabies, has the highest case fatality rate of any communicable disease. (See table 1.)

At present, a vaccine for measles is being field tested. This disease alone causes more deaths than polio. The delayed effects of measles upon the brain, the eyes, the ears, and the lungs add to the seriousness of this common disease of childhood. The future will undoubtedly bring other vaccines against infectious diseases which will need to be used in order to maintain the population at the highest level of health.

Attachment No. 1 has been prepared by the Communicable Disease Center of the Public Health Service. It delineates those areas in which there is adequate immunization. The data were derived from the Bureau of the Census sample of 1960.

While these figures relate only to the indicated number of Salk vaccine doses, other surveys by the Communicable Disease Center have demonstrated that these figures are indicative of that proportion of the population immunized against diphtheria, whooping cough, and tetanus. These data show, for the Nation as a whole, that all age groups of the population are not well protected against these diseases. Of greatest concern are the low levels of protection in the youngest age groups. They are at the greatest risk of developing these four diseases.

Beyond school age there is again a decreasing percentage of the population adequately protected. In general the white population has a better level of protection against diseases for which immunizations are available than the nonwhite. Urban areas have only slightly better immunization status than do the rural areas of the Nation. While there is some variation in levels of immunity by different geographic regions of the Nation, with the New England States having the highest level and the East South Central the lowest level, the picture is fairly constant across the Nation.

Table 2 indicates that poliomyelitis is not strictly an urban disease but is about equally divided between urban and rural populations.

Table 3 [not printed in RECORD] is a compilation of data from Communicable Disease Center surveys of communities to determine the polio immunization levels of various segments of the population. Surveys have been made in different areas of the Nation and the findings are consistent. It has been shown in general, that immunization against disease is not a function of geographic location, but a function of socioeconomic status within the given community—the lower the socioeconomic class, the lower the level of immunization.

Table 4, which was also prepared to meet the request of the subcommittee, indicates the size of the job that needs to be done to bring the various age groups of the population to the best level of immunization possible. Today, 16 million children 7 and under are incompletely immunized of which 4.6 million have had no immunization against these four diseases. To attain maximum immunization of this group it would be necessary



to administer 160 million doses of vaccine against these diseases. The logistics of this problem have been simplified by medical science for immunization against these four diseases can be accomplished simultaneously. Susceptible population groups respond more readily to immunization campaigns directed to the prevention of multiple diseases than to a single disease. Not only will the people in need respond better, but the organizational and administrative problems are no greater to accomplish complete health protection than to segment the effort on a single disease.

Table 5 is a rough estimate of the cost of vaccine purchase. (Prices are based on list prices from manufacturers for sale to the Federal Government and do not take into

account possible reductions for large-scale purchases. The estimated price of oral vaccine is that which was used for the supplemental appropriation presented by the administration to Congress.) The cost of such a program can be seen to vary in accordance with the priorities established. To protect unimmunized children under 1 against polio would cost \$2.6 million. Vaccine to protect children 7 and under against poliomyelitis, diphtheria, tetanus, and whooping cough would cost \$23.6 million. If it were decided that the Federal Government had the responsibility for furnishing oral vaccine to the entire Nation and sufficient vaccine against diphtheria, whooping cough and tetanus to maximally protect the Nation, it might cost as much as \$275 million for the vaccine alone.

It must be emphasized that this estimate provides only for the vaccine and makes no provision for the additional effort that must be made to see that the vaccine is used and used properly—nor does this take account of the continuing effort that will be necessary to maintain this high level of immunity.

In conclusion, this brief review of the vaccination status of the Nation indicates that large segments of the population are not properly immunized against poliomyelitis, diphtheria, whooping cough, and tetanus, that these large groups are not found in specific geographic locations but exist in each and every community, be it urban, rural, north, south, east, or west. Vaccines are effective, but not reaching all in need.

TABLE 1.—Percentage of population with indicated number of Salk vaccine doses <sup>1</sup>

[NE—New England, MA—Middle Atlantic, ENC—East North Central, WNC—West North Central, SA—South Atlantic, ESC—East South Central, WSC—West South Central, MT—Mountain, PAC—Pacific]

Age group	United States	By race		By division									By urban level <sup>2</sup>			
		White	Non-white	NE	MA	ENC	WNC	SA	ESC	WSC	MT	PAC	Standard metropolitan areas	Other areas		
														Urban	Rural	
4 OR MORE DOSES																
<1.....	2.7	3.0	1.4	3.1	3.2	3.9	1.0	2.7	0.9	2.6	1.4	3.0	3.4	1.2	2.0	
1 to 4.....	34.6	38.2	14.6	50.1	37.0	34.3	34.1	26.6	27.2	40.7	29.6	32.5	33.9	31.1	26.8	
5 to 9.....	50.6	55.0	23.8	62.1	54.4	53.0	55.3	41.4	33.9	54.9	43.7	46.9	54.5	48.8	43.5	
10 to 14.....	47.1	49.9	28.2	65.5	50.9	49.0	52.3	37.9	34.4	47.8	50.5	44.3	51.5	45.1	39.4	
15 to 19.....	31.5	33.8	15.5	48.8	34.7	33.6	36.7	23.1	22.9	30.0	30.5	30.4	34.2	31.5	26.6	
20 to 29.....	20.5	22.2	8.8	26.9	18.8	21.6	30.1	15.7	15.0	23.2	22.4	18.3	21.7	20.9	17.4	
30 to 39.....	17.8	19.3	5.1	29.3	15.1	18.6	20.9	11.7	11.4	18.3	22.8	20.7	18.5	17.9	15.7	
40 to 49.....	6.7	7.0	3.9	10.8	5.3	7.4	9.0	4.5	2.3	6.3	7.3	9.4	7.3	7.1	5.2	
50 to 59.....	1.8	1.8	1.1	2.5	1.7	1.7	2.2	.9	.7	2.7	2.2	2.1	2.0	1.7	1.2	
NOT VACCINATED																
<1.....	45.2	42.1	62.4	42.7	44.9	41.1	45.3	47.2	58.8	51.1	35.3	40.3	42.9	49.7	48.1	
1 to 4.....	13.4	10.5	29.3	7.8	10.2	12.8	12.0	18.6	20.6	14.6	11.2	11.7	10.4	13.9	19.7	
5 to 9.....	7.7	6.2	16.4	2.9	5.3	6.7	7.9	8.5	12.6	10.7	7.9	7.5	6.5	6.3	10.8	
10 to 14.....	7.3	6.5	12.8	2.6	4.6	6.8	7.0	9.1	11.0	9.4	7.7	7.5	6.0	7.2	10.0	
15 to 19.....	19.4	17.6	31.7	12.3	15.4	19.1	14.8	25.7	24.5	22.4	16.4	18.1	17.3	18.5	23.7	
20 to 29.....	38.7	35.6	60.0	28.2	39.3	36.7	29.4	48.6	50.0	38.5	36.7	33.3	36.6	38.9	43.8	
30 to 39.....	48.5	45.7	70.8	30.2	50.1	45.7	45.0	61.5	67.1	51.1	44.5	37.0	46.3	48.2	54.2	
40 to 49.....	76.2	75.2	85.5	64.4	78.0	75.1	71.0	84.5	89.5	78.6	76.4	65.4	74.2	76.8	80.6	
50 to 59.....	91.8	91.8	91.9	86.3	91.9	92.2	92.0	93.4	96.6	91.7	91.0	89.1	90.9	92.5	93.5	

<sup>1</sup> Source: Unpublished data of September 1960 sample conducted by U.S. Bureau of the Census.

<sup>2</sup> Definitions of urban level—Standard metropolitan areas: Urban areas with central

city of 50,000 or more; other areas: Urban, cities of 2,500 to 50,000; rural, cities of less than 2,500 and rural areas.

TABLE 2.—Paralytic poliomyelitis cases, United States, 1960 <sup>1</sup>

	North-east	North Central	South	West	Total
Urban <sup>2</sup> .....	246	191	300	254	991
Rural.....	266	258	502	201	1,227
Total.....	512	449	802	455	2,218

<sup>1</sup> Cases reported to CDC poliomyelitis surveillance unit corrected for 60-day followup.

<sup>2</sup> Cities of 25,000 population and larger.

TABLE 4.—U.S. total need—Number inoculations required for 4 doses at present levels of immunization

[Number doses in million]	
Age:	
Less than 1.....	11.8
1 to 7.....	28.2
8 to 14.....	23.9
15 to 39.....	118.7
Total.....	182.6

TABLE 5

Cost of vaccine	Number of people	Number of doses	Cost	Cost of vaccine	Number of people	Number of doses	Cost
1. Newborn and unimmunized infants:	Million	Million	Million	6. Oral vaccine for unimmunized 7 and under:	Million	Million	Million
a. Salk only.....	3.6	11.8	\$2.6	a. Polio only.....	16.0	43.0	\$16.0
b. Salk and DPT.....	3.6	11.8	7.8	b. Polio and DPT.....	16.0	88.0	30.8
2. Unimmunized 7 years and under:				7. Oral vaccine for unimmunized under 40:			
a. Salk only.....	20.0	40.0	8.8	a. Polio only.....	69.1	207.3	69.1
b. Salk and DPT.....	20.0	40.0	23.6	b. Polio, DPT 7 and under and tetanus.....	69.1	207.3	133.8
3. Unimmunized under 40: Salk only.....	69.1	182.6	40.2	8. Oral vaccine and combined antigens (disregarding Salk):			
4. Unimmunized under 40:				a. Oral only 7 and under.....	31.4	94.2	31.4
a. Combined antigen 7 and under with Salk only under 40.....	69.1	182.6	54.9	b. Oral and DPT 7 and under.....	31.4	94.2	46.2
b. Combined antigen 7 and under with Salk and tetanus under 40.....	69.1	182.6	104.8	9. Oral vaccine and combined antigens (disregarding Salk):			
5. Newborn and infants:				Under 40.....	69.1	495.3	165.2
a. Oral only.....	3.7	11.1	3.7	7 and under—DPT and oral, from 8 to 40 years tetanus and oral.....	69.1	495.3	165.2
b. Oral and DPT.....	3.7	22.8	8.1	10. Oral vaccine to everyone—eradication: Oral vaccine only.....	181.0	54.3	181.0
				11. Oral to all, DPT immunized 7 and under, tetanus to all over 40.....	181.0	-----	275.0

TABLE 6.—Cases and deaths for selected communicable diseases, United States, 1955-60

	Polio		Diphtheria		Whooping cough (Pertussis)		Tetanus			Polio		Diphtheria		Whooping cough (Pertussis)		Tetanus	
	Cases	Deaths	Cases	Deaths	Cases	Deaths	Cases	Deaths		Cases	Deaths	Cases	Deaths	Cases	Deaths	Cases	Deaths
1955.....	28,985	1,043	1,984	150	62,786	467	462	265	1958.....	5,787	255	918	74	32,148	177	445	303
1956.....	15,140	566	1,568	103	31,732	266	468	246	1959.....	3,435	(1)	934	(1)	40,005	(1)	445	(1)
1957.....	5,485	221	1,211	81	28,295	183	447	279	1960.....	3,296	(1)	924	(1)	(1)	(1)	(1)	(1)

1 Not available.

2 Preliminary.

THE SECRETARY OF HEALTH,  
EDUCATION, AND WELFARE,  
Washington, D.C., May 1, 1961.

HON. KENNETH A. ROBERTS,  
Chairman, Subcommittee on Health and  
Safety, Committee on Interstate and  
Foreign Commerce, House of Representa-  
tives, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is a further  
report from the Public Health Service as re-  
quested at the close of the polio vaccine  
hearings of your subcommittee on March 17,  
1961. This report completes the review of  
the poliomyelitis immunization program that  
you requested.

I have previously forwarded to you a pre-  
liminary report prepared by the Public  
Health Service which described the national  
status of the immunization problem. This  
second report deals with factors which con-  
tribute to the lack of immunization in large  
segments of the population, types of activi-  
ties which might alleviate the situation, and  
alternative methods of solving the problem.

You may also be interested to know that  
the Public Health Service is completing a  
movie depicting an excellent method of  
stimulating vaccination programs. This  
movie will be entitled "Babies and Bread-  
winners." I would be pleased to arrange for  
your Committee to view this film, or make  
a print available to you, if you desire.

Please let us know if we can provide any  
further information to you.

Sincerely yours,

ABRAHAM RIBICOFF,  
Secretary.

REPORT TO THE HOUSE SUBCOMMITTEE ON  
HEALTH AND SAFETY OF THE INTERSTATE  
AND FOREIGN COMMERCE COMMITTEE BY  
PUBLIC HEALTH SERVICE REGARDING IMMU-  
NIZATION AGAINST POLIO AND OTHER DIS-  
EASES—SUMMARY OF PREVIOUS REPORT

In an earlier report to the House Subcom-  
mittee on Health and Safety of the Inter-  
state and Foreign Commerce Committee, the  
Public Health Service has shown that good  
and effective vaccines exist against polio-  
myelitis, diphtheria, whooping cough, and  
tetanus. However, these vaccines have not  
been widely used in areas of low socioeco-  
nomic status. The problem of getting low  
income families immunized is not limited to  
any single geographic area of the Nation, al-  
though metropolitan areas have slightly bet-  
ter immunization status than rural areas.  
Both polio and diphtheria are becoming  
problems of increasing concern in smaller  
urban and rural communities.

Preschool children and young adults are  
less well immunized than school children.

CURRENT ACTIVITIES

There is no simple or single explanation  
for the difficulty in getting these groups im-  
munized. Attempts to do so vary because  
there is no single, national plan, nor is there  
a single, consistent pattern within a given  
State. There are 1561 local health jurisdic-  
tions in the 50 States. Each has its own  
problems and methods of operation—each  
its own program priorities.

School programs

Some generalizations can be made, how-  
ever. One reason school age children are

better immunized is because many local  
school jurisdictions have vaccination against  
various diseases as a school entrance require-  
ment. But this is not the only reason; in  
fact recent surveys by the Communicable  
Disease Center of the Public Health Service  
have shown that the vaccination status of  
school age children is high even in commu-  
nities that do not have this school entrance  
requirement.

School age children represent a captive  
audience, so to speak. Because large num-  
bers of children can be reached in one place  
at one time, school programs are more eco-  
nomical than communitywide programs.  
This probably explains why, beginning with  
the early days of polio immunization, much  
effort has been expended in immunization  
programs for the school age population.

High-risk groups

The philosophy of concentrating immu-  
nization efforts on the school age population  
has continued in the face of changing age-  
rates for polio. There has been some re-  
luctance to mount programs aimed specifi-  
cally at preschool children, although this is  
now the high-risk group.

Preventive services

Undoubtedly, the changing patterns of  
medical care in the past decade have also  
contributed to this new situation. Less  
emphasis has been placed on the well-child  
clinic of health departments because of pres-  
sures of other programs such as home care  
of the sick. There has been a tendency to  
depend primarily upon the private practi-  
tioners to meet the preventive medicine  
needs of the infant and preschool child.  
This system has worked exceedingly well for  
people in a position to afford medical care.  
However, in the low socioeconomic groups,  
particularly among those who might be  
classified as medically indigent, preventive  
services are less often obtained from private  
physicians. Parents in this category make  
an effort to purchase medical care for acute  
illnesses, but tend to "economize" on pre-  
ventive measures.

Although many health departments pro-  
vide free immunization services they are un-  
able to do the intensive work that is needed  
to reach large segments of the population  
who have not responded to general immu-  
nization programs. Recently, the technique  
of quota sampling, which the Communicable  
Disease Center has developed, has made it  
possible for health departments and local  
communities to identify their soft spots.  
Use of this technique has stimulated many  
health departments to intensify their im-  
munization programs among the most vul-  
nerable groups of people.

Program demands

Even though it is now possible to pinpoint  
the areas where immunization programs are  
needed, not all health departments can un-  
dertake them. They are under great pres-  
sure to provide a multitude of services and  
must therefore make value judgments. This  
is perhaps the outstanding reason for in-  
complete immunization. Health depart-  
ments are continually being urged to enter  
into new programs but the additional sup-  
port they are offered is not commensurate  
with the scope of operations which is de-  
manded to them, nor is manpower available.

Consequently, they may have to accept im-  
munization levels of 50 to 70 percent, and  
hope that this level will prevent major out-  
breaks. This, of course, does not provide  
the most complete health protection avail-  
able.

Although we have achieved polio immu-  
nization of the most susceptible groups, in the  
range of 60 to 70 percent, epidemics still do  
occur and in sizable proportions, as wit-  
ness the outbreaks in Providence, R.I., and  
Baltimore, Md., last summer. While these  
epidemics did not spread throughout the  
entire cities, they intensively involved the  
unprotected population groups. The 100  
cases in Providence are far less than the 927  
cases in Boston in the epidemic of 1955, but  
still to those people paralyzed and to the  
community which must provide long-range  
care for these people, the outbreak was  
significant.

Responsibility for preventive services

Should it be the goal of the health pro-  
fessions to eradicate diseases for which the  
tools are available? If eradication is im-  
possible, should we be dissatisfied with any-  
thing short of the most complete job possi-  
ble in protecting the community and the  
individual? Or, are there priorities that must  
be established? Priorities relate not only to  
intensity of action, but also to the level of  
responsibility. How much responsibility  
for preventive medicine rests upon the in-  
dividual? The private physician? The  
local, the State, or the Federal health  
organizations?

These questions are not easily answered.  
Priorities of action can be established more  
easily than ultimate goals. If the total  
population cannot be reached, the most sus-  
ceptible groups should have top priority.  
Three of the group of communicable dis-  
eases discussed in this report, polio, diph-  
theria, and whooping cough, have their  
greatest impact upon preschool children.

Priority determination

This can best be illustrated by data on  
poliomyelitis. More accurate information  
about this disease is available because of the  
establishment of the poliomyelitis surveil-  
lance unit at the Communicable Disease  
Center when Salk vaccine first became avail-  
able. Table 7 illustrates that the highest  
attack rates are in the preschool children,  
and table 8 shows that it is not simply the  
preschool children, but the unimmunized  
preschool children who are at the greatest  
risk.

Data such as this make possible program  
priority decisions, but do not answer the  
problems of how responsibility for carrying  
out a program is to be assigned.

Advent of new vaccines

Soon we will be faced with the advent of  
the new oral polio vaccine. While the pub-  
lic appeal of this innovation may not have  
the same magnitude as that stimulated by  
the Salk vaccine in 1955, we can expect an  
upsurge of interest in vaccination against  
poliomyelitis. There will be great pressure  
for massive campaigns to immunize every-  
one with the oral vaccine carried in sugar  
candy or liquid drops. Every evidence, how-  
ever, points to the fact that once we are past  
the initial flush of success of widespread



polio immunization, the problem of continued immunization of new entrants into the population is going to be with us.

Infants immunized while they are still in the hospital will need additional immunizations after they have gone home, and unless a mechanism is set up to insure administration of the required doses of vaccine, the job will not be complete. Also, people who want the liquid or oral polio vaccine may neglect the equally effective immunizations against other diseases. In the earlier report to the subcommittee, it was pointed out that the logistics of furnishing vaccine to people is no different for the oral, the killed, or the other vaccines which have been discussed. Individual crash programs in themselves are not the answer to the need for continued long-range, adequate protection against communicable diseases.

#### Crash programs

Crash programs often occur in the face of epidemics. A major Midwestern metropolitan area had a serious diphtheria epidemic in 1957. It was shown to be due to inadequate immunization. Intensive efforts were made to stop the epidemic with immunizations. Yet the next year the same community had a serious poliomyelitis epidemic, again because of inadequate immunization. The crash program in 1957 had not developed a continuing program to protect the community.

#### Life span immunization

Immunization is not over and done with in a single instant in life. It is a continuing process that must be carried on throughout childhood and young adulthood and on into the mature years. With diphtheria, for example, we are seeing a shift of cases in some localities into the older population, in whom immunity has diminished. Permanent reliance placed on school immunization is unsound because periodic booster immunizations are necessary for long-term protection against diphtheria and other diseases for which we have vaccines.

#### PROGRAM NEEDS

It would seem, then, that the real immunization program needs of the Nation are for mechanisms that would provide continued, scientifically sound, yet administratively feasible, methods of specific protection against communicable diseases. Once set up, these mechanisms could be adapted or extended to cope with the introduction of new products. It would not matter whether the new product was the impending oral polio vaccine, or a vaccine against measles, hepatitis, or even cancer—assuming that such a one should become available. This program would need the support of the public and of the medical profession, as well as of the official and voluntary health agencies.

Developing such mechanisms and programs is not simple—there is no one best method. Many approaches to meet these needs can be suggested. Any program of action has its advantages and disadvantages.

#### Cost

There are, however, certain factors that must be taken into account in developing any type of program. The cost barrier is certainly a factor among low income groups and one that is intensified by their general attitude toward taking precautionary measures against dangers that may seem remote. This lack of concern has been observed in all geographic areas and in both urban and rural communities. Whatever the reason for this, and further research on reasons would be desirable, the fact remains.

#### Need for ready access

Methods of getting these groups to be immunized, despite their indifference, are known. Few adults refuse to be immunized, or to have their children immunized, when

there is no charge and when it involves no trouble or inconvenience to them. Few take advantage of the escape clauses in school entrance requirements for vaccination. Consequently, by taking the immunizing agent to the school, to the plant, to the home and administering it without charge, it seems probable that a high proportion of the unimmunized population in the lower economic areas could be induced to take advantage of immunizations.

The difficulties and cost of such intensive effort would be considerable. While they might be justified to get widespread use of a new immunizing agent, other methods for maintaining high immunization levels also need to be explored.

#### Newborn vaccination

Special emphasis on immunizations of infants under 1 year of age would appear fruitful, both in terms of reaching a high-risk group and in terms of gradually inculcating the immunization habit into the cultural patterns of these groups. Since registration of births is compulsory in all States, health departments can obtain, from birth certificates, reasonably recent addresses of all babies under 1 year of age. By persistent followup work with the family during the first year of the infant's life, it is probable that initial immunizations could be maintained at almost a 100-percent level. This would not solve the problem of booster shots, but if educational efforts were combined with the infant immunization program one might expect that the lower socioeconomic groups would begin to adopt the same attitude toward immunization that the upper and middle income groups now have.

#### Face-to-face approach

Experience with polio immunization indicates that, whether these or other methods are adopted by a community, the approach to the lower socioeconomic groups must be personal. Despite a 5-year multimillion dollar campaign by radio, press and television, these groups did not take advantage of polio vaccine. In contrast, isolated programs, using the personalized approach, were markedly successful.

#### Program priorities

It is not only a problem of motivation and economics for the consumer groups, but also for the purveyors. Health departments must use their limited resources in dollars and manpower to provide a balanced program to meet the total needs of the community. Mental health, air pollution, nursing home improvement, radiation—these and many other new programs are making demands. If these demands are to be met and if resources do not expand in proportion, then value judgments must be made. Should epidemic control or complete protection of the population be the goal?

#### Program necessities

If the national objective is to secure optimum immunization of the total population, additional measures must be taken either by voluntary or governmental action or by a combination of both. Communities must be enabled to employ sufficient staff to carry out a personal approach program or to organize a program that will utilize volunteer help. They must also be able to provide vaccine and to use equipment, such as compressed air jet injectors, which will remove such barriers to acceptance as cost and fear of needle injections.

#### Volunteer agency activity

Theoretically, it might be possible to accomplish this solely by voluntary action—raising funds for equipment and supplies by appeals to the public and relying upon the donated services of the medical profession. Practically, however, it is doubtful if the need has sufficient urgency to assure sustained voluntary effort.

#### Epidemic control

The health of the community is, in relation to communicable diseases, good. Few if any nations enjoy the relative freedom from epidemics that this country does. Surveillance of the communicable diseases can recognize outbreaks early and prompt action can prevent massive epidemics. This type of crash program stimulates activity for a short period of time, but then relaxation of effort takes place. Communicable diseases can be eradicated in the country, but this has not been accomplished through a single crash program but through long continued, planned activity.

#### Compulsion

Compulsory immunization has been suggested as a method of raising immunization levels. Some States have enacted such measures as indicated in the transmittal to the subcommittee. In addition to the broad policy implications of this approach, careful consideration must be given to such questions as how practical is it, and to what extent does it aid in the control of disease? The practical procedure is to concentrate on captive groups, such as school children. The problem of reaching the most susceptible group—preschool children—still must be faced.

#### Summary

In this report, we have identified the population groups who are not being adequately reached by present immunization practices. We have indicated what elements immunization programs would need to contain in order to arise immunization levels in these groups.

Finally, we have discussed three typical situations, one or another of which is characteristic of the status of communicable disease control in most communities at present: i.e., primary reliance on voluntary agency effort; on epidemic control; and on compulsory school entrance requirements.

We have not considered it appropriate to discuss in this report how immunization practices might be changed or what responsibility each level of government—local, State and Federal—might assume in achieving such change.

TABLE 7.—Paralytic poliomyelitis cases, United States, 1960

Age	Number 1960 <sup>1</sup> cases	Paralytic polio rates <sup>2</sup> per 100,000 population
0 to 4.....	952	4.8
5 to 9.....	514	2.7
10 to 14.....	174	1.1
15 to 19.....	113	.9
20 to 29.....	264	1.2
30 to 39.....	140	.6
40+.....	56	.1
All ages.....	2,213	1.3

<sup>1</sup> Polio surveillance unit corrected for 60-day followup.

<sup>2</sup> Based on 1959 population estimates.

TABLE 8.—Paralytic poliomyelitis attack rates by vaccination status, 1959<sup>1</sup>

Age group	Attack rates per 100,000				
	0	1	2	3	4+
0 to 4.....	32.0	18.6	5.8	3.6	1.4
5 to 9.....	28.8	23.2	8.5	2.8	1.1
10 to 14.....	12.3	5.9	4.0	1.1	.6
15 to 19.....	7.0	4.6	1.8	.9	.4
20 to 29.....	5.9	4.1	2.1	1.1	.7
30 to 39.....	2.0	3.1	.7	.4	.5
40 to 59.....	.3	.5	.4	.3	.1

<sup>1</sup> From data in CDC polio surveillance unit.

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

Mr. ROBERTS of Alabama. I yield to the gentleman from Louisiana.

Mr. WAGGONER. When the gentleman speaks of medical testimony, did medical authorities, other than the Public Health Service, testify before the committee while hearings were being held?

Mr. ROBERTS of Alabama. Yes. We had members of the State and territorial health associations from various States of the Union who appeared in support of the legislation.

Mr. WAGGONER. If the gentleman will yield further, were representatives of the American Medical Association present at the hearings, and did they testify?

Mr. ROBERTS of Alabama. Dr. Neuman appeared at the first hearings in March 1961. Then I believe that at the May hearings in 1962 the endorsement of the bill was by letter from the American Medical Association.

Mr. WAGGONER. If the gentleman will yield further, the American Medical Association has endorsed this legislation?

Mr. ROBERTS of Alabama. As I understood the chairman of the full committee, the chairman made that statement. I think that is correct.

Mr. WAGGONER. I thank the gentleman.

Mr. ROBERTS of Alabama. Mr. Chairman, I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, I have no further requests for time.

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in support of H.R. 10541, a bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, especially all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus, and against other diseases which may in the future become susceptible of practical elimination as a public health problem through such programs.

By authorizing a 3-year program of special project grants to States and with State approval, to local communities, for intensive vaccination programs against four contagious diseases which constitute significant public health problems, we will take great strides of prevention against the threat of epidemics.

It is true that, through the years, the field of medicine has taken giant steps to control and eliminate the dreaded diseases which have taken their toll of human lives. Vaccines have been developed, through countless hours of research, which protect human beings from the dreaded effects of these four diseases. But the threat of an epidemic from any one of these killers still remains, unless we can provide the vaccine to a greater number of the populace.

Evidence indicates that epidemics have begun in unimmunized groups and that most of the cases in these four diseases occur in these groups. It has been shown that the unimmunized are primarily from the lower income groups who are not reached by the usual type of health program.

This program will benefit many individuals with protection against unneces-

sary suffering and death from these four diseases. We can gain knowledge from the administration of the program which may prove of great value in furthering other health programs. The greatest benefit will be the freedom from threats of epidemics in the community.

It may also be noted that this legislation has important national defense implications. Considering, at the present time, that the adult population of this country has a low level of immunization against tetanus and diphtheria, two diseases which are prevalent during wars, we could reduce the dangers of loss of lives resulting from these diseases in the event a nuclear attack should take place.

This legislation has merit and its cost will be justified when we realize the benefits which can be expected. It is my hope that this body will enact the legislation before us.

Mrs. SULLIVAN. Mr. Chairman, I will, of course, vote for H.R. 10541 because I believe that, as far as it goes, it will accomplish a great deal of good in assuring wider immunization of young children against polio, diphtheria, whooping cough, and tetanus. The President recommended legislation of this kind in his message to Congress on the health needs of the American people early this year, and I strongly endorsed it in the hearings of the committee.

However, I am deeply disappointed that in approving the bill, the committee rewrote it to take out of it one of its key provisions, and one which I considered of far-reaching importance. I am referring to the provision in the original bill which authorized Federal funds not only for vaccination programs covering the four diseases specifically named in the proposal, but also—I will read:

In connection with intensive community vaccination programs against any other diseases of an infectious nature which the Surgeon General finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through intensive immunization activity over a limited period of time with vaccines or other preventive agents which may become available in the future.

Mr. Chairman, as I informed the Committee on Interstate and Foreign Commerce during hearings on this legislation, this is the kind of provision which—had it been law 10 years ago—could have prevented the chaos and confusion and near-panic over the priorities to be assigned among children for receiving the Salk polio vaccine when it first became available.

Who is to say that medical science in the next few years might not come forward with some new vaccine of equal, or even greater, importance in protecting the lives and health of children? Are we then to go through the same pushing and shoving and grabbing and attempted coercion which some parents were guilty of in seeking special treatment for their children in obtaining Salk vaccine and the Devil take the hindmost?

In 1955, when the Salk vaccine's success was so dramatically announced,

there was absolutely no method for determining what children would receive it and in what priority order. I therefore suggested, in a bill which I introduced, that the Federal Government purchase the entire available—and very limited—supply of the vaccine and turn every bit of it over completely to the National Foundation for Infantile Paralysis, which had financed the discovery of the vaccine and had successfully tested it, so that the foundation could then oversee its distribution on a basis of fairness and scientific efficiency. I am sorry that was not done. If it had been done, I do not believe we would have had such unevenness in the use of the vaccine—and so many unnecessary cases of polio ever since.

Just suppose what would happen in this country if one of today's relatively obscure researchers should suddenly be found to have discovered a vaccine against a type of cancer which usually strikes children. Just imagine the rush there would be among parents for this magic vaccine. Under this bill as originally introduced, we would have the machinery for a mass immunization program which could assure some reasonable and rational kind of priority in using what would certainly at first be limited quantities. I am sorry this important feature was taken out of H.R. 10541, making the bill now before us, in my opinion, a great deal less useful than it would be as originally drafted.

I note in the report on the bill that, despite the removal of this standby authority dealing with future vaccines of great importance, "the committee stands ready, however, to give prompt consideration to any legislation which would provide authority for a similar program utilizing vaccine or any other preventive agent which may be developed in the future to provide immunization against other diseases which constitute a significant public health problem."

My feeling about that, however, is that the great breakthrough in one of the major diseases may come at a time when we had adjourned sine die and are all back home campaigning for election to a new Congress—and then what? Unless a special session of the adjourned Congress were called, it would be months before a new Congress convened, and many weeks after that before committees were organized and the new Congress ready to consider any legislation. In the meantime, we would go through the same chaos, I am afraid, we experienced in 1955 over the Salk vaccine.

It seems to me that the standby authority can not do any harm if no great immunization breakthrough should occur during the life of this proposed law—this provision would just be inoperative. On the other hand, if a miraculous vaccine should indeed come into existence, and as dramatically as the Salk vaccine did in 1955, we would be prepared with flexible administrative machinery to cope with it—and benefit from it to the fullest—whether or not Congress is in session, if this section were kept in the law.

With or without this provision, however, as I told the committee during



hearings on this legislation, we can now at least stamp out polio, diphtheria, whooping cough and tetanus—we know how; we have the vaccines. But the parents must cooperate and so must the communities. Vaccines in test tubes and warehouses do not immunize children. This proposed program should reach and protect all children and therefore should become law.

Mrs. GRANAHAH. Mr. Chairman, the legislation now before us to eliminate, through mass inoculation programs, four of the serious infectious diseases among children is one of a series of proposals made by President Kennedy for improving the health of the American people. We are expanding our research activities in the National Institutes of Health, but the more we learn about disease the more expensive it becomes to put our knowledge to use. As a consequence, our medical knowledge far outstrips our success in keeping our people healthy—too many go without services because of the feeling that they cannot afford it.

It is tragic that such feeling has permitted, or has been responsible for, children going without protection against polio, or the three other diseases covered in this bill—whooping cough, tetanus, and diphtheria. Yet according to the information provided in connection with this bill, much of the failure to immunize more of our young children against these diseases can be traced to economic causes or economic fears.

This bill should not only make it possible, but make it a reality, that every preschool child in the country can be immunized against these four diseases, with State and local health authorities handling the actual details of the program. While some parents for religious or other reasons, do not accept or approve use of vaccines, and will not be forced under this bill to have their children immunized, nevertheless, I believe most parents will want this protection and will be delighted to have their children participate in the new Federal program.

The success of this program should virtually eliminate these four diseases in our country as a scourge of children.

Mr. MACDONALD. Mr. Chairman, the vaccination assistance bill under consideration today is designed to eliminate, for all practical purposes, the threat of polio, diphtheria, whooping cough, and tetanus from the United States. This goal would be accomplished through assisting States and communities throughout the country to launch intensive community vaccination programs over the next 3 years and to develop ongoing maintenance programs to vaccinate the new children as they are born each year.

From the standpoint of medical science, the status of each of these four diseases represents a scientific victory. Medical research has developed for each a safe and effective vaccine that can prevent the occurrence of the disease in vaccinated persons. In 1960, the last year for which complete information is available, the four diseases accounted for more than 600 deaths and for many thousands of individual cases of sickness.

But the very figures that proclaim a victory also reveal a failure. However small the total figures may appear in contrast with those of a decade ago, each of these cases represents the same period of suffering, the same major expense, and the same fear of lasting crippling effect as any case occurring in earlier years. Indeed, these tragedies must have been especially bitter for the victims and their families to accept, because all—or virtually all—could have been prevented. A highly effective vaccine has been discovered. It is available in adequate supply in all parts of the country. Yet people—mostly young children—continue to get these dread diseases.

The reason for this failure that mars the victory is clearly revealed by recent studies of the immunization status of our population. These studies show that large segments of the population still remain unvaccinated, or have only partial protection, against polio. The largest of these groups is comprised of preschool-age children. Of some 21 million children under 5, only 7 million have received the full vaccination protection recommended for polio. Yet children in this age group are especially susceptible to the disease. In other words, the record is poorest in the specific area where it should be best. Each of these unprotected persons represents another potential tragedy. And, in combination, they also represent a community health hazard, for any such group of unvaccinated persons contains the potential of an epidemic outbreak.

Another significant fact is that the highest percentage of unprotected persons is found in neighborhoods in which low-income families live. In polio, for example, among some age groups the vaccination level in the low-income families is 25 percent lower than in high-income groups despite the many free clinics in recent years.

What these figures reveal is a failure, or a major shortcoming, in the planning and conduct of regular vaccination efforts in most communities. The existing vaccination programs conducted in many communities have been reasonably effective in reaching some groups of the population, but they have two major weaknesses. First, they have been so closely related to school admissions that they have provided poor coverage for preschool children. Second, they have been least effective in reaching families in low-income neighborhoods. This latter difficulty is not due simply to the cost barrier, for problems have been encountered in such neighborhoods even when vaccination is readily available without charge.

The principal purpose of H.R. 10541 is to encourage and assist States and communities to develop and carry out intensive community programs of this nature. Such a nationwide approach to the problem offers several advantages over an uncoordinated series of local actions.

First, the biggest obstacle to be overcome is one of inertia or lack of interest on the part of the public. The most effective approach to such an obstacle is to back up local initiative and action with a simultaneous national program

which makes full use of the resources of national organizations—including professional and voluntary groups—and national communications media. In such a program the momentum and cumulative force of combined efforts give extra strength to every local program.

Second, a concentrated and coordinated attack has many advantages from the standpoint of overall efficiency and economy. The services of expert consultants and specialists can be more readily obtained and more effectively used. Some educational and informational materials and programs can be used by a number of communities, either simultaneously or in a planned sequence. Equipment and supplies can be obtained and deployed more efficiently, as can certain laboratory services and facilities.

Finally, if we are to achieve the goal of virtual elimination of these diseases, a nationwide attack is necessary. In a country with such a mobile population as ours, it would be folly not to approach disease elimination across the Nation in a relatively short period of time.

In Massachusetts our record of vaccination against polio is better than for the country as a whole. From the best data available to us, somewhat over half our children under 5 years of age have had a complete series of vaccination and over 60 percent of the population under 20 years of age has received the recommended course of vaccination.

We in Massachusetts know what it means to suffer an epidemic of poliomyelitis. Such an epidemic hit us in 1955, when we had 2,771 cases of paralytic polio. We know that epidemics can and do come when there is a substantial lack of vaccination coverage. Already we have had two cases of polio in Massachusetts this year—both involving unvaccinated preschool children.

The people of my State are now engaged in a statewide program to improve the level of vaccination of young children. Last month about 1 million doses of oral polio vaccine were given in Massachusetts under this program. The second stage of the three stage program is under way now. The third dose is scheduled for this fall. The assistance which will be provided to Massachusetts under this bill will help greatly to assure complete success of this State and local undertaking.

The State health commissioner of Massachusetts, Dr. Alfred L. Frechette, has said that when the percentage of immunized children is only moderately good there is a continuing danger that outbreaks of diphtheria, whooping cough, or polio may occur. Such outbreaks are dangerous to all inadequately vaccinated persons and the control of such outbreaks is far more expensive and time consuming than their prevention by means of thorough preschool immunization.

The success of immunization programs is very much dependent on the extent to which local communities take active responsibility for such programs. Dr. Frechette points out, however, that dedication and enthusiasm are not in themselves enough. The lack of sufficient funds may dampen such enthusiasm be-



fore it can take root. The lack of adequate technical guidance and careful surveillance often spells failure for such local programs.

Mr. Chairman, the emphasis of our nationwide vaccination programs must be on excellence. We cannot be satisfied with merely good programs. The Federal assistance authorized by this bill is aimed at achieving and maintaining such excellence so that polio, diphtheria, whooping cough, and tetanus may be eliminated as health problems from the United States.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the report, but as an original bill, for the purpose of 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 this Act may be cited as the "Vaccination Assistance Act of 1962".*

SEC. 2. Part B of title III of the Public Health Service Act is amended by adding after section 316 the following new section:

**"GRANTS FOR INTENSIVE VACCINATION PROGRAMS"**

"SEC. 317. (a) There are hereby authorized to be appropriated \$14,000,000 for the fiscal year ending June 30, 1963, and \$11,000,000 each for the fiscal years ending June 30, 1964, and June 30, 1965, to enable the Surgeon General to make grants to States and, with the approval of the State health authority, to political subdivisions or instrumentalities of the States under this section. Amounts appropriated pursuant to this section for the fiscal years ending June 30, 1963, and June 30, 1964, shall be available for making such grants during the fiscal year for which appropriated and the succeeding fiscal year. Such grants may be used to pay that portion of the cost of intensive community vaccination programs against poliomyelitis, diphtheria, whooping cough, and tetanus which is reasonably attributable to (1) purchase of vaccines needed to protect children under the age of five years and such additional groups of children as may be described in regulations of the Surgeon General upon his finding that they are not normally served by school vaccination programs and (2) salaries and related expenses of additional State and local health personnel needed for planning, organizational, and promotional activities in connection with such programs, including studies to determine the immunization needs of communities and the means of best meeting such needs, and personnel and related expenses needed to maintain additional epidemiologic and laboratory surveillance occasioned by such programs.

"(b) For purposes of this section an 'intensive community vaccination program' means a program of limited duration which is so designed and conducted as to achieve, with the cooperation of practicing physicians, official health agencies, voluntary organizations, and volunteers, the immunization against poliomyelitis, diphtheria, whooping cough, and tetanus over the period of the program of all, or practically all, susceptible persons in a community, particularly children who are under the age of five years, and which includes plans and measures looking toward the strengthening of ongoing community programs for the immunization against such diseases of infants and for maintenance of immunity in the remainder of the population. Nothing in this section shall be construed to require any State or any political subdivision or instrumentality of a State to have an intensive community vaccination program which

would require any person who objects to immunization to be immunized or to have any child or ward of his immunized.

"(c) (1) Payments under this section may be made in advance or by way of reimbursement, in such installments, and on such terms and conditions as the Surgeon General finds necessary to carry out the purposes of this section, and the Surgeon General may, if the applicant State or other political subdivision or instrumentality so requests, purchase and furnish vaccines in lieu of making money grants for the purchase thereof.

"(2) Each applicant under this section for a money grant for the purchase of vaccines, or for a grant of vaccines in lieu of a money grant, for use in connection with an intensive community vaccination program shall, at the time it files its application with the Surgeon General, provide the Surgeon General with assurances satisfactory to him that it will, if it receives such a grant, furnish any physician, who practices in the area in which such program is to be carried out and makes application therefor to it, with such amounts of vaccines as are reasonably necessary in order to permit such physician during the period of such program to immunize his patients who are in the group for whose immunization such grant of money or vaccines is made.

"(3) Each applicant for a grant under this section for use in connection with an intensive community vaccination program shall, at the time it files its application for such grant with the Surgeon General, provide the Surgeon General with assurances satisfactory to him that it will, if it receives such grant, furnish such other services and materials as may be necessary to carry out such program.

"(d) The Surgeon General, at the request of a State or other public agency, may reduce the grant to such agency under this section by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee of the Public Health Service to such agency when such detail is made for the convenience of and at the request of such agency and for the purpose of carrying out a function for which a grant is made under this section. The amount by which such grant is so reduced shall be available for payment of such costs by the Surgeon General, but shall, for purposes of subsection (c), be deemed to have been paid to such agency.

"(e) Nothing in this section shall limit or otherwise restrict the use of funds which are granted to a State or to a political subdivision of a State under title V of the Social Security Act, other provisions of this Act, or other Federal law and which are available for the purchase of vaccine or for organizing, promoting, conducting, or participating in immunization programs, from being used for such purposes in connection with programs assisted through grants under this section."

Amend the title so as to read: "A bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, particularly all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus."

Mr. HARRIS (interrupting reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, and that the same be open to amendment at any point.

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

There was no objection.

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

The Clerk read as follows:

Amendment offered by Mr. DOMINICK: Page 6, beginning in line 2, strike out "and

(2) salaries and" and all that follows down through line 9 on page 6, and insert in lieu thereof a period.

Mr. DOMINICK. Mr. Chairman and Members of the House, this is the amendment about which I talked previously. If adopted, it will have the effect of leaving the Federal Government in the position of supplying vaccines for these purposes. But it will take the Federal Government out of the position of paying all of the salaries of additional personnel in the State and local communities.

Mr. Chairman, I just cannot understand why the Federal Government should be in the position of supplying salaries of additional State and local health personnel needed for planning, organizational, and promotional activities in connection with this program. This, in fact, if put into effect, could completely eliminate any money for that matter for vaccines, and they could use it all on the people who are organizing or promoting or planning. It could be one grade A boondoggle, the likes of which this Government has not seen in a long time.

What I am trying to do is to bring this back to where the Federal Government, which we seem to think is necessary, will supply the necessary funds for the vaccine to the State and local communities. Under the two bills already in effect, we have provided for services of this kind, for the States to go ahead and supply their own initiative and their own drive, just as Illinois and Colorado and Nebraska and the other States have done to try and do something about these diseases with which we are all concerned. It seems to me that it is a lot more important for us to be concerned about doing something about the diseases than it is to be concerned about whose salary we are going to be paying in Lower Podunk in Southern Slobovia.

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

Mr. DOMINICK. I am glad to yield to the gentleman.

Mr. KYL. This is exactly the same as the amendment I offered previously. I cannot see any sense in the language of the bill at the present time. If we are serious about doing something to bring vaccination to these young people of the Nation, then that should be our purpose, and there is no room in this bill for money for this practice which could simply promote a big medical boondoggle without any results of immunization of the younger people.

I certainly hope this amendment will be adopted.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I, too, would like to compliment the gentleman from Colorado for his effective work in the committee. He did help polish up this bill. But I am afraid if his amendment is adopted we will have virtually no bill as far as the effectiveness of the program is concerned.

There has been a great deal of discussion here today about the remarkable job that has been done in Colorado, which



was mentioned specifically, and in Vermont and Nebraska. And I might say a pretty good job is being done in New York, too. When we get all through with those shining examples of local efficiency in this field, we come back to the unanswered and unanswerable argument that two-thirds of the children under 5 years of age in the United States have not yet received their vaccination against these diseases, and two-thirds of the adults in the United States have not been vaccinated.

If there were a question here of saving some money perhaps the arguments might be more impressive. The suggestion that we have here in this amendment is that we only transfer the cost. No one has suggested that the local communities, operating individually, or the local States, will do a better or more efficient job. So actually there is no saving here. And even if there were, I wonder how we would measure in terms of dollars and cents what this bill proposes to do. What is the life of a child worth? Eight dollars? Eighty dollars? I do not know. We cannot put that kind of measurement upon this kind of legislation. And while some have suggested that the people are being educated day and night on television and radio, I can recall, we all recall, these warnings before a holiday, "Drive slowly," which everyone promptly forgets. But if the skilled people of the U.S. Health Service, together with the skilled people at the local level come into a community and provide a specific project, the response will be much greater than to the scatter-gun approach of an occasional public service announcement on radio or television.

I hope that this amendment will not prevail because if it does the bill will have very little effect.

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

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

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

Mr. KYL. The gentleman from New York, with whom I can usually agree in almost everything he says, I do not see was talking about the amendment offered by the gentleman from Colorado, because all we are trying to do with this amendment is make more of this money available in immunizing the children of the United States so they will not face the threat of these horrible diseases.

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

Mr. HARRIS. I yield to the gentleman from Colorado.

Mr. DOMINICK. The gentleman from New York said that the children up to 5 years of age had not been inoculated, and two-thirds of the adults. I do not know where he got the adult figure at all. I refer the committee to page 66 of the hearings, when Dr. Smith is talking, and he said:

The figures are these: In the 0-to-4 age group, 20 percent have no immunization whatsoever.

I just want to get the figures correct on that.

Mr. HARRIS. The gentleman from New York was talking about the other category we were trying to reach.

I hope this amendment will not be agreed to. I know there is the best of intentions in the gentleman's amendment. I know he does not want to do anything that would impair the program at all. But let me show you what it would do. The testimony given to the committee shows that of this grant some \$4.2 million would go for this purpose, which I will point out to you in a minute, and that \$8.5 million will go for vaccine. In other words, about one-third of the total cost that is estimated to be necessary here would be stricken out completely.

The distinguished gentleman from Oregon, a doctor who is so familiar with what is needed, put his finger on it in the debate when he said that what we need to do here is to impress and make the people realize, educate the people that this must be done. We are striking out all of that if we do this. The gentleman proposes to strike out in this program here additional State and local health personnel needed for planning, organizational, and promotional activities. The State offices do not have people to accomplish that kind of service and therefore they would not be available, and all of that would be stricken out, in addition to activities in connection with such programs, including studies to determine the immunization needs of communities and the means of meeting such needs and personnel and related expenses needed to maintain additional epidemiologic and laboratory surveillance occasioned by such programs.

I do not think the Members really want to curtail the program by doing this, and I know the gentleman does not intend to do it. But on page 8 the State is required to give assurances—that is their job—to give assurances satisfactory to the Surgeon General that the State, if it receives such grant, will furnish such other services and materials as may be necessary to carry out such program. We put an obligation on the State in order to help. It is a cooperative program.

I am confident that the gentleman does not want the majority of this program, the only part that really can be effective beyond the limited program that is in existence today, to be cut out. I ask that the amendment be defeated.

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

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

Mr. KYL. The gentleman certainly does not suggest that the State health departments do not now have capable and trained people who are now engaged in this same work.

Mr. HARRIS. We have no information, no hearings, nothing was brought to the attention of the committee. The overwhelming testimony was that they do not have people to accomplish this service. This is additional services.

Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. DOMINICK].

The question was taken; and on a division (demanded by Mr. DOMINICK), there were—ayes 25, noes 37.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. KYL: On page 6, line 16, following the word "tetanus", add this language: "and any other disease the Surgeon General shall determine".

Mr. KYL. Mr. Chairman, I shall not take the 5 minutes to explain this amendment. It is very simple. I will begin by assuming that every single word that has been said in favor of this bill today is absolutely true and proceed from that point to say that if all of these statements are true, then it is certainly unreasonable to limit the application to four specific diseases when there are certainly others which the Surgeon General might prescribe from time to time that might be included.

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

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

Mr. HARRIS. Could the gentleman advise the Committee what other diseases he might have in mind?

Mr. KYL. There are many other diseases that could be at one time or another a very serious problem in a particular community or an even larger area such as a county or State; such a disease as smallpox, for instance, or even one that has been mentioned, measles. We cannot eliminate measles by vaccination but we can definitely minimize effects by inoculations.

Mr. HARRIS. The gentleman does not have in mind any particular disease at the moment?

Mr. KYL. There is none stated in this amendment. It simply says the Surgeon General in his wisdom can determine, if he so desires, that to prevent an epidemic in Arkansas, Iowa, and California because of floods or because of some other natural hazard or because of the unexplainable fact of epidemics, decides that the Federal Government should participate through this program in trying to alleviate the misery and suffering attendant to a particular disease. As I say, if there is merit to anything that has been said here in favor of the bill, I can see no logical reason whatsoever for failure to include other diseases which can be controlled through inoculation or immunization.

Mr. SPRINGER. Mr. Chairman, I will say to my colleagues that this was the objection, when the Secretary came down, that this is a scatter-gun approach. I thought we tried to iron this out and deal with these diseases that we feel have some applicability to present day reality. We tried to bring some reason to the program and we did not leave it in the discretion of some administrator as to what he believes ought to be done. We have limited this program to diseases that we feel are confronting us

with problems that we can realistically try to cope with at the present time, and we have limited this to two particular categories of people—those less than 5 and those who the testimony reveals at the present time are not being inoculated. I think we have tried to be as reasonable in this program as we could. I have a great deal of respect for the distinguished gentleman from Iowa with reference to this, but I do want to say I would question whether I could support a bill of that nature with no more evidence than was given to our committee as to the necessity for that kind of scatter-gun approach.

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

Mr. SPRINGER. I yield.

Mr. HARRIS. Is it not true that the committee did give careful consideration to this point? And the language was included in the original bill, as the gentleman may recall, sent down by the Secretary. We decided that we would pinpoint it on these things which the committee during the course of the hearings felt were really needed. This matter was considered in the committee and the committee in fact turned down this language after most careful consideration. We put on a limitation of 3 years and a specific program to accomplish what we felt could be accomplished at this time.

Mr. SPRINGER. Let me say this: The committee had very definite reservations about a bill that would work and would not leave this to some bureaucrat to decide what ought to be done rather than relying on testimony before the committee as to what we believed was necessary and could be done at this time.

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

Mr. SPRINGER. I yield.

Mr. DURNO. I just want to suggest to the gentleman that one of the most serious things for children are the after-effects or complications of measles. It is not the disease, it is the sequelae, the aftereffects, the complications. Those are indeed serious. If we want to do something for the children of America we should certainly include preventive inoculation to minimize the dangerous complications.

Mr. SPRINGER. If the gentleman wants to submit an amendment on that particular matter and limit it to measles, and if he can show some evidence of its effectiveness I think he might get the amendment adopted. I would not be in position to accept it on the sole statement of the gentleman from Washington. We had no satisfactory evidence about it.

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

Mr. Chairman, the committee very carefully considered the need for including measles. It was the testimony of representatives of the Public Health Service that we were not at a point where we had an effective vaccine, although it is hoped that within the period of a year or two some specific vaccine will be developed. We had present those heading the Chief of the Epidemiological Laboratory of the Public Health Service from down in Georgia, and it was con-

cluded by the committee that there would be ample time, because the committee has not failed to respond to properly-supported requests—ample time to authorize programs when the Public Health Service is able to come to the committee with the assurance that they have something that they would support or certify as being adequately effective to prevent measles or any other disease.

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

Mr. MOSS. I shall be very happy to yield to the gentleman, yes.

Mr. HARRIS. And it is not true that the Secretary advised the committee that they had no way of knowing what the costs would be at this point?

Mr. MOSS. That is quite true.

Mr. HARRIS. Consequently we had no information on which we could base action to get to this particular program.

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

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

Mr. KYL. Was the original request that was set up by the department from downtown in respect to the four diseases here, or was it of a more general nature?

Mr. MOSS. It was of a general nature. However, I would say that the cost estimates which are submitted here in connection with this legislation were predicated on the cost of the four programs specifically stated. We had testimony making it quite clear that additional estimates could not be given.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. KYL].

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. LOSER, 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. 10541), pursuant to House Resolution 699, 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.

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

The bill was passed.

The title was amended to read: "A bill to assist States and communities to carry out intensive vaccination programs designed to protect their populations, particularly all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus."

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in Committee of the Whole on the bill H.R. 10541 this afternoon.

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

There was no objection.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at the appropriate place in the RECORD on H.R. 10541.

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

There was no objection.

#### FURTHER MESSAGE FROM THE SENATE

A further 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. 9822. An act to provide that lands within the exterior boundaries of a national forest acquired under section 8 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest.

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

S. 2164. An act to authorize the Secretary of the Interior to cooperate with the First World Conference on National Parks, and for other purposes.

S. 3203. An act to extend the Defense Production Act of 1950, as amended, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3161) entitled "An act to provide for continuation of authority for regulation of exports, and for other purposes; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROBERTSON, Mr. SPARKMAN, Mr. DOUGLAS, Mr. CAPEHART, and Mr. BENNETT to be the conferees on the part of the Senate.

#### CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS

Mr. HARRIS. Mr. Speaker, on behalf of the gentleman from Texas [Mr. PATMAN], of the Committee on Banking and Currency, I ask unanimous consent to take from the Speaker's desk the bill (S. 3161) to provide for continuation of authority for regulation of exports, and for other purposes, with House amendments thereto, insist on the House amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following



conferees: Messrs. PATMAN, RAINS, MULTER, BARRETT, KILBURN, McDONOUGH, and WIDNALL.

#### SUPREME COURT DECISION ON PRAYER IN PUBLIC SCHOOLS

Mr. ROUDEBUSH. 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 Indiana?

There was no objection.

Mr. ROUDEBUSH. Mr. Speaker, I wish to express my shock and distaste for the appalling decision rendered yesterday by the U.S. Supreme Court which outlaws prayer in our public schools.

It is my prediction that this decision, which is a blow to the very foundations of this Nation, will arouse and offend the American people to an unprecedented degree.

This decision strikes at the very heart of our Republic which was established by the Founding Fathers in the belief of a free America blessed and guided by a Divine Being.

Our Declaration of Independence and our wonderful Constitution were written by God-fearing and religious men.

Our national anthem, "The Star-Spangled Banner," contains three verses which recognize God and offers a prayer for America.

The Pledge of Allegiance to the United States contains these words:

One Nation, under God, indivisible, with liberty and justice for all.

The Congress has enacted legislation which calls for a National Day of Prayer each year.

Our monetary coins carry the inscription, "In God we trust."

Each of our Presidents, from George Washington to John F. Kennedy, has upon assuming his office asked the protection and help of God and has taken the oath while swearing on the Holy Bible.

Here in the U.S. House of Representatives, and in the other body, our daily sessions are opened by prayer. Our school commencement services are begun by prayer. Is this now unlawful?

The Supreme Court decision violates the deeply entrenched and highly cherished spiritual traditions of America—and is a mockery of our forefathers who based their claim for a free and independent new nation on a "firm reliance on the protection of divine providence."

The ramifications of this decision command our urgent examination.

If schoolchildren in public schools are forbidden to pray, what can we next expect?

Shall we here in the Halls of Congress, a public hall, be forbidden to pray? And, what of opening prayers for all public events throughout our beloved Nation? Shall they be halted by the Supreme Court?

It appears the Supreme Court would place this Nation on an equal plane with Soviet Russia where the godless and atheistic Communist rulers permit no mention of a Supreme Being.

From the Supreme Court we have heard the same words as from Russian

Cosmonaut Titov whose anti-Christ utterances were widely publicized during his recent ill-advised and ill-conceived visit to our shores.

It is incomprehensible to me that a nation which has acknowledged and pledged its very existence to God could produce a judicial body that would decide it is unconstitutional for our children to publicly and simply declare their belief in God.

Mr. Speaker, the hour is indeed late for America, when we would deny our God from whom all our blessings flow.

This is not a question of separation of church and state; it is a question of oppression of religion in America.

It is my wish to denounce in the strongest terms possible the decision of the Supreme Court which I consider an affront to every American, regardless of race, creed, or religion.

#### FBI AGENTS TRAILING ALLEGED DRUG PIRATES

Mr. ROUDEBUSH. 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 Indiana?

There was no objection.

Mr. ROUDEBUSH. Mr. Speaker, on May 3, 1961, I submitted a bill for the consideration of this body, H.R. 6811, which has as its purpose the protection of American manufacturers from theft of patent rights and formulas of drug and pharmaceutical products.

This bill remains in committee despite the fact that I feel, with some pride in authorship, it is one of the more important pieces of legislation submitted to this Congress.

The need for passage of this legislation is demonstrated most clearly by an article in the Washington Daily News of June 21, 1962, written by Mr. John Troan. In this article, Mr. Troan points out the tremendous expenditures by our pharmaceutical manufacturers in the field of research to develop the so-called miracle drugs which have resulted in the saving of countless lives not only in the United States but throughout the world.

The theft of these patents has become a big business, and, as I have repeatedly pointed out on the floor of Congress, the greatest purchaser of these drugs manufactured from stolen patents is the U.S. Government.

It is inconceivable to me that we, as a nation, should compound this theft and lack of ethics by purchasing such pharmaceuticals.

Mr. Speaker, I submit herewith this fine article by Mr. Troan:

NEW YORK AND ITALIAN FIRMS INVOLVED—FBI AGENTS TRAILING ALLEGED DRUG PIRATES

(By John Troan)

The FBI is hot on the trail of an alleged international ring of drug pirates.

Scores of agents from the Federal Bureau of Investigation—plus authorities in Europe, Canada, and the Middle East—have been combing three continents for months to unravel the fantastic case.

Involved is the alleged theft of chemical secrets from a leading pharmaceutical firm in New York and their purported sale to six drug companies in Italy—including one said to be headed by a Member of the Italian Senate.

The secrets deal with the production of four miracle drugs made by Lederle Laboratories in Pearl River, N.Y., a division of the American Cyanamid Co.

SPENT \$12.5 MILLION

Lederle says it spent more than \$12.5 million over a 16-year period to develop these drugs—an antiarthritis hormone, Aristocort, and the antibiotics, Aureomycin, Achromycin, and Declomycin.

According to sworn statements just filed by Lederle with a New York City court, top trade secrets—including key drug samples and even company-bred "germs" which serve as microscopic medicine makers in the production of antibiotics—were pirated from its labs and illicitly sold to Italian firms for payoffs that reportedly ranged from \$50,000 to \$110,000.

The statements indicate some drug samples were toted around in shoeboxes and some micro-organisms were spirited out of the country in small metal cigar tubes after being housed in a kitchen refrigerator.

EIGHTEEN-MONTH PROBE

The case has been brought to the fore by Lederle itself. Its detectives capped an 18-month investigation by getting statements—in the past two weeks—from three persons who swore they took part in the scheme.

These statements, describing operations of the alleged drug ring, have been filed with New York State Supreme Court Justice Arthur Markewich. Two of them name Dr. Sidney M. Fox, former chemist for Lederle, as ringleader.

Dr. Fox, 42, of Spring Valley, N.Y., worked for Lederle for 5 years before quitting in September 1959. He now heads Kim Laboratories in Suffern, N.Y., which Lederle contends was the front for the operation.

Justice Markewich has issued a temporary restraining order forbidding Dr. Fox to dispose of any Lederle property which might be in his possession illegally. The company also wants the court to name a receiver to whom Dr. Fox would have to surrender confidential documents the firm claims he still has.

FIGHTS SUIT

Dr. Fox is fighting this, as well as a contempt-of-court conviction which grew out of his refusal to answer questions as a witness in another suit filed against an alleged accomplice, Nathan Sharf, an official of Bi-organic Laboratories, East Paterson, N.J. In that proceeding, in the U.S. district court in Newark, N.J., Dr. Fox took the fifth amendment 62 times.

Lederle, in its civil suits, is seeking \$5 million damages from Dr. Fox and a similar amount from Mr. Sharf.

It also wants \$5 million from Elio Salvetti, an Italian who allegedly served as go-between in negotiating deals for Dr. Fox. But Lederle has not been able to serve Mr. Salvetti with the necessary legal papers. Mr. Salvetti is believed to be either in his native Italy or in Canada.

CHECKING

The FBI is checking to find out if any criminal violations have occurred. For one thing, property allegedly stolen from Lederle has been traced across State lines and even to Rome. In fact, one Italian company has returned to Lederle drug samples purportedly bought from Dr. Fox.

Lederle holds patent rights to all the drugs, and some of the Italian firms allegedly involved in the dealings have, in turn, been selling medicine to the U.S. Government.

One of these is IBI (Istituto Biochimico Italiano). According to John Cancelarich, former chemical engineer for Lederle, IBI's

president is Antonio Creminini—"a senator in the Italian Government."

Mr. Cancellarich, 32, now lives in Milan, Italy. In his sworn affidavit, he told of meeting Mr. Creminini when Mr. Salvetti was trying to swing a \$50,000 deal to sell IBI enough information to make dectomycin. He said the deal went through.

Mr. Cancellarich also told of stealing confidential production records, purified drug samples and homegrown micro-organisms from Lederle for Dr. Fox. At that time, Mr. Cancellarich still worked for Lederle.

### SUPREME COURT DECISION ON PRAYER IN PUBLIC SCHOOLS

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. McCULLOCH. Mr. Speaker, as the Representative from the Fourth Congressional District of Ohio, and for all, or nearly all of the 360,000 people in that district, I wish to commend Mr. Justice Stewart for his able and courageous dissenting opinion in the case of *Engel et al. against Vitale, Jr., et al.*, decided by the Supreme Court on June 25, 1962, which in effect, held unconstitutional the lawful order of a public school official which provided the following prayer be individually, voluntarily said, aloud, at the beginning of each schoolday:

Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

Mr. Speaker, the opinion of the Court, with which I cannot agree, and which appears so utterly unacceptable to so many, the concurring opinion of Mr. Justice Douglas and the dissenting opinion of Mr. Justice Stewart are, as follows:

[Supreme Court of the United States—No. 468, October Term, 1961]

STEVEN I. ENGEL, ET AL., PETITIONERS, V. WILLIAM J. VITALE, JR., ET AL.

(On writ of certiorari to the Court of Appeals of New York.)

(June 25, 1962.)

Mr. Justice Black delivered the opinion of the Court.

The respondent Board of Education of Union Free School District No. 9, New Hyde Park, N.Y., acting in its official capacity under State law, directed the school district's principal to cause the following prayer to be said aloud by each class in the presence of a teacher at the beginning of each school day:

"Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our country."

This daily procedure was adopted on the recommendation of the State board of regents, a governmental agency created by the State constitution to which the New York Legislature has granted broad supervisory, executive, and legislative powers over the State's public school system.<sup>1</sup> These State

officials composed the prayer which they recommended and published as a part of their "Statement on Moral and Spiritual Training in the Schools," saying: "We believe that this statement will be subscribed to by all men and women of good will, and we call upon all of them to aid in giving life to our program."

Shortly after the practice of reciting the regents' prayer was adopted by the school district, the parents of 10 pupils brought this action in a New York State court, insisting that use of this official prayer in the public schools was contrary to the beliefs, religions, or religious practices of both themselves and their children. Among other things, these parents challenged the constitutionality of both the State law authorizing the school district to direct the use of prayer in public schools and the school district's regulation ordering the recitation of this particular prayer on the ground that these actions of official governmental agencies violate that part of the 1st amendment of the Federal Constitution which commands that "Congress shall make no law respecting an establishment of 'religion'—a command which was 'made applicable to the State of New York by the 14th amendment of the said Constitution.'" The New York Court of Appeals, over the dissents of Judges Dye and Fuld, sustained an order of the lower State courts which had upheld the power of New York to use the regents' prayer as a part of the daily procedures of its public schools so long as the schools did not compel any pupil to join in the prayer over his or his parents' objection.<sup>2</sup> We granted certiorari to review this important decision involving rights protected by the 1st and 14th amendments.<sup>3</sup>

We think that by using its public school system to encourage recitation of the regents' prayer, the State of New York has adopted a practice wholly inconsistent with the establishment clause. There can, of

<sup>1</sup> 10 N.Y. 2d 174, 176 N.E. 2d 579. The trial court's opinion, which is reported at 18 Misc. 2d 659, 191 N.Y.S. 2d 453, had made it clear that the board of education must set up some sort of procedures to protect those who objected to reciting the prayer: "This is not to say that the rights accorded petitioners and their children under the 'free exercise' clause do not mandate safeguards against such embarrassments and pressures. It is enough on this score, however, that regulations, such as were adopted by New York City's Board of Education in connection with its released time program, be adopted, making clear that neither teachers nor any other school authority may comment on participation or nonparticipation in the exercise nor suggest or require that any posture or language be used or dress be worn or be not used or not worn. Nonparticipation may take the form either of remaining silent during the exercise, or if the parent or child so desires, of being excused entirely from the exercise. Such regulations must also make provision for those nonparticipants who are to be excused from the prayer exercise. The exact provision to be made is a matter for decision by the board, rather than the court, within the framework of constitutional requirements. Within that framework would fall a provision that prayer participants proceed to a common assembly while nonparticipants attend other rooms, or that nonparticipants be permitted to arrive at school a few minutes late or to attend separate opening exercises, or any other method which treats with equality both participants and nonparticipants." 18 Misc. 2d, at 696, 191 N.Y.S. 2d, at 492-493. See also the opinion of the Appellate Division affirming that of the trial court, reported at 11 App. Div. 2d 340, 206 N.Y.S. 2d 183.

<sup>3</sup> 368 U.S. 924.

course, be no doubt that New York's program of daily classroom invocation of God's blessings as prescribed in the regents' prayer is a religious activity. It is a solemn avowal of divine faith and supplication for the blessings of the Almighty. The nature of such a prayer has always been religious, none of the respondents has denied this and the trial court expressly so found:

"The religious nature of prayer was recognized by Jefferson and has been concurred in by theological writers, the U.S. Supreme Court and State courts and administrative officials, including New York's Commissioner of Education. A committee of the New York legislature has agreed.

"The board of regents as *amicus curiae*, the respondents and intervenors all concede the religious nature of prayer, but seek to distinguish this prayer because it is based on our spiritual heritage."

The petitioners contend among other things that the State laws requiring or permitting use of the regents' prayer must be struck down as a violation of the establishment clause because that prayer was composed by governmental officials as a part of a governmental program to further religious beliefs. For this reason, petitioners argue, the State's use of the regents' prayer in its public school system breaches the constitutional wall of separation between church and State. We agree with that contention since we think that the constitutional prohibition against laws respecting an establishment of religion must at least mean that in this country it is no part of the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried on by government.

It is a matter of history that this very practice of establishing governmentally composed prayers for religious services was one of the reasons which caused many of our early colonists to leave England and seek religious freedom in America. The Book of Common Prayer, which was created under governmental direction and which was approved by acts of Parliament in 1548 and 1549,<sup>4</sup> set out in minute detail the accepted form and content of prayer and other religious ceremonies to be used in the established, tax-supported Church of England.<sup>5</sup> The controversies over the book and what should be its contents repeatedly threatened to disrupt the peace of that country as the accepted forms of prayer in the established church changed with the views of the particular ruler that happened to be in control at the time.<sup>6</sup> Powerful groups representing some of the varying religious views of

<sup>4</sup> 18 Misc. 2d, at 671-672, 191 N.Y.S. 2d, at 468-469.

<sup>5</sup> 2 and 3 Edward VI, c. 1, entitled "An act for Uniformity of Service and Administration of the Sacraments throughout the Realm"; 3 & 4 Edward VI, c. 10, entitled "An act for the abolishing and putting away of divers Books and Images."

<sup>6</sup> The provision of the various versions of the "Book of Common Prayer," are set out in broad outline in the *Encyclopedia Britannica*, vol. 18 (1957 ed.), pp. 420-423. For a more complete description, see Pullan, "The History of the Book of Common Prayer" (1900).

<sup>7</sup> The first major revision of the "Book of Common Prayer" was made in 1552 during the reign of Edward VI. 5 & 6 Edward VI, c. 1. In 1553, Edward VI died and was succeeded by Mary who abolished the "Book of Common Prayer" entirely. 1 Mary, c. 2. But upon the accession of Elizabeth in 1558, the Book was restored with important alterations from the form it had been given by Edward VI. 1 Elizabeth, c. 2. The resentment to this amended form of the Book was kept firmly under control during the reign of Elizabeth but, upon her death in 1603, a petition signed by more than 1,000 Puritan

<sup>1</sup> See New York Constitution, art. V, sec. 4; New York Education Law, secs. 101, 120 et seq., 202, 214-219, 224, 245 et seq., 704, and 801 et seq.



the people struggled among themselves to impress their particular views upon the Government and obtain amendments of the book more suitable to their respective notions of how religious services should be conducted in order that the official religious establishment would advance their particular religious beliefs.<sup>8</sup> Other groups, lacking the necessary political power to influence the Government on the matter, decided to leave England and its established church and seek freedom in America from England's governmentally ordained and supported religion.

It is an unfortunate fact of history that when some of the very groups which had most strenuously opposed the established Church of England found themselves sufficiently in control of colonial governments in this country to write their own prayers into law, they passed laws making their own religion the official religion of their respective colonies.<sup>9</sup> Indeed, as late as the time of the Revolutionary War, there were established churches in at least 8 of the 13 former Colonies and established religions in at least 4 of the other 5.<sup>10</sup>

ministers was presented to King James I asking for further alterations in the Book. Some alterations were made and the Book retained substantially this form until it was completely suppressed again in 1645 as a result of the successful Puritan Revolution. Shortly after the restoration in 1660 of Charles II, the Book was again reintroduced, 13 & 14 Charles II, c. 4, and again with alterations. Rather than accept this form of the Book some 2,000 Puritan ministers vacated their benefits. See generally Pullan, "The History of the Book of Common Prayer," (1900), pp. vii-xvi; *Encyclopaedia Britannica* (1957 ed.), vol. 18, pp. 421-422.

<sup>8</sup>For example, the Puritans twice attempted to modify the "Book of Common Prayer" and once attempted to destroy it. The story of their struggle to modify the Book in the reign of Charles I is vividly summarized in Pullan, "History of the Book of Common Prayer," at p. xiii: "The King actively supported those members of the Church of England who were anxious to vindicate its Catholic character and maintain the ceremonial which Elizabeth had approved. Laud, Archbishop of Canterbury, was the leader of this school. Equally resolute in his opposition to the distinctive tenets of Rome and of Geneva, he enjoyed the hatred of both Jesuit and Calvinist. He helped the Scottish bishops, who had made large concessions to the uncouth habits of Presbyterian worship, to draw up a 'Book of Common Prayer for Scotland.' It contained a Communion Office resembling that of the book of 1549. It came into use in 1637, and met with a bitter and barbarous opposition. The vigor of the Scottish Protestants strengthened the hands of their English sympathisers. Laud and Charles were executed, Episcopacy was abolished, the use of the 'Book of Common Prayer' was prohibited."

<sup>9</sup>For a description of some of the laws enacted by early theocratic governments in New England, see Parrington, "Main Currents in American Thought" (1930), vol. 1, pp. 5-50; Whipple, "Our Ancient Liberties" (1927), pp. 63-78; Wertenbaker, "The Puritan Oligarchy" (1947).

<sup>10</sup>The Church of England was the established church of at least five colonies: Maryland, Virginia, North Carolina, South Carolina and Georgia. There seems to be some controversy as to whether that church was officially established in New York and New Jersey but there is no doubt that it received substantial support from those States. See Cobb, "The Rise of Religious Liberty in America" (1902), pp. 338, 408. In Massachusetts, New Hampshire and Connecticut, the Congregationalist Church was officially es-

But the successful Revolution against English political domination was shortly followed by intense opposition to the practice of establishing religion by law. This opposition crystallized rapidly into an effective political force in Virginia where the minority religious groups such as Presbyterians, Lutherans, Quakers, and Baptists had gained such strength that the adherents to the established Episcopal Church were actually a minority themselves. In 1785-86, those opposed to the established Church, led by James Madison and Thomas Jefferson, who, though themselves not members of any of these dissenting religious groups, opposed all religious establishments by law on grounds of principle, obtained the enactment of the famous "Virginia Bill for Religious Liberty" by which all religious groups were placed on an equal footing so far as the State was concerned.<sup>11</sup> Similar though less far-reaching legislation was being considered and passed in other States.<sup>12</sup>

By the time of the adoption of the Constitution, our history shows that there was a widespread awareness among many Americans of the dangers of a union of church and state. These people knew, some of them from bitter personal experience, that one of the greatest dangers to the freedom of the individual to worship in his own way lay in the Government's placing its official stamp of approval upon one particular kind of prayer or one particular form of religious services. They knew the anguish, hardship, and bitter strife that could come when zealous religious groups struggled with one another to obtain the Government's stamp of approval from each King, Queen, or protector that came to temporary power. The Constitution was intended to avert a part of this danger by leaving the Government of this country in the hands of the people rather than in the hands of any monarch. But this safeguard was not enough. Our founders were no more willing to let the content of their prayers and their privilege of praying whenever they pleased be influenced by the ballot box than they were to let these vital matters of personal conscience depend upon the succession of monarchs. The first amendment was added to the Constitution to stand as a guarantee that neither the power nor the prestige of the Federal Government would be used to control, support or influence the kinds of prayer the American people can say—that the people's religions must not be subjected to the pressures of Government for change each time a new political administration is elected to office. Under that amendment's prohibition

established. In Pennsylvania and Delaware, all Christian sects were treated equally in most situations but Catholics were discriminated against in some respects. See generally Cobb, "The Rise of Religious Liberty in America" (1902). In Rhode Island all Protestants enjoyed equal privileges but it is not clear whether Catholics were allowed to vote. Compare Fiske, "The Critical Period in American History" (1899), p. 76 with Cobb, "The Rise of Religious Liberty in America" (1902), pp. 437-438.

<sup>11</sup>12 Henning, *Statutes of Virginia* (1823), 84, entitled "An act for establishing religious freedom." The story of the events surrounding the enactment of this law was reviewed in *Everson v. Board of Education*, 330 U.S. 1, both by the Court, at pp. 11-13, and in the dissenting opinion of Mr. Justice Rutledge, at pp. 33-42. See also Fiske, "The Critical Period in American History" (1899), pp. 78-82; James, "The Struggle for Religious Liberty in Virginia" (1900); Thom, "The Struggle for Religious Freedom in Virginia: The Baptists" (1900); Cobb, "The Rise of Religious Liberty in America" (1902), pp. 74-115, 482-499.

<sup>12</sup>See Cobb, "The Rise of Religious Liberty in America" (1902), pp. 482-509.

against governmental establishment of religion, as reinforced by the provisions of the 14th amendment, Government in this country, be it State or Federal, is without power to prescribe by law any particular form of prayer which is to be used as an official prayer in carrying on any program of governmentally sponsored religious activity.

There can be no doubt that New York's State prayer program officially establishes the religious beliefs embodied in the regents' prayer. The respondents' argument to the contrary, which is largely based upon the contention that the regents' prayer is "non-denominational" and the fact that the program, as modified and approved by State courts, does not require all pupils to recite the prayer but permits those who wish to do so to remain silent or be excused from the room, ignores the essential nature of the program's constitutional defects. Neither the fact that the prayer may be denominationally neutral, nor the fact that its observance on the part of the students is voluntary can serve to free it from the limitations of the establishment clause, as it might from the free exercise clause, of the 1st amendment, both of which are operative against the States by virtue of the 14th amendment. Although these two clauses may in certain instances overlap, they forbid two quite different kinds of governmental encroachment upon religious freedom. The establishment clause, unlike the free exercise clause, does not depend upon any showing of direct governmental compulsion and is violated by the enactment of laws which establish an official religion whether those laws operate directly to coerce nonobserving individuals or not. This is not to say, of course, that laws officially prescribing a particular form of religious worship do not involve coercion of such individuals.

When the power, prestige and financial support of government is placed behind a particular religious belief, the indirect coercive pressure upon religious minorities to conform to the prevailing officially approved religion is plain. But the purposes underlying the establishment clause go much further than that. Its first and most immediate purpose rested on the belief that a union of government and religion tends to destroy government and to degrade religion. The history of governmentally established religion, both in England and in this country, showed that whenever government had allied itself with one particular form of religion, the inevitable result had been that it had incurred the hatred, disrespect and even contempt of those who held contrary beliefs.<sup>13</sup> That same history showed that many people had lost their respect for any religion that had relied upon the support of government to spread its faith.<sup>14</sup> The establishment clause thus

<sup>13</sup>"[A]ttempts to enforce by legal sanctions, acts obnoxious to so great a proportion of citizens, tend to enervate the laws in general, and to slacken the bands of society. If it be difficult to execute any law which is not generally deemed necessary or salutary, what must be the case where it is deemed invalid and dangerous? and what may be the effect of so striking an example of impotency in the Government, on its general authority." "Memorial and Remonstrance Against Religious Assessments, II Writings of Madison," 183, 190.

<sup>14</sup>"It is moreover to weaken in those who profess this religion a pious confidence in its innate excellence, and the patronage of its author; and to foster in those who still reject it, a suspicion that its friends are too conscious of its fallacies, to trust it to its own merits. \* \* \* [E]xperience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of religion, have had a contrary operation. During almost 15 centuries, has the legal es-



stands as an expression of principle on the part of the founders of our Constitution that religion is too personal, too sacred, too holy, to permit its "unhallowed perversion" by a civil magistrate.<sup>25</sup> Another purpose of the establishment clause rested upon an awareness of the historical fact that governmentally established religions and religious persecutions go hand in hand.<sup>26</sup> The founders knew that only a few years after the "Book of Common Prayer" became the only accepted form of religious services in the established Church of England, an act of uniformity was passed to compel all Englishmen to attend those services and to make it a criminal offense to conduct or attend religious gatherings of any other kind<sup>27</sup>—a law which was consistently flouted by dissenting religious groups in England and which contributed to widespread persecutions of people like John Bunyan who persisted in holding "unlawful (religious) meetings" \* \* \* to the great disturbance and dis-

turbance of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both, superstition, bigotry and persecution. Enquire of the teachers of Christianity for the ages in which it appeared in its greatest luster; those of every sect, point to the ages prior to its incorporation with civil policy." *Id.*, at 187.

<sup>25</sup> "Memorial and Remonstrance Against Religious Assessments, II Writings of Madison," at 187.

<sup>26</sup> "[T]he proposed establishment is a departure from that generous policy, which, offering an asylum to the persecuted and oppressed of every nation and religion, promised a luster to our country, and an accession to the number of its citizens. What a melancholy mark is the bill of sudden degeneracy? Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. \* \* \* Distant as it may be, in its present form, from the inquisition it differs from it only in degree. The one is the first step, the other the last in the career of intolerance. The magnanimous sufferer under this cruel scourge in foreign regions, must view the bill as a beacon on our coast, warning him to seek some other haven, where liberty and philanthropy in their due extent may offer a more certain repose from his troubles." *Id.*, at 188.

<sup>27</sup> 5 and 6 Edward VI, c. 1, entitled "An act for the uniformity of service and administration of sacraments throughout the realm." This act was repealed during the reign of Mary but revived upon the accession of Elizabeth. See note 7, *supra*. The reasons which led to the enactment of this statute were set out in its preamble: "Where there hath been a very godly order set forth by the authority of Parliament, for common prayer and administration of sacraments to be used in the mother tongue within the Church of England, agreeable to the word of God and the primitive church, very comfortable to all good people desiring to live in Christian conversation, and most profitable to the estate of this realm, upon the which the mercy, favor, and blessing of Almighty God is in no wise so readily and plentifully poured as by common prayers, due using of the sacraments, and often preaching of the Gospel, with the devotion of the hearers: (1) And yet this notwithstanding, a great number of people in divers parts of this realm, following their own sensuality, and living either without knowledge or due fear of God, do willfully and damnably before Almighty God abstain and refuse to come to their parish churches and other places where common prayer, administration of the sacraments, and preaching of the word of God, is used upon Sundays and other days ordained to be holy days."

traction of the good subjects of this kingdom. \* \* \* And they knew that similar persecutions had received the sanction of law in several of the colonies in this country soon after the establishment of official religions in those colonies.<sup>28</sup> It was in large part to get completely away from this sort of systematic religious persecution that the founders brought into being our Nation, our Constitution, and our Bill of Rights with its prohibition against any governmental establishment of religion. The New York laws officially prescribing the regents' prayer are inconsistent with both the purposes of the establishment clause and with the establishment clause itself.

It has been argued that to apply the Constitution in such a way as to prohibit State laws respecting an establishment of religious services in public schools is to indicate a hostility toward religion or toward prayer. Nothing, of course, could be more wrong. The history of man is inseparable from the history of religion. And perhaps it is not too much to say that since the beginning of that history many people have devoutly believed that "More things are wrought by prayer than this world dreams of." It was doubtless largely due to men who believed this that there grew up a sentiment that caused men to leave the cross-currents of officially established state religions and religious persecution in Europe and come this country filled with the hope that they could find a place in which they could pray when they pleased to the God of their faith in the language they chose.<sup>29</sup> And there were men of this same

<sup>28</sup> Bunyan's own account of his trial is set forth in "A Relation of the Imprisonment of Mr. John Bunyan," reprinted in "Grace Abounding" and "The Pilgrim's Progress" (Brown ed. 1907), at 103-132.

<sup>29</sup> For a vivid account of some of these persecutions, see Wertenbaker, "The Puritan Oligarchy" (1947).

<sup>30</sup> Perhaps the best example of the sort of men who came to this country for precisely that reason is Roger Williams, the founder of Rhode Island, who has been described as "the truest Christian amongst many who sincerely desired to be Christian." Parrington, "Main Currents of American Thought" (1930), vol. 1, at p. 74. Williams, who was one of the earliest exponents of the doctrine of separation of church and state, believed that separation was necessary in order to protect the church from the danger of destruction which he thought inevitably flowed from control by even the best-intentioned civil authorities: "The unknowing zeale of Constantine and other Emperours, did more to hurt Christ Jesus his Crowne and Kingdom then the raging fury of the most bloody Neroes. In the persecutions of the later, Christians were sweet and fragrant, like spice pounded and beaten in mortars: But those good Emperours, persecuting some erroneous persons, Arius, &c. and advancing the professors of some truths of Christ (for there was no small number of truths lost in those times) and maintaining their religion by the material sword, I say by this meanes Christianity was eclipsed, and the professors of it fell asleep. \* \* \* Williams, "The Bloody Tenent, of Persecution, for cause of Conscience," discussed in "A Conference between Truth and Peace" (London, 1644), reprinted in Naragansett Club Publications, vol. III, p. 184. To Williams, it was no part of the business or competence of a civil magistrate to interfere in religious matters: "[W]hat imprudence and indiscretion is it in the most common affaires of life, to conceive that emperours, kings, and rulers of the earth must not only be qualified with political and state abilities to make and execute such civill lawes which may concerne the common rights, peace and safety (which is

faith in the power of prayer who led the fight for adoption of our Constitution and also for our Bill of Rights with the very guarantees of religious freedom that forbid the sort of governmental activity which New York has attempted here. These men knew that the first amendment, which tried to put an end to governmental control of religion and of prayer, was not written to destroy either. They knew rather that it was written to quiet well-justified fears which nearly all of them felt arising out of an awareness that governments of the past had shackled men's tongues to make them speak only the religious thoughts that government wanted them to speak and to pray only to the God that government wanted them to pray to. It is neither sacrilegious nor antireligious to say that each separate government in this country should stay out of the business of writing or sanctioning official prayers and leave that purely religious function to the people themselves and to those the people choose to look to for religious guidance."

It is true that New York's establishment of its regents' prayer as an officially approved religious doctrine of that State does not amount to a total establishment of one particular religious sect to the exclusion of all others—that, indeed, the governmental endorsement of that prayer seems relatively insignificant when compared to the governmental encroachments upon religion which were commonplace 200 years ago. To those who may subscribe to the view that because the regents' official prayer is so brief and general there can be no danger to religious freedom in its governmental establishment, however, it may be appropriate to say in the words of James Madison, the author of the first amendment:

"[I]t is proper to take alarm at the first experiment on our liberties. \* \* \* Who does not see that the same authority which can establish Christianity, in exclusion of all other religions, may establish with the same ease any particular sect of Christians, in exclusion of all other sects? That the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?"

The judgment of the Court of Appeals of New York is reversed and the cause remanded for further proceedings not inconsistent with this opinion.

Reversed and remanded.

Mr. Justice Frankfurter took no part in the decision of this case.

Mr. Justice White took no part in the consideration or decision of this case.

work and business, load and burthen enough for the ablest shoulders in the Commonwealth) but also furnished with such spiritually and heavenly abilities to govern the spiritual and Christian Commonwealth. \* \* \* *Id.*, at 366. See also *id.*, at 136-137.

<sup>31</sup> There is of course nothing in the decision reached here that is inconsistent with the fact that schoolchildren and others are officially encouraged to express love for our country by reciting historical documents such as the Declaration of Independence which contain references to the Deity or by singing officially espoused anthems which include the composer's professions of faith in a Supreme Being, or with the fact that there are many manifestations in our public life of belief in God. Such patriotic or ceremonial occasions bear no true resemblance to the unquestioned religious exercise that the State of New York has sponsored in this instance.

<sup>32</sup> "Memorial and Remonstrance against Religious Assessments, II Writings of Madison," 183, at 185-186.



[SUPREME COURT OF THE UNITED STATES—No. 468, OCTOBER TERM, 1961]

STEVEN I. ENGEL ET AL., PETITIONERS, V. WILLIAM J. VITALE, JR., ET AL.

(On writ of certiorari of the Court of Appeals of New York)

(June 25, 1962)

Mr. Justice Douglas, concurring.

It is customary in deciding a constitutional question to treat it in its narrowest form. Yet at times the setting of the question gives it a form and content which no abstract treatment could do. The point for decision is whether the Government can constitutionally finance a religious exercise. Our system at the Federal and State levels is presently honeycombed with such financing.<sup>1</sup> Nevertheless, I think it is an unconstitutional undertaking whatever form it takes.

First, a word as to what this case does not involve.

Plainly, our Bill of Rights would not permit a State or the Federal Government to adopt an official prayer and penalize anyone who would not utter it. This, however, is not that case, for there is no element of compulsion or coercion in New York's regulation requiring that public schools be opened each day with the following prayer: "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country."

The prayer is said upon the commencement of the schoolday, immediately following the pledge of allegiance to the flag. The prayer is said aloud in the presence of a teacher, who either leads the recitation or selects a student to do so. No student, however, is compelled to take part. The respondents have adopted a regulation which provides that "neither teachers nor any school authority shall comment on partici-

pation or nonparticipation \* \* \* nor suggest or request that any posture or language be used or dress be worn or be not used or not worn." Provision is also made for excusing children, upon written request of a parent or guardian, from the saying of the prayer or from the room in which the prayer is said. A letter implementing and explaining this regulation has been sent to each taxpayer and parent in the school district. As I read this regulation, a child is free to stand or not stand, to recite or not recite, without fear of reprisal or even comment by the teacher or any other school official.

In short, the only one who need utter the prayer is the teacher, and no teacher is complaining of it. Students can stand mute or even leave the classroom, if they desire.<sup>2</sup>

*McCollum v. Board of Education*, 333 U.S. 203, does not decide this case. It involved the use of public school facilities for religious education of students. Students either had to attend religious instruction or "go to some other place in the school building for pursuit of their secular studies. \* \* \* Reports of their presence or absence were to be made to their secular teachers." *Id.*, at 209. The influence of the teaching staff was therefore brought to bear on the student body, to support the instilling religious principles. In the present case, school facilities are used to say the prayer and the teaching staff is employed to lead the pupils in it. There is, however, no effort at indoctrination and no attempt at exposition. Prayers, of course, may be so long and of such a character as to amount to an attempt at the religious instruction that was denied the public schools by the *McCollum* case. But New York's prayer is of a character that does not involve any element of proselytizing as in the *McCollum* case.

The question presented by this case is therefore an extremely narrow one. It is whether New York oversteps the bounds when it finances a religious exercise.

What New York does on the opening of its public schools is what we do when we open court. Our marshal has from the beginning announced the convening of the Court and then added "God save the United States and this honorable Court." That utterance is a supplication, a prayer in which we, the judges, are free to join, but which we need not recite any more than the students need recite the New York prayer.

What New York does on the opening of its public schools is what each House of Congress<sup>3</sup> does at the opening of each day's business.<sup>4</sup> Rev. Frederick B. Harris is Chaplain of the Senate; Rev. Bernard Braskamp is Chaplain of the House. Guest chaplains of various denominations also officiate.<sup>5</sup>

<sup>2</sup> West Point Cadets are required to attend chapel each Sunday. Reg., c. 21, sec. 2101. The same requirement obtains at the Naval Academy (Reg., c. 9, sec. 0901(1)(a)), and at the Air Force Academy, except first classmen. Catalog, 1962-1963, p. 110. And see Honeywell, Chaplains of the U.S. Army (1958); Jorgensen, "The Service of Chaplains to Army Air Units," 1917-46, vol. I (1961).

<sup>3</sup> The New York Legislature follows the same procedure. See, e.g., vol. 1, N.Y. Assembly Jour., 184th sess., 1961, p. 8; vol. 1, N.Y. Senate Jour., 184th sess., 1961, p. 5.

<sup>4</sup> Rules of the Senate provide that each calendar day's session shall open with prayer. See rule III, Senate Manual, S. Doc. No. 2, 87th Cong., 1st sess. The same is true of the Rules of the House. See rule VII, Rules of the House of Representatives, H. Doc. No. 459, 86th Cong., 2d sess. The Chaplains of the Senate and of the House receive \$8,810 annually. See 75 Stat. 320, 324.

<sup>5</sup> It would, I assume, make no difference in the present case if a different prayer were said every day or if the ministers of the community rotated, each giving his own

In New York the teacher who leads in prayer is on the public payroll; and the time she takes seems minuscule as compared with the salaries appropriated by State legislatures and Congress for chaplains to conduct prayers in the legislative halls. Only a bare fraction of the teacher's time is given

prayer. For some of the petitioners in the present case profess no religion.

The pledge of allegiance, like the prayer, recognizes the existence of a Supreme Being. Since 1954 it has contained the words "one nation under God, indivisible, with liberty and justice for all." 36 U.S.C. 172. The House report, recommending the addition of the words "under God" stated that those words in no way run contrary to the first amendment but recognize "only the guidance of God in our national affairs." H. Rept. No. 1693, 83d Cong., 2d sess., p. 3. And see S. Rept. No. 1287, 83d Cong., 2d sess. Senator Ferguson, who sponsored the measure in the Senate, pointed out that the words "In God We Trust" are over the entrance to the Senate Chamber. CONGRESSIONAL RECORD, vol. 100, pt. 5, p. 6348. He added:

"I have felt that the pledge of allegiance to the flag which stands for the United States of America should recognize the Creator who we really believe is in control of the destinies of this great Republic.

"It is true that under the Constitution no power is lodged anywhere to establish a religion. This is not an attempt to establish a religion; it has nothing to do with anything of that kind. It relates to belief in God, in whom we sincerely repose our trust. We know that America cannot be defended by guns, planes, and ships alone. Appropriations and expenditures for defense will be of value only if the God under whom we live believes that we are in the right. We should at all times recognize God's providence over the lives of our people and over this great Nation." *Ibid.* And see CONGRESSIONAL RECORD, vol. 100, pt. 6, p. 7757 et seq. for the debates in the House.

The act of Mar. 3, 1865, 13 Stat. 517, 518, authorized the phrase "In God We Trust" to be placed on coins. And see 17 Stat. 427. The first mandatory requirement for the use of that motto on coins was made by the act of May 18, 1908, 35 Stat. 164. See H. Rept. No. 1106, 60th Cong., 1st sess.; 42 CONGRESSIONAL RECORD, 3384 et seq. The use of the motto on all currency and coins was directed by the act of July 11, 1955, 69 Stat. 290. See H. Rept. No. 662, 84th Cong., 1st sess.; S. Rept. No. 637, 84th Cong., 1st sess. Moreover, by the joint resolution of July 30, 1956, our national motto was declared to be "In God We Trust." 70 Stat. 732. In reporting the joint resolution, the Senate Judiciary Committee stated:

"Further official recognition of this motto was given by the adoption of the Star-Spangled Banner as our national anthem. One stanza of our national anthem is as follows:

"Oh, thus be it ever when freemen shall stand  
Between their lov'd home and the war's  
desolation:  
Blest with vict'ry and peace may the heav'n  
rescued land  
Praise the power that hath made and pre-  
served us a nation.  
Then conquer we must when our cause it is  
just,  
And this be our motto—'In God is our  
trust.'  
And the Star-Spangled Banner in triumph  
shall wave  
O'er the land of the free and the home of  
the brave."

"In view of these words in our national anthem, it is clear that 'In God We Trust' has a strong claim as our national motto." S. Rept. No. 2703, 84th Cong., 2d sess., p. 2.

<sup>1</sup> "There are many 'aids' to religion in this country at all levels of government. To mention but a few at the Federal level, one might begin by observing that the very First Congress which wrote the First Amendment provided for chaplains in both Houses and in the armed services. There is compulsory chapel at the service academies, and religious services are held in Federal hospitals and prisons. The President issues religious proclamations. The Bible is used for the administration of oaths. NYA and WPA funds were available to parochial schools during the depression. Veterans receiving money under the GI bill of 1944 could attend denominational schools, to which payments were made directly by the Government. During World War II, Federal money was contributed to denominational schools for the training of nurses. The benefits of the National School Lunch Act are available to students in private as well as public schools. The Hospital Survey and Construction Act of 1946 specifically made money available to nonpublic hospitals. The slogan 'In God We Trust' is used by the Treasury Department, and Congress recently added God to the pledge of allegiance. There is Bible-reading in the schools of the District of Columbia, and religious instruction is given in the District's National Training School for Boys. Religious organizations are exempt from the Federal income tax and are granted postal privileges. Up to defined limits—15 percent of the adjusted gross income of individuals and 5 percent of the net income of corporations—contributions to religious organizations are deductible for Federal income tax purposes. There are limits to the deductibility of gifts and bequests to religious institutions made under the Federal gift and estate tax laws. This list of Federal 'aids' could easily be expanded, and of course there is a long list in each State." Fellman, "The Limits of Freedom" (1959), pp. 40-41.



to reciting this short 22-word prayer, about the same amount of time that our Marshal spends announcing the opening of our sessions and offering a prayer for this Court. Yet for me the principle is the same, no matter how briefly the prayer is said, for in each of the instances given the person praying is a public official on the public payroll, performing a religious exercise in a governmental institution.<sup>6</sup> It is said that the element of coercion is inherent in the giving of this prayer. If that is true, it is also true of the prayer with which this Court is convened, and with those that open the Congress. Few adults, let alone children, would leave our courtroom or the Senate or the House while those prayers are being given. Every such audience is in a sense a "captive" audience.

At the same time I cannot say that to authorize this prayer is to establish a religion in the strictly historic meaning of those words.<sup>7</sup> A religion is not established in the usual sense merely by letting those who chose to do so say the prayer that the public school teacher leads. Yet once Government finances a religious exercise it inserts a divisive influence into our communities.<sup>8</sup> The New York court said that the prayer given does not conform to all of the tenets of the Jewish, Unitarian, and Ethical Culture groups. One of petitioners is an agnostic.

"We are a religious people whose institutions presupposes a Supreme Being." *Zorach v. Clauson*, 343 U.S. 306, 313. Under our Bill of Rights free play is given for making religion an active force in our lives.<sup>9</sup> But "if a religious heaven is to be worked into the affairs of our people, it is to be done by individuals and groups, not by the Government." *McGowan v. Maryland*, 366 U.S. 420, 563 (dissenting opinion). By reason of the first amendment government is commanded "to have no interest in theology or ritual" (id., at 564) for on those matters "government must be neutral." Ibid. The first amendment leaves the Government in a position not of hostility to religion but of neutrality. The philosophy is that the atheist or agnostic—the nonbeliever—is entitled

to go his own way. The philosophy is that if government interferes in matters spiritual, it will be a divisive force. The first amendment teaches that a government neutral in the field of religion better serves all religious interests.

My problem today would be uncomplicated but for *Everson v. Board of Education*, 330 U.S. 1, 17, which allowed taxpayers' money to be used to pay "the busfares of parochial school pupils as a part of a general program under which" the fares of pupils attending public and other schools were also paid. The *Everson* case seems in retrospect to be out of line with the first amendment. Its result is appealing, as it allows aid to be given to needy children. Yet by the same token, public funds could be used to satisfy other needs of children in parochial schools—lunches, books, and tuition being obvious examples. Mr. Justice Rutledge stated in dissent what I think is durable first amendment philosophy:

"The reasons underlying the amendment's policy have not vanished with time or diminished in force. Now as when it was adopted the price of religious freedom is double. It is that the church and religion shall live both within and upon that freedom. There cannot be freedom of religion, safeguarded by the state, and intervention by the church or its agencies in the state's domain or dependency on its largesse. 'Madison's Remonstrance,' paragraphs 6, 8. The great condition of religious liberty is that it be maintained free from sustenance, as also from other interferences, by the state. For when it comes to rest upon that secular foundation it vanishes with the resting. Id., paragraphs 7, 8. Public money devoted to payment of religious costs, educational or other, brings the quest for more. It brings too the struggle of sect against sect for the larger share or for any. Here one by numbers alone will benefit most, there another. That is precisely the history of societies which have had an established religion and dissident groups. Id., paragraphs 8, 11. It is the very thing Jefferson and Madison experienced and sought to guard against, whether in its blunt or in its more screened forms. Ibid. The end of such strife cannot be other than to destroy the cherished liberty. The dominating group will achieve the dominant benefit; or all will embroil the state in their dissensions. Id., paragraph 11." Id., pages 53-54.

What New York does with this prayer is a break with that tradition. I therefore join the Court in reversing the judgment below.

[Supreme Court of the United States—No. 468, October term, 1961]

STEVEN I. ENGEL ET AL., PETITIONERS, v. WILLIAM J. VITALE, JR., ET AL.

(On writ of certiorari to the Court of Appeals of New York)

(June 25, 1962)

Mr. Justice Stewart, dissenting.

A local school board in New York has provided that those pupils who wish to do so may join in a brief prayer at the beginning of each schoolday, acknowledging their dependence upon God and asking His blessing upon them and upon their parents, their teachers, and their country. The Court today decides that in permitting this brief nondenominational prayer the school board has violated the Constitution of the United States. I think this decision is wrong.

The Court does not hold, nor could it, that New York has interfered with the free exercise of anybody's religion. For the State courts have made clear that those who object to reciting the prayer must be entirely free of any compulsion to do so, including any "embarrassments and pressures." Cf. *West Virginia State Board of Education v. Barnette*, 319 U.S. 624. But the Court says that in permitting schoolchildren to say this

simple prayer, the New York authorities have established "an official religion."

With all respect, I think the Court has misapplied a great constitutional principle. I cannot see how an "official religion" is established by letting those who want to say a prayer say it. On the contrary, I think that to deny the wish of these schoolchildren to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our Nation.

The Court's historical review of the quarrels over the "Book of Common Prayer" in England throws no light for me on the issue before us in this case. England had then and has now an established church. Equally unenlightening, I think, is the history of the early establishment and later rejection of an official church in our own States. For we deal here not with the establishment of a state church, which would of course, be constitutionally impermissible, but with whether schoolchildren who want to begin their day by joining in prayer must be prohibited from doing so. Moreover, I think that the Court's task, in this as in all areas of constitutional adjudication, is not responsibly aided by the uncritical invocation of metaphors like the "wall of separation," a phrase nowhere to be found in the Constitution. What is relevant to the issue here is not the history of an established church in 16th century England or in 18th century America, but the history of the religious traditions of our people, reflected in countless practices of the institutions and officials of our Government.

At the opening of each day's session of this Court we stand, while one of our officials invokes the protection of God. Since the days of John Marshall our orler has said, "God save the United States and this Honorable Court."<sup>1</sup> Both the Senate and the House of Representatives open their daily sessions with prayer.<sup>2</sup> Each of our Presidents, from George Washington to John F. Kennedy, has upon assuming his Office asked the protection and help of God.<sup>3</sup>

<sup>1</sup> See Warren, "The Supreme Court in United States History," vol. 1, p. 469.

<sup>2</sup> See rule III, Senate Manual, S. Doc. No. 2, 87th Cong., 1st sess. See rule VII, Rules of the House of Representatives, H. Doc. No. 459, 86th Cong., 2d sess.

<sup>3</sup> For example: On Apr. 30, 1789, President George Washington said: " \* \* \* it would be peculiarly improper to omit in this first official act my fervent supplications to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a Government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to His charge. In tendering this homage to the Great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own, nor those of my fellow citizens at large less than either. No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than those of the United States.

"Having thus imparted to you my sentiments as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign parent of the human race in humble supplication that, since He has been pleased to favor the American people with opportunities for deliberating in perfect tranquility, and dispositions for deciding with unparalleled unanimity on a form of Government for the security of their union and the advancement of their

<sup>6</sup> The fact that taxpayers do not have standing in the Federal courts to raise the issue (*Frothingham v. Mellon*, 262 U.S. 447) is of course no justification for drawing a line between what is done in New York on one hand and on the other what we do and what Congress does in this matter of prayer.

<sup>7</sup> The Court analogizes the present case to those involving the traditional established church. We once had an established church, the Anglican. All baptisms and marriages had to take place there. That church was supported by taxation. In these and other ways the Anglican Church was favored over the others. The first amendment put an end to placing any one church in a preferred position. It ended support of any church or all churches by taxation. It went further and prevented secular sanction to any religious ceremony, dogma, or rite. Thus, it prevents civil penalties from being applied against recalcitrants or nonconformists.

<sup>8</sup> Some communities, including Washington, D.C., have a Christmas tree purchased with the taxpayers' money. The tree is sometimes decorated with the words "Peace on earth, goodwill to men." At other times the authorities draw from a different version of the Bible which says "Peace on earth to men of good will." Christmas, I suppose, is still a religious celebration, not merely a day put on the calendar for the benefit of merchants.

<sup>9</sup> Religion was once deemed to be a function of the public school system. The Northwest Ordinance, which antedated the first amendment, provided in article 3 that "religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."



The Court today says that the State and Federal Governments are without constitutional power to prescribe any particular form of words to be recited by any group of

happiness, so His divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this Government must depend."

On March 4, 1797, President John Adams said:

"And may that Being who is supreme over all, the patron of order, the fountain of justice, and the protector in all ages of the world of virtuous liberty, continue His blessing upon this Nation and its Government and give it all possible success and duration consistent with the ends of His providence."

On March 4, 1805, President Thomas Jefferson said:

"I shall need, too, the favor of that Being in whose hands we are, who led our fathers, as Israel of old, from their native land and planted them in a country flowing with all the necessities and comforts of life; who has covered our infancy with His providence and our riper years with His wisdom and power, and to whose goodness I ask you to join in supplications with me that He will so enlighten the minds of your servants, guide their councils, and prosper their measures that whatsoever they do shall result in your good, and shall secure to you the peace, friendship, and approbation of all nations."

On March 4, 1809, President James Madison said:

"But the source to which I look . . . is in . . . my fellow-citizens, and in the counsels of those representing them in the other departments associated in the care of the national interests. In these my confidence will under every difficulty be best placed, next to that which we have all been encouraged to feel in the guardianship and guidance of that Almighty Being whose power regulates the destiny of nations, whose blessings have been so conspicuously dispensed to this rising Republic, and to whom we are bound to address our devout gratitude for the past, as well as our fervent supplications and best hopes for the future."

On March 4, 1865, President Abraham Lincoln said:

"Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, so still it must be said 'the judgments of the Lord are true and righteous altogether.'"

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

On March 4, 1885, President Grover Cleveland said:

"And let us not trust to human effort alone, but humbly acknowledging the power and goodness of Almighty God, who presides over the destiny of nations, and who has at all times been revealed in our country's history, let us invoke His aid and His blessing upon our labors."

On March 5, 1917, President Woodrow Wilson said:

"I pray God I may be given the wisdom and the prudence to do my duty in the true spirit of this great people."

On March 4, 1933, President Franklin D. Roosevelt said:

"In this dedication of a nation we humbly ask the blessing of God. May He protect

the American people on any subject touching religion.<sup>4</sup> The third stanza of "The Star-Spangled Banner," made our national anthem by act of Congress in 1931,<sup>5</sup> contains these verses:

"Blest with victory and peace, may the heav'n rescued land  
Praise the Pow'r that hath made and preserved us a nation.  
Then conquer we must, when our cause it is just,  
And this be our motto: 'In God Is Our Trust.'"

In 1954 Congress added a phrase to the pledge of allegiance to the flag so that it now contains the words "one Nation under God, indivisible with liberty and justice for all."<sup>6</sup> In 1952 Congress enacted legislation calling upon the President each year to proclaim a National Day of Prayer.<sup>7</sup> Since 1865 the words "In God We Trust" have been impressed on our coins.<sup>8</sup>

Countless similar examples could be listed, but there is no need to belabor the obvious.<sup>9</sup> It was all summed up by this Court just 10 years ago in a single sentence: "We are a religious people whose institutions presuppose a Supreme Being." *Zorach v. Clauson*, 343 U.S. 306, 313.

I do not believe that this Court, or the Congress, or the President has by the actions and practices I have mentioned established an "official religion" in violation of the Constitution. And I do not believe the State of New York has done so in this case. What each has done has been to recognize and to follow the deeply entrenched and highly

each and every one of us. May He guide me in the days to come."

On January 21, 1957, President Dwight D. Eisenhower said:

"Before all else, we seek, upon our common labor as a nation, the blessings of Almighty God. And the hopes in our hearts fashion the deepest prayers of our whole people."

On January 20, 1961, President John F. Kennedy said:

"The world is very different now. . . . And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state, but from the hand of God."

"With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own."

"My brother Douglas says that the only question before us is whether government 'can constitutionally finance a religious exercise.' The official chaplains of Congress are paid with public money. So are military chaplains. So are State and Federal prison chaplains."

<sup>4</sup> 36 U.S.C. sec. 170.

<sup>5</sup> U.S.C. 172.

<sup>6</sup> 36 U.S.C. 185.

<sup>7</sup> 18 13 Stat. 517, 518; 17 Stat. 427; 35 Stat. 164; 69 Stat. 290. The current provisions are embodied in 31 U.S.C. 324, 324a.

<sup>8</sup> I am at a loss to understand the Court's unsupported ipse dixit that these official expressions of religious faith in and reliance upon a Supreme Being "bear no true resemblance to the unquestioned religious exercise that the State of New York has sponsored in this instance." See p. —, supra, n. 21. I can hardly think that the Court means to say that the 1st amendment imposes a lesser restriction upon the Federal Government than does the 14th amendment upon the States. Or is the Court suggesting that the Constitution permits judges and Congressmen and Presidents to join in prayer, but prohibits schoolchildren from doing so?

cherished spiritual traditions of our Nation—traditions which come down to us from those who almost 200 years ago avowed their "firm reliance on the Protection of Divine Providence" when they proclaimed the freedom and independence of this brave new world.<sup>10</sup> I dissent.

Mr. Speaker, I call particular attention to the following paragraphs: Mr. Justice Stewart's dissenting opinion, which so fluently and accurately reflected our Nation's time-honored dedication to religious observance, all the while within the constitutional framework of religious toleration and religious freedom:

With all respect, I think the Court has misapplied a great constitutional principle. I cannot see how an "official religion" is established by letting those who want to say a prayer say it. On the contrary, I think that to deny the wish of these schoolchildren to join in reciting this prayer is to deny them the opportunity of sharing in the spiritual heritage of our Nation.

At the opening of each day's session of this Court we stand, while one of our officials invokes the protection of God. Since the days of John Marshall our crier has said, "God save the United States and this Honorable Court." Both the Senate and the House of Representatives open their daily sessions with prayer. Each of our Presidents, from George Washington to John F. Kennedy, has upon assuming his office asked the protection and help of God.

The Court today says that the State and Federal Governments are without constitutional power to prescribe any particular form of words to be recited by any group of the American people on any subject touching religion. The third stanza of "The Star-Spangled Banner," made our national anthem by Act of Congress in 1931, contains these verses:

"Blest with victory and peace, may the heav'n rescued land  
Praise the Pow'r that hath made and preserved us a nation.  
Then conquer we must, when our cause it is just,  
And this be our motto 'In God is our Trust.'"

In 1954 Congress added a phrase to the pledge of allegiance to the flag so that it now contains the words "one Nation under God, indivisible, with liberty and justice for all."

In 1952 Congress enacted legislation calling upon the President each year to proclaim a National Day of Prayer. Since 1865 the words "In God We Trust" have been impressed on our coins. Countless similar examples could be listed, but there is no need to belabor the obvious. It was all summed up by this Court just 10 years ago in a single sentence:

We are a religious people whose institutions presuppose a Supreme Being. *Zorach v. Clauson*, 343 U.S. 306, 313.

#### SUPREME COURT'S DECISION OUTLAWING PRAYER IN PUBLIC SCHOOLS

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

<sup>10</sup> The Declaration of Independence ends with this sentence: "And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor."

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

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, the Supreme Court's decision outlawing prayer in the public schools has caused a wave of controversy in our country.

I never have and never will join in the clamor for impeachment or worse of members of the Supreme Court because of a ruling with which I might not agree.

I also believe that the Supreme Court should remain aloof from temporary gusts of public passion.

But, Mr. Speaker, I believe further that the Nation's highest Court should not engage in tortured interpretations of constitutional language. In the present instance, there seems to be such an interpretation.

We cannot quarrel with the position of the Court that our Constitution calls for separation of church and state. But, did the framers of our Constitution have in mind that civil authority should be excluded entirely from a religious domain and that God should be excluded from all civil domain? I doubt it.

"Render unto Caesar what is Caesar's and to God what is God's" surely does not mean that government, in all its forms, must be atheistic or mechanistic.

A short while ago, Mr. Speaker, we in this Chamber stood respectfully while our Chaplain opened this session with prayer.

When we interpret the word "state" are we to say that the Congress of the United States, composed of the elected representatives of 180 million people of all races and creeds, is less state than a public school classroom.

Let us assume, for the sake of argument, that several Members of this House do not believe in God. How would the Supreme Court rule if one or more of those Members brought a suit challenging the constitutionality of the custom of opening prayers in the House and Senate? And what would be our reaction if that Member or those Members were upheld in the High Court?

However, the Supreme Court has ruled and its ruling must be obeyed, at least until the Constitution is amended or, as has happened before, another group of Justices hands down a different decision.

Should we, then, seek a constitutional amendment specifically authorizing non-denominational prayers in our public schools? I am convinced that such an amendment would be approved by an overwhelming margin.

The next question is, Should such an amendment be proposed by Congress?

The Court has now held that the people who drafted that section of the Constitution under which the Court acted meant to exclude prayers from our schools.

Let us assume, again for the sake of argument, that the Court was correct. Can it then be argued that this Nation is bound forever by the opinions, even though expressed in the Constitution, of the people of another generation?

Our Constitution must be obeyed. That is academic. But, the same Constitution

gives us, the people, an equal right to change any provision of the Constitution which violates our deep convictions.

I urge that solution upon my colleagues.

#### DEVELOPING A BROAD ANTIDELINQUENCY PROGRAM IN CHICAGO

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ROSTENKOWSKI] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, today, Attorney General Robert F. Kennedy, Chairman of the President's Committee on Juvenile Delinquency, announced a \$292,000 planning grant to develop a broad antidelinquency program in Chicago.

The Chicago Commission on Youth Welfare is receiving the grant, which will be supplemented by \$63,565 in local funds and facilities. The money will support an 18-month planning program during which a professional staff will coordinate Chicago youth programs and develop new programs to prevent and control delinquency.

Chicago becomes the seventh recipient of planning grants made available under the Juvenile Delinquency and Youth Offenses Control Act of 1961. It will enable a professional staff of about 10 persons, assisted by part-time consultants, to analyze Chicago's youth problems and develop new programs to cope with them. It will begin by concentrating in the high problem neighborhoods, and the experienced gained will be expanded to other problem areas.

Chicago has a history of working to reduce the problem of juvenile delinquency and youth crimes. Community sponsorship of programs, to assist the unfortunate young people, began many years ago. It resulted from the unpleasantness the citizens suffered during the twenties, when Chicago became the supposed battleground of criminal gang wars. The scars it received from that era are still being carried today, but its citizenry has been working to remove the stigma caused by revolutionaries against law and order. We, in Chicago, can look with pride to the results that have been gained. Chicago has taken its rightful place as a major city of the world. It has taken great strides to eliminate lawlessness. Its future holds great promise for health, prosperity, and congeniality.

But as in any large metropolitan area, there exists a problem of developing the youth to take their proper place in society as citizens of law and order. There exists a need of curbing juvenile delinquency. We, in Chicago, have attacked this problem with the establishment of the Chicago Boys Clubs. The Mayor Daley's Youth Foundation has contributed greatly to this cause. The Chick Evans Scholarship Fund has enabled many unfortunate youngsters to continue their education and become outstanding citizens. The Back of the

Yards Council as well as a Youth Council in my own community have made great progress providing youngsters with educational and recreational activities, so they may occupy their leisure time with constructive instead of destructive ideas. There are many more such groups of volunteer citizens, who seek to guide your youth to reach maturity as law abiding citizens.

But the progress from these individual efforts is still not enough for an overall victory against delinquency. Now Chicago is beginning a massive new program, initiated by Mayor Daley and backed by wide community support, to mobilize its vast resources in a total effort to expand opportunities for its youth. The Federal grant will enable our community to carefully plan its action so it can do the most for its young people. This coordinated effort will bring maximum results.

We, in this Nation, have been granted the right of unlimited opportunity and material success. But to achieve a position of wealth, status, and education, proper guidance is needed through the years of growth and through the years of adolescence. It is common knowledge that in heavily populated cities there are deteriorating sections of real estate which contain racial minorities and others who have not made the grade in our competitive society. Many youngsters in these areas are denied the chance to achieve the goals of society. They have little direct contact with success, often lack an adequate family life, and are unsure about finding legitimate ways to achieve recognition.

As a result they turn to a life of crime. For in their own groups they gain recognition through destructive rather than constructive means. Status may depend on prowess in gang fights, in flouting authority, and in taking by stealth what cannot be obtained legitimately.

If we can train these young to use their energies for useful purposes, and thereby gain proper recognition of their deeds, we can look to the day when citizens will walk the streets unafraid and gang fights will have given way to sports events.

I am pleased to recognize Mayor Daley's coordinated program to erase juvenile delinquency in our great city of Chicago. And I am confident that our citizens will eliminate this problem in the same manner as they eliminated the problem of the twenties.

#### MILITARY SUPPLY MANAGEMENT

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 60 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I have requested 60 minutes today to discuss a subject which I consider to be of great importance to our national defense and to our national economy. I therefore consider it to be of great importance to every citizen and certainly to every taxpayer in the United States.

I am speaking as a member of the Ways and Means Committee which has



a vital interest in this subject and also as a member of the Joint Economic Committee and as a former member of the Government Operations Committee.

However, my subject is also of interest to members of Agriculture, Appropriations, Armed Services, Banking and Currency, Education and Labor, and indeed every other committee of the House.

I am addressing myself to the necessary organization and operation of the supply and service activities of the Department of Defense.

#### SCOPE

Why is this subject important and timely? I will try to tell you as briefly and as simply as possible.

The Federal debt is around \$300 billion.

The Federal budget for the current year is estimated at \$92.5 billion; 56.9 percent of this is for national defense.

In terms of dollars \$52.7 billion is for national defense. Most of this amount is for major procurement, supply, and so forth, as follows:

	Million
National defense, 1963 expenditures.....	\$52,690
Department of Defense, military.....	\$15,356
Purchase of aircraft, missiles, ships, and other military equipment.....	\$13,415
Regular, Reserve, and retired military personnel.....	\$11,511
Military functions:	
Operation and maintenance of equipment and facilities.....	\$6,650
Research, development, test, and evaluation of military equipment.....	\$1,018
Military construction and other.....	\$350
Civil defense.....	
Military assistance.....	\$1,400
Atomic energy.....	\$2,880
Defense-related services.....	\$110
Percent of total budget.....	56.9

Bureau of the Budget, "The Budget in Brief, Fiscal Year Ending June 30, 1963," p. 25.

#### PARTIAL LIST OF SUPPLY AND SERVICE ACTIVITIES IN THE DEFENSE AGENCIES

It has been estimated that about 60 percent of the military expenditures, annually, is for supply and service activities, such as procurement; warehousing; distribution; cataloging; surplus disposal; financial management; budgeting; photography; post management and housekeeping; mapping, aerial; mapping, other; disbursing; inspection—meat, other; accounting; medical and hospital services; transportation—land, sea, and air; intelligence; legal; public relations; recruiting, induction, and reception; military police; training; liaison activities; communications; construction and real estate; engineering; weather; military justice; publications; renegotiation; auditing; personnel management; training; recordkeeping; research and development; printing; statistical reporting, reports control—hearing before the Subcommittee on Defense Procurement of the Joint Economic Committee, June 12, 1961, "Progress Made by the Department of Defense in Reducing the Impact of Military Procurement on the Economy," page 58.

Now, in addition to the annual expenditures for these activities, there is in

being \$158.5 billion investments in inventories, structures, buildings, and so forth—Committee on Government Operations, 87th Congress, 1st session, "Federal Real and Personal Property

Inventory Report (Civilian and Military) of the U.S. Government Covering Its Properties Located in the United States, in the Territories, and Overseas as of June 30, 1961," page 64.

TABLE 1.—Summary of property holdings by military department and type and class as of June 30, 1961

#### DEPARTMENT OF DEFENSE

[Millions of dollars]

Type and class of property	Department of Defense	Army <sup>1</sup>	Navy (including Marine Corps)	Air Force
All types, total.....	\$158,508	\$38,824	\$58,445	\$61,236
Real property inventory, total.....	34,038	10,303	9,704	14,031
Construction in progress (cost of work in place), total.....	2,434	258	663	1,513
Personal property inventory, total.....	\$122,036	28,263	48,078	45,692
Equipment and supplies in supply system.....	40,838	15,847	12,446	12,545
Property other than supply system inventories.....	\$81,194	12,416	35,632	\$33,146
Weapons and other military equipment in use.....	67,564	7,924	30,314	29,326
Plant equipment.....	7,607	3,125	3,171	1,311
Industrial funds.....	\$1,040	126	913	1
Excess, surplus, and foreign excess property inventories.....	3,514	1,241	1,234	1,039

<sup>1</sup> Excluded from the totals are properties of the Civil Works Division, Chief of Engineers, Department of the Army, as shown in footnote 1, table 2.

<sup>2</sup> Includes \$3,000,000 personal property of the Office, Secretary of Defense.

<sup>3</sup> Includes \$1,470,000,000 personal property provided Air Force contractors from other than the Air Force Supply System inventories.

<sup>4</sup> Consists of materials, supplies, and work in process.

And to manage all these functions, activities, we had in April 1962 some 1,062,712 civilian personnel. By comparison there were 1,391,240 civilian personnel in the balance of the entire executive branch—see CONGRESSIONAL RECORD, June 7, 1962, page 9895.

I am sure that no one will dispute the fact that the operation of the Department of Defense presents the greatest challenge to scientific management that ever existed. But the problem is more than magnitude; it is also one of entrenched tradition, rampant bureaucracy, entrenched economic pork barrel with all its political overtones, and the complicated industrial-military wedding of mutual interests.

#### QUALITY OF MANAGEMENT

What has been the quality of management in the Department of Defense with respect to these supply and service activities? For many administrations, not merely years, they have been disgraceful, in light of the advancements in our society in the fields of accounting, supply management, and procurement. Indeed the governmental sector, in spite of recent improvement, is still decades behind the more enlightened procedures developed in the private sector. Unbiased authorities have stated that the degree of waste in these activities was almost critical during World War II.

Reports and studies almost without limit have pointed to the overlapping and waste in them. The two Hoover commissions, the Bonner, Riehlman, Hébert, joint economic, preparedness, and other congressional committees; reports and studies by task forces, boards, commissions, foundations have been the same.

The GAO during the past 3 years has issued about 300 reports, most of them dealing with military waste in common supply and service activities.

The billions upon billions of military surplus property declarations during the past 10 years bespeak of this waste. Granted that most of the surplus is scrap or salvage material, the fact still remains that billions have been usable items and much of it usable in the military itself if needs and inventories from all the departments, services, bureaus, corps, and so forth, were matched.

This is, of course, impossible when the departments and units thereof are separately administered as was the case from 1949 to 1958.

From the standpoint of scientific management, it is well known that first we should identify and isolate a manageable bite. This should be studied, analyzed, and solved without impairment to mission effectiveness.

For this reason, students of military supply and service activities have isolated them from major combatant missions or functions, have shown their great scope, and their commonness to more than one service, or bureau, or corps as the logical place to improve management.

However, entrenched personnel motivated by their personal vested interest in each provincial group fears that any step toward integration, standardization, unification even in the most minor and duplicative things will lead to further unification and eventually there will be a loss of identity to some unit which has enjoyed independent or semi-independent status.

Now this did not matter too much in the days when we had separate land and sea wars and battles. But with the development of modern weapons, the land and sea and air have been fused into a common battle area—and may I add space to land, sea, and air.

Secretary McNamara recognized this merging of missions in a recent state-

ment when he said "separate ground, sea, and air warfare is gone forever."

Many other military leaders have made the same statement and surely we may accept this as a truism.

I should note however that it took 50 years or more to get the two military departments to recognize the need for unified commands, incredible though this may now appear.

Yet, while every schoolboy knows that a football team must act as a unit and everyone cannot be the quarterback, it is impossible to sell this idea to many of the graduates of the military academies and though they spend much time playing football, they do not want to apply the lessons they have learned to the greatest game of all—the game of survival.

I think we must now recognize that if we have unified commands and missions we must have unified support for them insofar as common supplies and services are concerned.

Not only does each service not need its own coffee roasting plants, clothing factories, subsistence, medical, hardware, and so forth, procurement, depot, and distribution facilities, auditing, accounting, recruiting, engineering, weather—see list previously referred to, from page 58, June 12, 1961, Joint Economic Committee hearings—but we can no longer afford all this duplication and resultant waste.

#### WHAT HAS CONGRESS DONE ABOUT THIS?

A good question is, Why has Congress not done something about this situation?

I am frank to say that the congressional effort has been relatively weak, ununiformed, intermittent, uncoordinated, conflicting, disappointing, and timid.

I would like to refer to a list, however, of some of the efforts that have been taken during the past 45 years—pages 63 to 72, October 1960, "Report of the Subcommittee on Defense Procurement to the Joint Economic Committee, Economic Aspects of Military Procurement and Supply":

#### PART III-B—CONGRESSIONAL EFFORTS TO IMPROVE SUPPLY MANAGEMENT

The Department of Defense.  
Bonner subcommittee.  
Action of the Joint Economic Committee.  
O'Mahoney amendment to Department of Defense appropriation bill, 1953.  
Reorganization Plan No. 6 of 1953.  
General Eisenhower's Baltimore speech.  
Preemptive prestige of General Eisenhower—shortcut to economy and efficiency.  
Reversal of policy.  
Alameda medical test plan discontinued.  
Hamburger hearings.  
Reversal of policy.  
Expansion of single manager systems.  
Lull in the program.  
Three military departments separately administered.  
Department of Defense Reorganization Act of 1958.  
McCormack-Curtis amendment.  
Intent of McCormack-Curtis amendment.  
Lag in use of amendment.

#### M'CORMACK-CURTIS AMENDMENT

A I mentioned previously—page 64, Joint Economic Committee hearing, report of October 1960—the O'Mahoney amendment of 1952 contemplated an

integrated supply system for the Department of Defense. The Senate report made this abundantly clear.

But despite this enactment, the National Security Act as amended in 1949 provided that there should be "three departments separately administered."

The partisans of this philosophy maintained that a department could not be separately administered if it did not have control of every last thing it needed to administer the department. All efforts toward consolidation, standardization or unification ran into this stone wall.

It took about 15 years and \$200 million to make a usable military supply catalog because this was viewed as a step toward consolidation of overlapping specifications, stores, and distribution systems. President Roosevelt ordered a catalog developed in 1945.

By 1958 many officials in the Pentagon complained that efforts to obtain economy, efficiency, and effectiveness in supply and service activities ran into this "separately administered" provision of the National Security Act. They also said that they could make real progress if this provision were removed insofar as supply and service activities were concerned.

All this is background for the McCormack-Curtis amendment which I will discuss and which seems now to be questioned as to scope and intent.

The amendment reads—page 72, October 1960 report of Joint Economic Committee:

Whenever the Secretary of Defense determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, he shall provide for the carrying out of any supply or service activity common to more than one military department by a single agency or such other organizational entities as he deems appropriate. For the purposes of this paragraph, any supply or service activity common to more than one military department shall not be considered a "major combatant function" within the meaning of paragraph (1) hereof.

First of all, this amendment contemplates that the Secretary of Defense will make a finding or determination with respect to supply and service activities and when he finds that effectiveness, economy, or efficiency will be promoted he shall determine what type of organization is best suited for the function and where it will operate.

As you so well pointed out on the floor of the House, Mr. Speaker, on June 12, 1958, when the amendment was adopted:

The amendment which I have offered today includes not only supply activities which in a sense is a duplication of the O'Mahoney amendment, but also includes all other service activities.

The amendment is not intended to advocate any particular type of organization, either centralized or decentralized; it merely provides for maximum flexibility so that the Secretary of Defense is empowered to provide, after thorough study, the best possible type of operation for supply and service functions depending upon their nature. Effectiveness is to be the key in making the determinations with economy and efficiency very important but secondary considerations.

May I add, Mr. Speaker, that Secretary McNamara stated his concept of

organization recently in much the same vein when he said:

In conclusion, let me emphasize my belief that there is no such thing as an ideal organization for the Department of Defense. An ideal organization is a static concept foredoomed to failure. In this age of increasingly rapid technological, international and strategic change, the Department of Defense organization must be flexible and responsive.

This flexibility of concept is essential in my opinion to get the job done. Some activities perhaps should be handled by one department for all when it has a preponderant interest, background, facilities, and personnel. Others should be consolidated and operated in an organizational entity in the Office of the Secretary of Defense in order that adequate supervision and control may be exercised. It may be that other organizational solutions are in order depending upon the facts, circumstances and determinations.

In general, however, common things can be handled in a common way, thus generating the benefits of standardization and unification which General Eisenhower once described as "multiplying rather than adding in benefits."

Technical or special items and activities give the excuse for separate handling or administration. Hence the fight by some to keep items special or nonstandard.

In speaking of special, technical, and common items we must keep in mind also that that change is always with us. What is a technical item today may be common tomorrow. A few years ago, radio tubes were very technical—today everyone uses them and may buy them at the corner drugstore. There are 990,000 electrical-electronic items in the military supply systems. Many are simple, common-use, fast-turning items such as tubes, resistors, fuses, wire, cable, and so forth. Others are highly complicated which only an expert can identify. So it is in other fields.

#### PROGRESS BY SECRETARY McNAMARA

Mr. Speaker, to my mind Secretary McNamara has proved to be an excellent Secretary of Defense. He has shown the capacity to understand complex problems and to do something about them. As provided by the McCormack-Curtis amendment to the DOD Reorganization Act of 1958 he has identified common supply as a fruitful source of investigation. He requested that a study be made of alternative ways of organizing to perform the function so as to increase effectiveness, economy, and efficiency. He requested the departments to make their recommendations—which true to form were all different—and then he made his decision or determination as he is required to do under the law.

He determined that common supply lends itself to common management and on October 1, 1961, set up the Defense Supply Agency. He appointed Lt. Gen. Andrew T. McNamara, an excellent logistician and former Quartermaster General of the Army to be the first Director.



In a short space of time some 3,000 spaces have been or will be eliminated through fiscal 1963.

The fiscal 1963 budget has been reduced \$27 million below the combined estimates submitted by the departments to the Office of Secretary of Defense for fiscal 1963.

Twelve supply and service organizations have been included in the Defense Supply Agency; they are Armed Forces Supply Support Center, Military Subsistence Supply Agency, Military Traffic Management Agency, Military Clothing and Textile Supply Agency, Military Medical Supply Agency, Military Petroleum Supply Agency, Military General Supply Agency, Military Industrial Supply Agency, Military Automotive Supply Agency, Military Construction Supply Agency, Armed Forces Surplus Property Bidders, Registration and Sales Information Office, and Consolidated Surplus Sales Offices.

The fact that Secretary McNamara is insisting that the total organization after a consolidation is to be smaller than the previous components disproves the contention that another layer is being piled on top of the existing organizations.

Secretary McNamara also has stated publicly that he believes that the Defense Supply Agency will be able to make savings of hundreds of millions of dollars. I think this is a conservative statement.

When one considers the scope of the Department of Defense as I have partly outlined above and the irrefutable degree of duplication and waste in the loose federation of agencies, there are literally "acres of diamonds" to be gathered by a good organization and staff.

A start only has been made but it is a start and must continue.

A few items have been standardized with a saving of \$1,400,000. But there are some 4 million items in the defense catalog, many of which should be standardized.

According to the Senate Report No. 1578 of June 8, 1962, the Department of Defense supply systems inventories of \$40.8 billion, they were in long supply by \$12.965 billion as of June 30, 1961.

Recent statistics from the Department of Defense also show these stores to be greatly imbalanced—many in very long supply and others in short supply.

Congressman HÉBERT's committee has also shown that though some progress has been made in getting competitive bids that "only 13 percent of purchasing is now done by sealed competitive bidding; that is clearly not enough."

I heartily agree that only a start has been made in many fields but there has been a hopeful start which must not be snuffed out as has been the case several times in the past.

#### REACTION TO SECRETARY McNAMARA

In view of the vast waste in common supply and service activities in the Department of Defense over the years, Secretary McNamara, Secretary Gilpatric, Assistant Secretary Morris, and General McNamara, Director of the Defense Supply Agency, brought a refreshing and hopeful atmosphere to these important

activities. They actually started to do what they are supposed to do.

It has been a shock to me, therefore, that a move seems to be under way to emasculate the new Defense Supply Agency before it is off the ground.

The basis for this statement stems from the record of the military construction authorization hearings, fiscal year 1963.

The Defense Department had requested funds for facilities for the management of certain centralized agencies. The funds were to be made available to the Office of the Secretary of Defense rather than through the separate Department as heretofore.

At this point it should be noted that Congressman HÉBERT, who has made some excellent contributions to better management of the Department of Defense, the last of which was a bill which passed this body by a vote of 362 to 0, to require more competitive bidding in military procurement, expressed the thought that the establishment of the Defense Supply Agency would prove to be a "monument to Secretary McNamara's administrative ability." He said—hearings before Committee on Armed Services, 87th Congress, second session, military construction authorization, fiscal year 1963, March 1962, page 4528:

The CHAIRMAN. Then where is the economy brought about?

Mr. HÉBERT. Well, the economy, Mr. Chairman—I am giving my figures right from the Secretary's table. My figure of 3,000 comes from General McNamara and the Secretary himself. Now these agencies will all be consolidated under one general director, General McNamara. There is where your savings and economies will occur. This will be a real centralized purchasing agency.

I tell you it is the greatest step forward that has been taken in Defense in years and years. And the Secretary is to be complimented on it.

The CHAIRMAN. And this is in response to the amendment or the provision we put in the law for centralized purchasing?

Mr. HÉBERT. That is correct.

The CHAIRMAN. That is all right.

Captain CHRISTENSEN. We are all in agreement with that because we can eliminate duplication and we can do that in a great many other respects.

Later in the hearings there seems to have been a change of heart as we have these statements from the record—pages 4540 to 4543:

The CHAIRMAN. Thank you very much.

Now members of the committee, this whole section, section 401, relates to authorization for the construction of various items for the Department of Defense.

Now the committee yesterday, and in the previous discussion of the Department of Defense getting into this field, that is construction—the consensus of opinion was that these line items should be charged against each one of the departments, based on the occupancy of the department at the area that is going to be used, and where the Defense agencies have already been established and are in existence. Of course, the Secretary of Defense, under his broad powers, has the authority to establish Defense agencies. We do not control that. We have already given him that authority.

Mr. HARDY. Let's take it back, Mr. Chairman.

The CHAIRMAN. Well, we would have to change the original law.

Mr. HARDY. That is all right. Let's do that.

The CHAIRMAN. Now, we have no control over that. The law is already passed. And the Secretary has the authority.

Of course, Congress can repeal any law, if it goes through and is signed. It may take more trips than one to make certain changes. Nevertheless, we could take those trips.

Now, what we are confronted with here today is not that question. We may be wise at a later date to explore that field.

But in this bill it only relates to construction.

I hope we will strike out, entirely, section 401 and put each one of these items in the department for its construction and charged to the department where this is located.

Mr. SLATINSHEK. Yes.

The CHAIRMAN. Now the question of maintenance comes up.

The military department will have to assume the maintenance of the facility. And the Department of Defense will merely house its agency there. But the whole area will be under the military department—the physical plant. And all this relates to is the physical plant—will be under the individual department where it is established. I asked yesterday that the amendments be prepared so when we, later on, get down to it, we can put each one of these line items under the military department.

Now, I think that is wise.

It may be wise later on to go in and see whether we were giving too much authority to permit these Defense agencies to be set up.

But the Secretary is clearly within the law in establishing Defense agencies.

Now, the only question that occurred yesterday was: Is there no limitation in the statute as to the number of Defense agencies that can be created, or can Defense agencies be created just with the same rapidity that ad hoc committees are set up? It prompted me to say that there was at one time 800 ad hoc committees in existence in the Pentagon.

This is a field in which we want to see if it is a duplication or if any other department can administer these and put them under the department instead of classifying them under the Secretary of Defense.

I think that is the sound course for us to take here.

Now we will study and investigate the authority of the Department of Defense just to create Defense agencies. Because you could choke to death any other department by Defense agencies.

Mr. HARDY. That is right.

Mr. BATES. Of course; exactly what they are going to do. You will wind up with one department.

This was never fully evaluated when this went before the committee.

The CHAIRMAN. That is right.

Mr. BATES. They had the authority to consolidate functions. What I had in mind, in my mind, instead of this particular kind of thing, was the assignment of a single manager concept.

The CHAIRMAN. That is right.

Mr. BATES. Not the operating of an agency by the Department per se.

The CHAIRMAN. I believe with men on this committee, we can make a very, very fine study. Let's don't do it without a study.

I would like to set up a subcommittee, headed by Mr. HARDY and Mr. BATES and others of our brilliant members of this committee—

Mr. BATES. I want five others.

The CHAIRMAN. To look into this question as to the continuation of a policy to create Defense agencies.

Because if I know the record, I could just say I will starve this one or that one to death by just creating agencies.

Mr. HARDY. Mr. Chairman.

The CHAIRMAN. I don't want to get in that kind of a position. Let's approach it in that manner.

And I would like to ask Mr. Hardy and Mr. Bates, as a subcommittee, to look into this. And we will set up an investigation—not an investigation, but a study of this question of the Department of Defense agencies being built up just as fast as mushrooms come out of the ground.

Mr. HARDY. Mr. Chairman, you delegated to this subcommittee full authority to proceed with that study without being hampered?

Mr. BATES. Yes, sir.

That is right.

The CHAIRMAN. Well, I would like very much for you two distinguished and very brilliant members of our committee—

Mr. HARDY. Thank you.

The CHAIRMAN. To look into this matter and we will prepare the proper letter to you giving you the authority.

Mr. BATES. Now, Mr. Chairman, we realized when we passed the 1958 act the dangers in respect to the assignment of future weapons systems.

The CHAIRMAN. That is right.

Mr. BATES. Where the Secretary of Defense was empowered with complete authority to assign any new weapons system to any service he saw fit. He could eliminate any of the services—

The CHAIRMAN. Now—

Mr. BATES. But I never envisioned at that time that this particular paragraph here would ever be used to put the Department of Defense into the operating business in respect to supply. Now if they are going to do it, I think we better take a good look at this thing.

The CHAIRMAN. All right. If it is necessary, we will employ additional staff to help you gentlemen do a good job, like Mr. HARDY's subcommittee did on the tanks.

Now we have another question, just suggested to my mind, Mr. BATES, and that is the abuse of the emergency construction fund. This emergency fund is abused, from what the concept of the Congress was. And that is the next section in this bill.

We will strike this one out. We will strike out section 401. We will put this construction authorization in the military department titles of the bill. Fix those amendments up.

Mr. BENNETT. Mr. Chairman.

The CHAIRMAN. Mr. BENNETT.

Mr. BENNETT. All I want to ask is: In this study, could it be looked into also as to whether this creation of agencies in the Department of Defense may actually give rise to just another layer of authority in which although—

The CHAIRMAN. Certainly.

Mr. BENNETT. Originally you may originate some officers below, the tendency would be to create just another level on top.

The CHAIRMAN. Of course. As I said, it could strangle an existing agency to death.

Mr. BATES. We started out with research and development and now we are running the full gamut. That is what it amounts to.

So the two gentlemen had expressed their concern if not their antagonism toward the Defense Supply Agency and the legislation authorizing it were appointed as the two members of the committee to study it.

Mr. Speaker, I have also requested time today to correct a misconception or misstatement made by the chairman of the special two-man Subcommittee on Defense Agencies Investigations in his opening statement on June 4, 1962. I will read from the prepared statement of

PORTER HARDY, JR., on Defense Agencies Investigations, June 4, 1962:

It is interesting to note that those who supported Mr. McCORMACK's amendment during the debate generally confined their remarks to common-use items. Mr. CURTIS of Missouri said:

"I think the gentleman from Massachusetts has stated it accurately when he said that this was worked out over a period of many years and a study was made of the difficulties in enforcing the O'Mahoney amendment in the common-use supply area of the Military Establishment. I certainly am strongly behind this amendment, and I think it will go a long way toward clearing up a cloudiness and uncertainty in this area."

Now let me read my full statement made during the debate in the CONGRESSIONAL RECORD, volume 104, part 8, page 11032.

Mr. McCORMACK. I will yield now to the gentleman from Missouri [Mr. CURTIS] and then I will yield to the gentleman from Maryland. I am sure the gentleman from Missouri can make a contribution to a better understanding of the amendment.

Mr. CURTIS of Missouri. The only reason I have asked the gentleman to yield is that I took 10 minutes yesterday to explain some of the background of this amendment. I extended my remarks quite extensively and it is in today's RECORD. I think the gentleman from Massachusetts has stated it accurately when he said that this was worked out over a period of many years and a study was made of the difficulties in enforcing the O'Mahoney amendment in the common-use supply area of the Military Establishment. I certainly am strongly behind this amendment, and I think it will go a long way toward clearing up a cloudiness and uncertainty in this area.

If the gentleman from Virginia will refer to my remarks and the extension thereof during the debate on the preceding day, in the CONGRESSIONAL RECORD, volume 104, part 8, pages 10909 through 10913, to which I referred in my June 12 remarks he will get the full scope of what has been called the McCormack-Curtis amendment.

The purpose of taking the floor during general debate the day before amendments would be considered was to give the membership of the House the full import of the amendment that one gentleman, the gentleman from Massachusetts [Mr. McCORMACK], our present Speaker, and I had collaborated on and was going to be offered by him the next day. My remarks and extensions were therefore available to all Members during the actual debate on the amendment:

Mr. CURTIS of Missouri. Mr. Chairman, I take this time to discuss the proposed amendments that the gentleman from Illinois [Mr. ARENDT] has referred to and also to express support for an amendment that I understand is going to be offered possibly by the gentleman from Massachusetts [Mr. McCORMACK]. The McCormack amendment is a restatement, as it were, of the O'Mahoney amendment which sought to bring about unification in the area of the supply, distribution and procurement of common-use items. This timely amendment also includes any service activity common to more than one military department.

I want to repeat the last sentence of this opening paragraph:

This timely amendment also includes any service activity common to more than one military department.

The following three pages of the RECORD contain, as I have said, an exposition of the amendment. There is little excuse for misunderstanding as to what the amendment was intended to do. It certainly was not confined to common-use items.

Let me quote again from these remarks:

Mr. Chairman, I previously stated that it is necessary to have unification in other areas. If the theory behind common-use items is accurate, as far as the unification of procurement, supply, and distribution is concerned, it is certainly true of common items that are military in aspect among the three services. That is the importance of the Arends amendment and I hope the gentleman from Massachusetts [Mr. McCORMACK], and others on his side, will recognize that that was the intent of the Bonner subcommittee because, although we were dealing with common-use items, we stated very positively that if this proved to be true in that area, it certainly should be carried over into military areas.

Then let me relate this back to the McCormack-Curtis amendment:

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

Mr. CURTIS of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Chairman, I am well acquainted with what the gentleman is talking about because I have been very much interested, as the gentleman knows, in the same subject of services and supplies, and so forth. I might say that it is my intention to offer an amendment to the Vinson bill tomorrow which I think will adequately take care of that situation and will be a complete culmination of the years of effort of the gentleman from Missouri [Mr. CURTIS], of myself, of the gentleman from Virginia [Mr. HARDY], the gentleman from North Carolina [Mr. BONNER], Senator O'Mahoney, and others. I am hopeful it will be adopted. I say it is to be offered to the Vinson bill; I am referring to the committee bill.

Mr. CURTIS of Missouri. I thank the gentleman. I am happy that the gentleman is going to offer his amendment. I have had the opportunity to read the language and I think it will do exactly what the gentleman says and will be a tremendous step forward.

The substance of the amendment is that whenever the Secretary of Defense determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, he shall provide for the carrying out of any supply or service activity common to more than one military department by a single agency or such other organizational entities as he deems appropriate. It is significant to note that any supply or service activity common to more than one military department shall not be considered a major combat function within the meaning of subsection 3 of the committee bill.

This is an excellent amendment. It permits flexibility so that the Secretary of Defense may provide the best possible type of operation for a supply or service function depending upon its nature.

Unfortunately, neither the President's bill, H.R. 11958, nor the Vinson bill, H.R. 12541, makes specific reference to supply and service activities though these functions constitute approximately two-thirds of the military budget. It is in this area of overlapping and duplication where billions of dollars can be saved, each year, at the same time producing a more alert and hard-hitting military organization by making it more efficient.

Now let me refer to this excerpt:

The aforementioned letter is actually summarized in the testimony of Secretary



McElroy before the House Armed Services Committee on page 5977 of the committee hearings where Secretary McElroy states this:

"The National Security Act gives the Secretary direction, authority, and control over his entire department. But at the same time this law provides that the military departments are to be separately administered by their respective Secretaries. The President has recommended eliminating the provisions prescribing separate administration of the military departments as a means of reducing needless argument and misunderstanding which adds to the difficulty of administering the Department."

And, there is no question, as the 14-page letter of documentation of history indicates, of the interpretation that the military establishments have placed upon this language, "separately administered." That has been their argument for continuing this bickering and this triplication, indeed, quadruplication, of procurement, distribution, and supplies. This has cost us untold billions of dollars, I might state, of unnecessary waste and inefficiency in the military operation.

I submit that the language of the committee bill is illusory. We must eliminate what Secretary McElroy said was one of the essential errors in the law. To accomplish this purpose the language in the bill must be definite. Congressional intent must be clearly stated to obviate a misconstruction of the law. The language in the O'Mahoney amendment was definite—and even there the three services sought to argue about that language. I submit the services will argue about any language. The committee certainly has given them ample opportunity to argue over the language contained in the committee bill, because on page 2 it is provided:

"That each military department shall be separately organized under its own secretary and shall function under the direction, authority, and control, of the Secretary of Defense through the respective secretaries of such departments."

This statement permits the services to use the same argument that they used in regard to the language of "separately administered" to try to get around what was fully the intention of the Congress in 1946, and as expressed in the O'Mahoney amendment, and expressed time and time again in debate on the floor to try to bring about this unification.

Mr. Speaker, at the end of my remarks I think it would be well to set out my full statement of June 11, 1958. In this statement is a 14-page letter I addressed to then Secretary of Defense Wilson which puts this matter in a proper historical context. I ask unanimous consent to include these remarks at that point.

Mr. Speaker, Senate Report No. 1578 on the Department of Defense appropriations bill, 1963, has some timely and important statements.

On pages 7 and 8 we have these quotes:

#### MANAGEMENT OF INVENTORIES

During the course of testimony, it was brought out that supply system inventories for the Department of Defense in fiscal year 1961 totaled \$40,800 million and that this included \$12,900 million in long supply, which is that portion of the supply system inventory that exceeds peacetime operating stocks and mobilization reserve stocks and consists of stocks held for economic retention and contingency retention purposes and of stocks in an excess position.

Of the \$12,965 million in long supply inventory as of June 30, 1961, the Army has in supply \$4,892 million; the Navy, \$2,863 million; the Marine Corps, \$421 million; and

the Air Force, \$4,789 million. At the request of the subcommittee, the General Accounting Office made a special investigation as to the nature of the items in long supply and the reasons why the Department of Defense has accumulated this inventory of items in long supply. The report of the Comptroller General to the committee is included in the hearing on the Defense Department appropriation bill. In his report a comprehensive summary of the items in long supply is included. In regard to an explanation of why the Department of Defense has accumulated items in such magnitude, the Comptroller General states that, as explained by Defense officials, the accumulation of items in long supply can be attributed in large part to the residue from previous military emergencies and the rapid obsolescence of equipment with accompanying dwindling of demand for related parts. However, the Comptroller General goes on to point out that two of the major categories involved are (1) the failure to obtain needed items from long supply and (2) buying more than is needed. He then cites various reports to exemplify the statement. He further states the primary causes attributed to buying more than was needed are (1) the failure to promptly reduce requirements and procurement commensurate with downward program revisions, (2) incorrect and incomplete accounting and stock records, (3) unnecessary reservation of equipment for extended periods, and (4) failure to adequately consider inventories.

The Comptroller General has indicated that, partly as a result of Government Accounting Office recommendations, various remedial measures have been taken including the creation of the Defense Supply Agency by the Secretary of Defense in November of 1961.

The committee expects the Department of Defense to make every effort during the next fiscal year, to reduce the items in the long supply category by disposing of excess stocks as soon as practicable and to make every effort to eliminate unnecessary procurement. The committee intends to review this matter before the close of the coming fiscal year in order to determine what success in the suggested recommendation has been accomplished.

It should be noted that the Comptroller General of the United States has made recommendations concerning the establishment of Defense Supply Agency.

Accordingly, I have obtained from the General Accounting Office recommendations that have been made from time to time concerning the need for more consolidation in Department of Defense supply management and related statements—report to the Congress of the United States, "Review of Supply Management of Electronic Supplies and Equipment Within the Department of Defense"; letter of Comptroller General to the Speaker of the House of Representatives, May 31, 1960:

Our review disclosed that inadequate coordination of electronics supply management activities among and between the military departments is resulting in significant additional costs to the Government and is adversely affecting the efficiency and effectiveness of supply operations. Unnecessary purchases and inadequate supply support are resulting from the failure to consider and obtain needed items available and in long supply in other services; excessive costs and inefficient supply support are resulting from the failure to coordinate the various repair and overhaul activities of each service; and there is a costly duplication and overlap of electronic supply management functions and organizations.

Review of Interservice Utilization of Aeronautical Equipment and Supplies Within the Department of Defense, letter of Comptroller General to Speaker Rayburn, September 15, 1961:

Our review disclosed that, despite improvements made in recent years, the interservice supply support program has fallen short of achieving the fullest practicable utilization of available Department of Defense materiel. The failure of the individual military departments to utilize supplies already available within Department of Defense to meet each other's needs is resulting in unnecessary procurement and repair of material at significant additional cost to the Government.

The results of this and several of our previous reviews of supply management in the military departments indicate that the interservice supply support program, as presently constituted, does not achieve effective interservice utilization of Department of Defense materiel. We believe that increased effectiveness in the management of common supplies and equipment might be attained by consolidating, rather than attempting to coordinate, all involved functions and organizations. Accordingly, we proposed to the Secretary of Defense that consideration be given to merging the many common supply activities of the individual military departments into a single organization within the Department of Defense, which should be given the responsibility and authority to centrally control all facets of supply management.

Review of Management of Idle Production Equipment Within the Department of Defense, letter of Comptroller General to Speaker Rayburn, June 30, 1961:

The Department of Defense has taken certain measures to improve the management and utilization of available production equipment; however, we believe that the centralization of the functions and responsibilities presently being performed by many relatively independent Department of Defense organizations and activities would result in a more effective and economical management of idle production equipment. Accordingly, we proposed to the Secretary of Defense that present production equipment policies, procedures, organizations, and functions be reviewed and evaluated to determine the manner and means whereby centralization under his direction and control could be accomplished.

Review of materiel standardization activities of the Military Clothing and Textile Supply Agency, Department of Defense, Philadelphia, Pa., letter of Comptroller General to the Speaker, October 12, 1961:

We believe that a significant number of the 29,000 line items managed by the Military Clothing and Textile Supply Agency are susceptible of a high degree of standardization and that, if this were accomplished, it would result in more effective use of procurement funds and better service to the users through simplification of requisitioning. We also believe that more extensive standardization would result if a Defense-wide supply management authority, or an operating element thereof, were assigned responsibility for directing and controlling all research and development of clothing and textile items common to two or more military services, while making certain that the military services are supplied with their justifiable needs and technical requirement for materiel.

Review of selected activities in the management of food supply by the Mili-



tary Subsistence Supply Agency, Department of Defense, letter of Comptroller General to Speaker Rayburn, November 16, 1961:

In our review, we found that the Military Subsistence Supply Agency was incurring unnecessary costs in the procurement and supply of foodstuffs. We identified about \$1 million in unnecessary costs, although we did not attempt to establish the full magnitude of the excess costs since the Military Subsistence Supply Agency agreed with us on the seriousness of the problems we identified and the need for corrective action. With respect to nonperishables, we found significant deficiencies in the policies and procedures used by the Military Subsistence Supply Agency's customers for computing requirements. This resulted in the use of items in less economical size container or type or pack, redistribution of stocks, and procurement subsequent to the planned seasonal buy. Since the Military Subsistence Supply Agency has no control over the computation of requirements, it does not possess the capability of determining the causes of its troubles and correcting them. Regarding perishables, excess costs resulted from the Military Subsistence Supply Agency's failure to charge commissary stores for transportation costs and from its use of distribution facilities in an uneconomical location.

Review of supply management of photographic supplies and equipment within the Department of Defense, letter of Comptroller General to Speaker McCormack, January 31, 1962:

The military departments' inventories of photographic supplies and equipment exceed \$150 million and are substantially in excess of the amount required to provide adequate supply support. As a result, unnecessary costs have been incurred in the maintenance, repair, storage, transportation, recordkeeping, inspection, and handling of the unneeded supplies and equipment. Included in this inventory are at least 5,000 items with low unit cost and very little usage that are being managed on a centralized basis instead of being purchased as needed at the local user level. The Department of Defense estimates that the average cost to maintain a single item in the supply system is about \$1,000 annually. We did not make a detailed analysis of management expenses for these types of items, but it appears logical that the cost of managing many of the individual items may be less than the \$1,000 estimated by the Department of Defense. It is obvious, however, that significant savings can be realized each year if low-cost, low-usage items are purchased as needed at the local level.

In view of the need for further improvement, we proposed to the Secretary of Defense that consideration be given to merging the photographic supply management activities of the individual military services into a single organization within the Department of Defense, which should be given the responsibility and authority to centrally control all facets of supply management. In commenting on our proposal, the Acting Assistant Secretary of Defense (Installations and Logistics) advised us that the Department of Defense fully agreed that there was a need for improvement in the supply management of photographic supplies and equipment and that common supply and service activities were being studied by the Secretary of Defense to determine the proper long-range method of management. On October 13, 1961, we were informed by the Department of Defense of its decision to establish a Defense Supply Agency (DSA). We were subsequently advised by the Department of Defense that the management of all photographic items would be considered for De-

fense Supply Agency control when it becomes fully operational.

Review of interservice supply management and utilization of selected aircraft engines within the Department of Defense, letter of Comptroller General to Speaker McCormack, May 17, 1962:

Our review disclosed that, because of inadequate control in the Department of Defense over the interservice utilization of aircraft engines, the excess engines of one service frequently were not transferred to other services which had current or future needs for similar engines. This lack of coordination resulted in unnecessary purchases and unnecessary conversion of aircraft engines. For the engine models included in our review, we found that the Army, Navy, and Air Force had incurred unnecessary costs of approximately \$4,160,000 through the purchase or conversion of engines by one service while similar excess engines were already on hand in another service. As a result of our review, 487 aircraft engines valued at approximately \$15,140,000 were transferred from those services which had excess engines to other services which had current or future need for these engines. As a result of these engine transfers, the Department of the Navy was able to cancel the planned purchase of 101 engines at an estimated net saving of \$4,040,000. Transfer of the remaining engines should enable the services to reduce future purchases.

Review of development and management of selected aircraft crash firetrucks in the Department of Defense, letter of Comptroller General to Speaker McCormack, May 16, 1962:

The Department of Defense concurred in certain of our proposals for corrective action but did not agree that a single agency should be assigned responsibility for research and development of aircraft crash firetrucks. The Assistant Secretary of Defense (Installations and Logistics) has said that, because of differences in service missions, the requirements of the military departments are more likely to be fulfilled by coordinated research and development programs managed by the respective departments than by reassignment of this function to a single service or agency.

In view of the failure of the military departments to coordinate effectively to minimize development costs and efforts in the past, as disclosed in this report, we are recommending that the Secretary of Defense take positive measures to assure close surveillance and control by his office of the programs of the three Departments. Unless this is done, in all probability each service will continue to independently develop aircraft crash firetruck equipment as being unique to its own needs even though the vehicles developed are for support of categories of equipment common to the other departments. We are also requesting the Secretary of Defense to advise us as to whom and for what use the Army's class 1500 vehicles will be assigned.

Review of the development and procurement of similar-type helicopters within the Department of Defense, letter of Comptroller General to Speaker McCormack, May 23, 1962:

To prevent unnecessary duplication of major items of military equipment, we proposed that the Secretary of Defense fully exercise his management responsibility by precluding a military department from entering into a contractual arrangement for the development of a major item prior to his approval. The Assistant Secretary of Defense informed us that the Department of Defense fully concurred with the principle

incorporated in our suggestion. While the concurrence in principle would seem to provide a basis for precluding similar situations in the future, the extent to which the system actually will be effective will depend upon the degree that the responsible agencies properly execute their management responsibilities.

Review of selected supply management functions and responsibilities of the Military Clothing and Textile Supply Agency, Department of Defense, Philadelphia, Pa., letter of Comptroller General to Speaker McCormack, April 17, 1962:

Subsequent to our review, the Military Clothing and Textile Supply Agency was designated the Defense Clothing and Textile Supply Center and was placed under command jurisdiction of the recently established Defense Supply Agency.

Our review disclosed that the Government will suffer significant losses since the Military Clothing and Textile Supply Agency procured clothing and textile items prematurely or in excess of current needs on the basis of requirements furnished by the military services. We also found that losses will result because the Military Clothing and Textile Supply Agency procured defective material on the basis of specifications prepared by the military services. Losses amounting to \$385,000 will result from the necessity of disposing of one item at a reduced price and using a defective material for a purpose other than that for which intended.

Mr. Speaker, in view of these statements and this decision from the Comptroller General I wonder why anyone would question the authority of the Secretary of Defense to set up the Defense Supply Agency as required by the McCormack-Curtis amendment?

And should anyone have a genuine doubt about the scope and intent of the McCormack-Curtis and related acts—why the matter is not referred to the Comptroller General for decision or why the Comptroller General and his able staff are not requested to testify before congressional committees that have legitimate questions of this kind to ask?

Let me place in the RECORD at this point a letter from the Comptroller General to Hon. CHET HOLIFIELD, chairman, Military Operations Subcommittee, Committee on Government Operations, May 25, 1962, which bears directly on this point:

COMPTROLLER GENERAL  
OF THE UNITED STATES,  
Washington, May 25, 1962.

HON. CHET HOLIFIELD,  
Chairman, Military Operations Subcommittee,  
Committee on Government Operations,  
House of Representatives.

DEAR MR. CHAIRMAN: This is in response to your request during recent hearings held by your subcommittee concerning the Defense Supply Agency that we supply for the record answers to two questions, posed by Representative F. BRADFORD MORSE, dealing with the legislative authority of the Secretary of Defense regarding certain aspects of supply management. The questions are:

1. Is there sufficient legislative authority for the Director of the Defense Supply Agency to centrally control all facets of supply management in the Department of Defense for clothing and textile items common to two or more services?

2. Does the Secretary of Defense have authority to control the introduction of new clothing items into the supply system and, if so, has he delegated such authority to the Director of the Defense Supply Agency?



Subsection 202(c)(6) of the National Security Act of 1947, as amended by subsection 3(a) of the Department of Defense Reorganization Act of 1958, 72 Stat. 514, 5 U.S.C. 171a(c)(6), provides that:

"(6) Whenever the Secretary of Defense determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, he shall provide for the carrying out of any supply or service activity common to more than one military department by a single agency or such other organizational entities as he deems appropriate. For the purposes of this paragraph, any supply or service activity common to more than one military department shall not be considered a 'major combatant function' within the meaning of paragraph (1) hereof."

In commenting on this provision, Representative McCormack who introduced it on the floor of the House as an amendment to H.R. 12541 which was enacted as the 1958 Reorganization Act, stated:

"The language is intended to permit the Secretary, that is, to permit one Department, to operate for the benefit of all if this is considered advisable as in the present situation with the Army handling chemical and biological functions for the Department of Defense. \* \* \*

"It would be my opinion that in the unified commands there would be a high degree of consolidation and standardization of supplies, equipment, forms, procedures, regulations, and so forth, in order to have maximum flexibility to provide for free exchange between the commands and to save on staff, transportation facilities, and so forth."

"In order that there will be no confusion the amendment specifically states that supply and service activities shall not be considered as being major combatant functions within the terms of the bill." (See CONGRESSIONAL RECORD, vol. 104, pt. 8, pp. 11032-11033. See also other remarks to the same effect at pp. 11030 through 11035 and in the CONGRESSIONAL RECORD, vol. 104, pt. 8, pp. 10909-10914.)

From the language of the statutory provision referred to and its legislative history, it is clear that the Secretary of Defense is not only authorized to provide for the consolidation of supply management administration but that he has a congressional mandate to do so. The establishment of the Defense Supply Agency as the organization to centrally control the supply management of textiles and clothing as well as other common use items is entirely consistent with the literal wording of the statute and its intended purpose.

Concerning the second question presented, it is clear, if the statutory provision referred to above is not sufficient of itself, that other portions of the Department of Defense Reorganization Act of 1958 provide ample authority for the Secretary of Defense to control the introduction of new clothing items into the supply system. Subsection 171a(c)(1) of title 5, United States Code, provides that the Secretary of Defense shall take appropriate steps to provide in the Department of Defense for more effective, efficient, and economical administration and operation and to eliminate duplication. And subsection 171a(c)(7) of title 5 provides that:

"(7) Each military department (the Department of the Navy to include naval aviation and the U.S. Marine Corps) shall be separately organized under its own Secretary and shall function under the direction, authority, and control of the Secretary of Defense. The Secretary of a military department shall be responsible to the Secretary of Defense for the operation of such department as well as its efficiency. Except as otherwise specifically provided by law, no Assistant Secretary of Defense shall have authority to issue orders to a military department unless (1) the Secretary of Defense

has specifically delegated in writing to such an Assistant Secretary the authority to issue such orders with respect to a specific subject area, and (2) such orders are issued through the Secretary of such military department or his designee. In the implementation of this paragraph it shall be the duty of each such Secretary, his civilian assistants, and the military personnel in such department to cooperate fully with personnel of the Office of the Secretary of Defense in a continuous effort to achieve efficient administration of the Department of Defense and effectively to carry out the direction, authority, and control of the Secretary of Defense."

The committee of conference in its report accompanying H.R. 12541, House Report No. 2261 dated July 23, 1958, explained the purpose of section 171a(c)(7) as follows:

"The House and Senate conferees agreed to language which provides that each military department (the Department of the Navy to include naval aviation and the U.S. Marine Corps) shall be separately organized under its own Secretary and shall function under the direction, authority, and control of the Secretary of Defense. In addition, the Secretary of a military department will be responsible to the Secretary of Defense for the operation of his department as well as for its efficiency."

"That part of the Senate amendment which made each Secretary responsible to the Secretary of Defense for the 'efficient and economical operation' could have been construed as words of limitation with respect to the responsibility of the military Secretary. Thus, under this portion of the conference report, the military Secretary will be responsible to the Secretary of Defense for the entire operation of his department as well as its efficiency."

"Likewise, the House and Senate conferees agreed that no Assistant Secretary of Defense would have authority to issue orders to a military department except as provided in the conference report. Under the conference report, no Assistant Secretary of Defense can issue an order to a military department unless two requirements have been fulfilled:

"(1) The Secretary of Defense must specifically delegate to such an Assistant Secretary in writing the authority to issue orders with respect to a specific subject area, and

"(2) Such orders must be issued through the Secretary of the military department or his designee."

"The only exception to these requirements is in cases where there are specific provisions of other law which grant Assistant Secretaries of Defense the right to issue orders."

"The House and Senate conferees agreed to the remainder of that portion of the Senate amendment which provides that it shall be the duty of such military Secretary, together with his civilian assistants and military personnel of his department to cooperate fully with personnel of the Office of the Secretary of Defense in a continuous effort to achieve efficient administration of the Department of Defense and to effectively carry out the direction, authority, and control of the Secretary of Defense."

"Thus under the conference report—

"1. Each military department will be separately organized under its own Secretary;

"2. Each military Secretary will be responsible to the Secretary of Defense for the operation of that military department;

"3. No Assistant Secretary will issue orders to a military department unless the Secretary of Defense has given him a specific delegation of authority in writing in a specific area;

"4. Even when an Assistant Secretary of Defense issues an order based upon his specific delegated authority, such an order

must be 'issued through' the military Secretary or his designee."

"As a result, the original position of the House, which sought to retain the separate identity of the military departments has been sustained. In addition, the Assistant Secretaries of Defense will not be senior to, or have greater authority than, the military Secretaries. The Assistant Secretaries of Defense will, for practical purposes, remain as principal staff assistants to the Secretary of Defense, and even when acting for the Secretary of Defense, their decisions will be 'issued through' the military Secretaries. This chain of civilian command will permit an orderly administrative procedure, and will eliminate the confusion that might otherwise have developed if statutory restrictions on the authority of the Assistant Secretaries of Defense had not been provided, and if the orders issued by such assistants were not channeled through the military Secretaries."

Thus, it is clear that the Secretary of Defense was given full control over the entire Military Establishment while maintaining each military department as a separate organization under its own Secretary. Although this control is somewhat limited by subsection 171a(c)(1) of title 5, so far as combatant functions are concerned, the limitations of that section are not applicable to the function of managing the supply of clothing and textile material.

The only question remaining is whether the Secretary of Defense has delegated his authority to control the introduction of new clothing items into the supply system to the Director of the Defense Supply Agency. Pursuant to the National Security Act of 1947, as amended, and the provisions of section 2202 of title 10, United States Code, requiring that funds for all phases of supply management be obligated only under regulations prescribed by the Secretary of Defense, the Secretary issued Department of Defense Directive No. 5160.12, dated August 10, 1960, further implementing single manager assignments for the purpose of eliminating duplication of effort between military departments and to improve the effectiveness and economy of supply and service operations throughout the Department of Defense. Under this directive the single managers were the Secretaries of the various military departments designated by the Secretary of Defense to be responsible for specified commodities or common service activities. By directive No. 5160.15, dated July 13, 1961, the Secretary of the Army was designated as the single manager for clothing and textile material. The Secretary of the Army was responsible generally for all phases of clothing and textile material supply management including the standardization of such items to the maximum feasible extent. The single manager was not, however, authorized to unilaterally resolve disagreements arising among the military services as a result of his assignment but, rather, was required to submit any such matter to the Assistant Secretary of Defense (I. & L.) for resolution.

The functions and responsibilities of the single manager for textiles and clothing were transferred to the Defense Supply Agency by directive No. 5105.22, dated November 6, 1961. With respect to standardization of items, the Secretary of Defense delegated to the Director, Defense Supply Agency, the function of directing item simplification for all items assigned to the Agency. It would thus appear that the Secretary of Defense has delegated sufficient authority to the Director, Defense Supply Agency, for the Director to control the entry of clothing items into the supply system. It should be noted, further, that this delegation of authority also carries with it the requirement for maintaining close relationships with all components of the Department of Defense and with the Defense Supply Council, established by the same directive and composed of the Deputy Sec-



retary of Defense, the Secretaries of the three military departments, the chairman, Joint Chiefs of Staff, and the Assistant Secretary of Defense (I. & L.), who under directive No. 5126.22, dated January 30, 1961, was delegated responsibility for cataloging, standardization, and quality control of items in the supply system.

Accordingly, each of the questions presented is answered in the affirmative.

Sincerely yours,

JOSEPH CAMPBELL,  
Comptroller General of the United States.

Mr. Speaker, it becomes abundantly clear from the history that the attempts of the Congress to unify the military services in any respect meets a very strong and determined group within the military establishments who act to oppose it.

It is no great news to anyone who has served in the Congress that among the most efficient lobby groups we have, if not by all odds the most efficient, are the military services.

The power of the military in any society today or in history is a great power, many times an overwhelming power. One of the great issues inherent in any society is how to integrate its military sector. It has been a great issue in our society since the establishment of our basic institutions. By and large we have been blessed with professional military personnel who shared views of the proper balance between military and civilian authority similar to the civilians. Having this common basis we have always been able to debate the issue of proper balance of military and civilian power without going to extremes.

One argument frequently advanced against the unification of military supply and services is that this will lead to a complete unification of the services which in turn will create an imbalance in military power in respect to civilian authority. It is suggested that this will produce the dangers history indicates were inherent in a German high command.

We should certainly consider this point because it is crucial. However, we should not allow it to distract us from determining also whether a unified supply system and a unification of other specified common services in the Military Establishment would produce a stronger defense, make the defense dollar go farther and produce a stronger economy.

If these unifications will bring about these desired military and economic goals let us have an end to a denial of this fact by the various military establishments.

Having established that fact, then let us examine to see whether gaining these values will endanger other social values which our society holds to be important, possibly more important than the gains we would have economically and militarily.

Most of us believe, and I share the belief, that we should never sacrifice our basic social values of freedom, representative government, and the private-enterprise system in order to gain military or economic advantages, unless immediate and overwhelming needs require it. And even then we should move only on

a well-defined temporary basis until we have sufficiently eliminated the pressing needs. Indeed, that is exactly what we do under our Constitution when the Congress declares war.

Having said this, let me state that the law, as set forth in the McCormack-Curtis amendment and the implementation of this amendment by Secretary McNamara, in no way endangers any of our social values by unduly concentrating military power in the hands of a military czar. In fact, in many respects it diffuses the power now centralized by separating more widely those who are entrusted with military power from those who are entrusted with economic power. I am just as jealous as any serviceman, be he Army, Navy, Air Force, spaceman, or marine, in preserving the independence and integrity of the separate services in the fields of their military missions. So they can be better military men, I want to relieve them of responsibility in the economic area.

Supply and services common among the military services are merely the means by which a military service can perform its mission. Of course, supply and service must be responsive to military command, but that does not mean that the military commander must control the source of the supply or service to the extent that he must administer it. If he is doing his military job, he ought to be removed from the responsibility of this kind of administration for which his military training actually is ill suited to make him proficient.

At any rate here is the area to be debated and those who wish to advance a contrary thesis should confine their arguments to it, not confuse it with the other area of dispute which relates to military and economic efficiencies.

Frankly it does not suit a military leader too well in pressing his argument against unification of supply and service to be hiding behind the cloak of too great a concentration of military power. I believe the civilian society can take care of this side of the argument. Our military leaders need to tell us what system spells the greatest military efficiency. They can contribute in a meaningful way also to determining what spells the greatest economic efficiency, although this is an area where our private business and labor sector must provide the essential knowledge and wisdom.

To my colleagues in the Congress who have been fighting the battle for the Military Establishment's viewpoint in resisting the integration of the military supply and service fields, let me urge that you also keep your arguments separate and clear between military and economic efficiency and the danger of too great concentration of military power.

A forthright debate on whether unification in the military supply and service fields as contemplated by the McCormack-Curtis amendment has any dangerous implications would be beneficial. Apparently this is the last ditch in which the diehards in the military services can muster a defense. The increased military and economic effectiveness has been established. I look for-

ward to the real payoff when we can reduce taxes a bit for our people because of the increased efficiencies we will achieve when we get this unification fully implemented.

[From the CONGRESSIONAL RECORD, June 11, 1962]

Mr. CURTIS of Missouri. Mr. Chairman, I take this time to discuss the proposed amendments that the gentleman from Illinois [Mr. ARENDS] has referred to and also to express support for an amendment that I understand is going to be offered possibly by the gentleman from Massachusetts [Mr. MCCORMACK]. The McCormack amendment is a restatement, as it were, of the O'Mahoney amendment which sought to bring about unification in the area of the supply, distribution and procurement of common use items. This timely amendment also includes any service activity common to more than one military department.

In order to emphasize this point, I am going to read into the Record, a letter which I wrote to the Honorable Charles E. Wilson, Secretary of Defense, on January 19, 1955:

"JANUARY 19, 1955.

"HON. CHARLES E. WILSON,  
"Secretary of Defense,  
"Washington, D.C.

"DEAR MR. SECRETARY: I was shocked to receive a letter dated November 18, 1954, from the Assistant Secretary of Defense T. P. Pike, Supply and Logistics, announcing the dissolution of the so-called Alameda Medical Supply Test and the decision to continue operating medical supply separately by the Army and Navy and possibly by the Air Force as well.

"In my opinion, this is directly contrary to the laws passed by the Congress in words, and certainly in intent. It is directly contrary to the statement of policy as expressed by President Eisenhower from time to time. In my judgment, this is one more instance where the Congress, in proper fulfillment of its constitutional authority, has written laws and the Military Establishment has sought to subvert these laws.

"I appreciate that these are serious charges. In order to give you the basis for making these charges, I am setting forth the history of the Alameda test, and the Congress expressed interest in it as a test case of the overall problem of eliminating unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, and research.

"Before doing so, I want to emphasize that I have no doubt as to the sincerity of those in the Military Establishment who have made the decision to go against what I have stated, in my opinion, to be the clearly expressed will—and certainly the clearly expressed intent of the Congress. I have no doubt that they feel they know better than the Congress what is best for the armed services and what is the best for our country. Nevertheless, if we are to have constitutional government in this country, we must have the Military Establishment carrying out the laws passed by the Congress in accordance with the Constitution, both as to the letter and equally as to the intent. Anything else would be chaos. Certainly such insubordination within the Military Establishment itself would be handled with dispatch.

"The Military Establishment has had full opportunity to present its thoughts and views to the committees of the Congress in hearings. The Military Establishment has many able spokesmen for its point of view among the Members of the Congress so that its point of view is fully considered. In spite of this, in its wisdom the Congress has by law and by expression of what was meant by the language of the law, decided contrary to the position advanced by the Military Establishment.



"The reason I stated in my second paragraph that this is one more instance was because I had in mind the heart rending attempts the Congress has made to have a single catalog system established for common use items in the Military Establishment as well as other specific cases where attempts were made by congressional committees to see that the purpose and intent of the National Security Act of 1947 (as amended) providing for the unification of the services was carried out.

"Here follows the history of the Alameda test as I see it. First, I might state it was my privilege to serve on the so-called Bonner committee during the 82d Congress and we found that there was a great duplication and costly cross-handling of medical and other common-type supplies between the service units.

"We selected the medical supply field for study as it has only 8,000 to 10,000 items, uses only a few hundred million dollars worth of supplies per year but the Army and Navy each had five depots at that time with stocks turning very slowly. Further, a joint agency bought the same items for each separate service. Fortunately, the Air Force continued under the Eisenhower-Spaatz agreements to get medical support from the Army though now they seem to be splitting here also. We reasoned that if two services can use common distribution, why in the name of sense cannot three. Another reason for the selection of medical supply for a test was the fact that a usable catalog with common specifications and nomenclature has been in use for some time.

"Our reports No. 658 issued June 27, 1951, and No. 2330 issued June 27, 1952, were critical of medical supply operations and called for eventual integration. On July 19, Deputy Secretary of Defense Lovett and the top supply officials from the services and the Munitions Board testified as to the findings and recommendations in Report No. 658. At that time, Mr. Lovett produced a directive dated 2 days before (July 17, 1951) on the subject of Basic Policies Governing the Department of Defense Supply System. Paragraph 5(c) of the directive stated:

"(c) Priority study shall be given to the feasibility of assigning to a single military department the responsibility for procurement, distribution, including depot storage and issue for classes of common items of supply and equipment, and depot maintenance of such equipment. Medical supply items shall be the first category to be studied."

"It should be stated that a battle raged from July 17, 1951, to March 1952 over the establishment of the Medical Supply Test. The Navy, in particular, was unhappy at this step toward unified distribution. The Navy has, as you know, preached the gospel of 'three services separately administered' and that all supplies and services must be responsive to service command despite the fact that everyone should know by now that we must have unified commands in the theaters with supply responsive to that kind of command.

"The Korean emergency placed a heavy burden on the Army medical supply system with the Oakland, Calif., depot at the end of the continental pipeline. But the Navy medical supply system with a depot across the street from the Army's in Oakland got small impact. Commonsense without prolonged study should dictate to anyone that the two pipelines could have been connected in order to make all medical supplies responsive to the unified command in Korea.

"After more chapters and verses than any innocent taxpayer can imagine, the medical test was started. The committee knew of the bitter Navy opposition and went to Alameda (where the Army had moved meantime for the test) to see for ourselves how it was working. We found that the Army was put-

ting all out to make it work and it was very successful. The Air Force was pleased at the service it was getting but the Navy was glum.

"May I add that the test was operated under adverse ground rules. Each service owned part of the stock, requiring triple accounting. Admiral McNeill testified later that one revolving or stock fund should have been set up. But it never was. The excellent Syracuse study on medical supply recommended the same (one revolving fund) and here again commonsense should dictate such action. Public Law 216 (title IV) was enacted 3 years before for just such a purpose. That is, to improve financial control and management.

"After viewing with alarm the committee's pressure to extend the successful medical test across the board to the other depots and end up with perhaps 3 depots in place of 10 with fast-moving stock, the Navy came up with the idea of setting up functional supply systems, et cetera, each service to have its own integrated supply system. This would combine common stocks, theoretically, in each service. So Supplies and Accounts took over Navy medical supply to head off what the committee was doing. Budget Bureau officials forgot their responsibilities and went along.

"After some 2½ years of operation, during which time the Korean theater was successfully served by the unified Alameda medical supply operation, it was decided to break up the test and not extend it across the board.

"To my mind it was not only a sad mistake to dissolve the only effective effort made by the DOD toward integration of common supply distribution but it was a flagrant violation of the intent of the National Security Act, as amended. As late as last summer, the Army testified before the House Appropriations units that the test was to be extended. Those of us who know the Navy, knew better.

"You will recall that the original National Security Act of 1947 (Public Law 253, 80th Cong.) provided for the authoritative coordination and unified direction of the services under civilian control but not for their merger. And that the Secretary of Defense under the direction of the President was directed, in section 202 (a) (3), to:

"(3) Take appropriate steps to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, and research;"

"The 1949 amendments to the National Security Act (Public Law 216, 81st Cong.) following the Hoover Commission report were designed to strengthen the original act, section 2 thereof provided:

"Sec. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide three military departments, separately administered, for the operation and administration of the Army, the Navy (including naval aviation and the U.S. Marine Corps), and the Air Force, with their assigned combat and service components; to provide for their authoritative coordination and unified direction under civilian control of the Secretary of Defense but not to merge them; to provide for the effective strategic direction of the Armed Forces and for their operation under unified control and for their integration into an efficient team of land, naval, and air forces but not to establish a single Chief of Staff over the Armed Forces nor an Armed Forces General Staff (but this is not to be interpreted as applying to the Joint Chiefs of Staff or Joint Staff)."

"The amendment to the new Declaration of Intent included the provision for 'three departments, separately administered.'

"The specific language authorizing the SECDEF under section 202(a) (3) of the 1947 act to 'take steps to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, and research' was omitted in the 1949 amendments as it was argued such language was unnecessary in the light of the broadened authority proposed to be conferred generally on the Secretary. (See p. 16, Bonner Overseas Report No. 1994, 82d Cong., 2d sess.)

"The National Security Act amendments of 1949 took account of several of the criticisms and of certain recommendations in the report of the Hoover Commission. The authority of the Secretary of Defense over the three military departments was somewhat strengthened and clarified. Likewise the role of the Munitions Board and its Chairman were pointed up and the Board was established more precisely as a staff arm of the Secretary.

"Nevertheless, the 1949 legislation again compromised between opposing concepts of proper organization in the Military Establishment. What was taken away with one hand was given back with the other. Although the departmental Secretaries were deprived of Cabinet rank, the separate status of the Departments was not only reaffirmed but reinforced in several particulars. As if to remove any doubts on that score, the amendments added to the declaration of policy of the original act the intent of Congress "to provide three military Departments, separately administered."

"An interesting incident in the legislative consideration of the National Security Act amendments of 1949 illustrates the statutory setbacks to unification as well as the gains. The original act, in section 202(a) which created the Office of Secretary of Defense and prescribed the Secretary's duties, directed him among other things, to "take appropriate steps to eliminate unnecessary duplication and overlapping in the fields of procurement, supply, transportation, storage, health, and research." The Senate bill introducing the 1949 amendments, in seeking to strengthen and clarify the Secretary's authority, proposed that the above-quoted provision in section 202(a) be amplified as follows:

"Taking of appropriate steps, including such coordination, transfers, and consolidations as may be necessary, to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, personnel, health, research, and in such other fields, as he may deem proper. \* \* \*

"Pentagon lawyers assured the House Armed Services Committee that the Senate proposal was unnecessary in the light of the broadened authority proposed to be conferred generally on the Secretary. Accordingly, the entire provision, both of the Senate bill and of the original act, were struck out by the House committee, the deletions were accepted in conference. The law now merely presumes, without specifically stating, that the Secretary will take steps to eliminate unnecessary overlapping and duplication."

"The intensive Bonner committee investigations at home and abroad clearly proved the terrible extent of overlapping, duplication and waste in the common supply field as the Air Force acquired independent status as provided by the Security Act as implemented by the Eisenhower-Spaatz agreements.

"General Eisenhower told the committee at Paris (November 24, 1951):

"You have asked me what I had in mind, as far as common supplies are concerned, when General Spaatz and I made what you refer to as the Eisenhower-Spaatz agreement several years ago when I was Chief of Staff of the Army. That's a broad question, but I believe I can give you a simple answer by saying that when General Spaatz and I served



together during the last war we frequently discussed ways and means of reducing what we believed to be a waste of supplies and of manpower through duplication of effort between the services. I reached the conclusion, and I am sure that he did also, that something had to be done to provide a system under which each service and each force could have all that it needed for its operation without a lot of duplicating hospitals, depots, and other supply overhead. I felt that much could be done to improve the situation that existed in the services at the end of the war. Consequently, when Spaatz and I talked things over in Washington after the war, we agreed that the policy on which the Army and Air Force supply and service arrangements should be based would be that of common service to the greatest possible extent. The so-called Eisenhower-Spaatz agreement was intended to implement that agreement on basic policy.

"He further stated:

"I can illustrate some of the things I had in mind by giving you a few examples. Take blankets and bed sheets, for example. I saw no reason why there should be numerous types, sizes, and specifications for those things. I believed that a good blanket could be bought by the Department that would serve the needs of all Departments, and so could a good sheet. \* \* \* Mops, brooms, soap, and other ordinary supplies are also good examples. \* \* \* I could see no good reason why bread baked in an Army bakery could not be eaten by Air Force men, and vice versa. This same reasoning can be applied to the majority of commonly used equipment, such as rifles, et cetera."

"Again he stated:

"I feel that what is really needed to accomplish what you gentlemen are seeking is to vest in the Secretary of Defense sufficient authority and responsibility to permit him to accomplish whatever degree of improvement in the efficiency and economy of our service and supply systems as is now necessary or that becomes necessary as time passes."

"With respect of the need for unification of logistics in the theaters, the general stated:

"I will say that I am convinced that more unification is needed in logistical matters in all theaters. To my mind, the senior U.S. commander in any theater—be he of the Army, Navy, or Air Force—should have responsibility and powers for the overall coordination of logistics and the exercise of all possible economies in common items or common supply functions."

"At the time the general made these statements (November 24, 1951) which made sense to the committee, the military services were still wrangling over the establishment of the common medical supply test as directed by the Secretary of Defense 4 months earlier."

"On June 9, 1952, Mr. BONNER, chairman of the committee, introduced a bill, H.R. 8130, which was designed to promote economy and efficiency through certain reorganizations and the integration of supply and service activities within and among the military departments. This bill contained many important provisions, including:

"Sec. 501(a). There shall be in the Department of Defense an Under Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate."

"Sec. 502(a). The Under Secretary of Defense shall advise and assist the Secretary of Defense in preparation and execution of a comprehensive program to integrate supply and service activities within and among the military departments, and shall perform such other duties as are prescribed by this title."

"(b) Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary shall—

"(1) develop standardized procedures and forms for supply and service functions;

"(2) eliminate duplication and overlapping within and among the supply activities of the military departments in the fields of production, procurement, warehousing, and distribution;

"(3) establish and operate depots for common items and other common supply and service installations throughout the United States;

"(4) develop unified logistics organizations overseas;

"(5) establish and operate a program to systematize scrap recovery, redistribution of excess materials, and surplus disposal, and coordinate such program within the Department of Defense and with those of other departments and agencies of the Government having responsibilities in these fields; and

"(6) develop plans for recruitment and training of a professional corps of supply personnel within the Department of Defense."

"Meantime, the committee was in conference with certain Senate leaders who were also anxious to bring about defense with solvency by the elimination of fat in the form of overlapping, duplication, and waste."

"Senator DOUGLAS gave notice to the Senate that he intended to offer H.R. 8130 or its substance as an amendment to the pending Department of Defense appropriation bill."

"Senator SALTONSTALL stated:

"When the unification bill was passed in 1947, the amendment which the Senator is now proposing was considered. It was one of those steps which the committee felt it did not want to take at that time. It felt it should not go that far in concentrating so much power in the Secretary of Defense. That was one of the problems which Secretary Forrestal had confronting him. Times have changed, and conditions have changed. Personally, I think there is considerable merit in what the Senator from Illinois is proposing. I want the record to show that I join with the Senator from Texas in suggesting that the Senator introduce a bill on the subject in January, and pursue it, so that the Unification Act may be amended somewhat along the lines the Senator from Illinois proposes. I believe it should be amended."

"Senator O'Mahoney, who was not only handling the appropriation bill but was Chairman of the Joint Committee on the Economic Report and thus dealing with both sides of the defense-expenditure coin, stated:

"I wish to say to the Senator from Illinois that the Subcommittee on Defense Production was unanimous in its feeling that the principle of the Bonner amendment should be enacted into law. But the committee was aware of the fact that it could not be enacted into law on an appropriation bill. I want the Senator to know that personally I have consulted with the Secretary of Defense and the Director of the Bureau of the Budget. I spoke to both of them and told them that the economy measure must be carried through. At the same time I recognize the fact that the Committee on Armed Services of the Senate and the House are entitled as a matter of right to have the opportunity to examine into the far-reaching changes which would be made in unification."

"So, as a compromise measure, section 638 was inserted in the DOD Appropriation Act for fiscal year 1953. This act provides:

"(a) Notwithstanding any other provision of law and for the purpose of achieving an efficient, economical, and practical operation of an integrated supply system designed to meet the needs of the military departments without duplicating or overlapping of either operations or functions, no officer or agency in or under the Department of Defense, after the effective date of this section, shall obligate any funds for procurement, production,

warehousing, distribution of supplies or equipment, or related supply management functions, except in accordance with regulations issued by the Secretary of Defense."

"(b) This section shall be effective 60 days after the approval of this act."

"The intent of the enactment which is permanent legislation, as stated in the Senate report, is to develop an 'integrated supply system'."

"The committee believes that great savings can be made by improved integration and management of the military supply system. To this end it recommends addition of section 636 (638) to the bill, imposing a direct and specific duty on the Secretary of Defense to achieve such improvement at an early date."

"It is recognized that all the desirable changes cannot be accomplished in the 60-day period within which regulations must be issued. However, it is anticipated that, within that period, new interim regulations can be promulgated which will state the general principles to be followed, effect certain of the more obvious improvements, and assure that no additional independent or expanded supply facilities are created during development of the definitive regulations."

"When the next Congress convenes the Department of Defense should present a program, based upon regulations in effect, which will speedily eliminate the duplications and 'historical accidents' that recur and exist in the present system of procurement, warehousing, and issue of supplies and equipment."

"Under the new system, it should be impossible for two competing facilities to be set up (or to continue to exist) in the same area for the same purpose as determined by the Secretary of Defense. Service facilities for maintenance of equipment such as motor shops, laundries, and so forth should be integrated to serve all departmental requirements in the area. Special attention should be given to the procurement, production, distribution, warehousing, maintenance, and issue of common-use items such as clothing, food, medical supplies, and building materials, to minimize stocks, handling, transportation, and related supply management activities. Wherever possible such items and the method of handling them will be made uniform throughout the Department of Defense to facilitate such integration. Where different stock levels exist in various parts of the Department, it is expected that the lowest level will be applied to the whole Department in the absence of a compelling justification for special treatment, which justification will be made to the appropriate committees of the Congress."

"It is recognized that the administration of the program outlined above will require some changes in the organization and staffing of parts of the Department of Defense, including the Office of the Secretary of Defense. To the extent possible under existing laws this should be done within the powers and personnel ceilings presently available to the Secretary of Defense, and it is expected that necessary action will be taken immediately so that the program can be instituted without delay. Emphasis should also be placed on civilian personnel in this interservice across-the-board work of the business organization of the Department since they can provide continuity and can approach these problems unencumbered by loyalty to the traditions and practices of one particular corps or service."

"On September 25, 1952, General Eisenhower, in a speech at Baltimore, stated:

"I want to talk with you tonight about the defense of our country. I want to talk with you about getting the most defense at less cost with least delay."



"The real problem is to build this defense with wisdom and efficiency. We must achieve both security and solvency. In fact, the foundation of military strength is economic strength. A bankrupt America is more the Soviet goal than an America conquered on the field of battle. The 156 million Americans whose lives and livelihood are at stake are entitled to and must have the plain truth. I propose to give it to them.

"Here are the three personal convictions that I hold to be true:

"First, our defense program has suffered from lack of farsighted direction.

"Second, real unification of our Armed Forces is yet to be achieved.

"Third, our defense program need not and must not push us steadily toward economic collapse.

"What I do mean to criticize is routine in planning and operation, failure to establish clearcut line of authority, and failure in preparatory work to combine industrial and military leadership. \* \* \* Resulting frenzied expansion has meant disorder and duplication and waste. It has meant an attempt by our Air Force to buy 20,000 super-deluxe chairs at \$10 above the standard model. It has meant the Army buying enough front-axle gaskets for jeeps to last a full century.

"This pattern has been bad enough in the past. In today's world of continuing tension, it is intolerable.

"Against this background we must face the overriding issue of security with solvency. We must analyze the details of that issue specifically, straightforwardly, and promptly. For next November, the American people are electing leaders not for just another ordinary term, but for years of decisive destiny.

"All that I have said about how to save money and avoid waste in the weapons program applies with equal force to other parts of the defense program.

"This brings us to the supremely important matter of unification of the Armed Forces.

"When I became Chief of Staff, upon my return from Europe in November of 1945, I felt that all our war experience had rendered obsolete the defense organization then existing. I was convinced then, as I am today, that effective coordination of the services in war requires central planning in time of peace. This is the essence of unity in the Armed Forces. That unity must also extend to the procurement and administration of all the costly material and paraphernalia of modern warfare. It was the hope and expectation of all of us who had worked to achieve the passage of the National Defense Act of 1947, that this kind of unity was in the making.

"This has not proved to be the case. Such unity as we have achieved is too much form and too little substance. We have continued with a loose way of operating that wastes time, money, and talent with equal generosity. With three services in place of the former three, still going their separate ways and with an overall defense staff frequently unable to enforce corrective action, the end result has been not to remove duplication but to replace it with triplication.

"All this must be brought to as swift an end as possible. Neither our security nor our solvency can permit such a way of conducting the crucial business of national defense.

"Our task, however, goes still further than this. We must critically review the political policies governing our military program; and we must review that military program itself in all its significant details. To this end I now make two major proposals.

"The first is this: At the earliest possible date next year, the new administration

should create a commission of the most capable civilians in our land to restudy the operations of our Department of Defense. These men and women should, of course, be specifically qualified for their tasks. They should, I believe, be drawn from both parties, so that all matters of national security may clearly be placed beyond party politics. These men and women should be assisted by the ablest officers available from all services—Air Force, Army, Navy, and the Marine Corps.

"I was surprised and shocked to learn of the dissolution of the Alameda medical supply test and a reversion to the old system. I could not imagine why one medical supply system was not established under one stock fund to serve the entire military or even the whole Government. I cannot understand why the clear intent of Congress is ignored and superseded by the subjective philosophies and regulations of DOD officials.

"It should be noted that the law, the National Security Act as permanently amended by the O'Mahoney amendment and as specifically interpreted in Senate Report No. 1861 stated, 'Under the new system, it should be impossible for two competing facilities to be set up (or to continue to exist) in the same area for the same purpose as determined by the Secretary of Defense. \* \* \* Special attention should be given to the procurement, production, distribution, warehousing, maintenance, and issue of common-use items such as clothing, food, medical supplies, and building materials, to minimize stocks, handling, transportation, and related supply management activities. Wherever possible such items and the method of handling them will be made uniform throughout the Department of Defense to facilitate such integration.'

"I have carefully read Assistant Secretary T. P. Pike's Supply and Logistics, DN letter of July 27, 1954, relative to current supply philosophy. Needless to say, this philosophy is the opposite of that stated by Secretary Lovett's directive of July 17, 1951. It is also in my opinion a direct contradiction of the intent of the law. Certainly it violates the fine statements of President Eisenhower. Furthermore, the issuance of this statement of policy before Messrs. Pike, Higgins, and Drake reviewed and evaluated the test in early November condemned it in advance.

"It is my understanding that it will cost from \$700,000 to \$1 million to move the stocks and personnel, and make the other changes required to break up the central operation. If you have a more accurate cost I should like to have it detailed.

"In view of the above, I hope that you will personally look into this pilot subject which can be of such basic importance to our economy and to our defense. I may add that it is my intention to take this matter on a continuing basis to the Congress and to the public.

"Sincerely,

"THOMAS B. CURTIS.

"(Copies to Hon. Dwight D. Eisenhower, Hon. Paul H. Douglas, Hon. Leverett Saltonstall, Hon. Herbert C. Bonner, Bureau of the Budget, General Accounting Office, Hon. Sam Rayburn, Hon. John W. McCormack, Hon. Lyndon B. Johnson, Hon. Joseph W. Martin, Hon. Carl Vinson, Hon. Dewey Short, Hon. William L. Dawson, Hon. Clare E. Hoffman, Hon. Clarence Cannon, and Hon. John Taber.)"

This is a 14-page letter which documents the history of the Unification Act establishing the unification of the services and the history of the attempts of Congress to bring about unification of the three services in the area of common use items.

Incidentally, I might state the implications of the lessons that we may learn in the procurement, supply, and distribution of common use items certainly carry over to many of the military items. The only rea-

son that I do not discuss the military items is because in the work that I performed in the 82d Congress as a member of the Bonner subcommittee, what was then called the Committee on Expenditures in the Executive Department, was confined to items like brooms, mops, and medical supplies about which there would be no question of security. But, there is likewise no question but that the lesson learned in these areas, as I have stated, can be carried over to military items as President Eisenhower himself has pointed out.

The aforementioned letter is actually summarized in the testimony of Secretary McElroy before the House Armed Services Committee on page 5977 of the committee hearings where Secretary McElroy states this:

"The National Security Act gives the Secretary direction, authority, and control over his entire Department. But at the same time this law provides that the military departments are to be separately administered by their respective Secretaries. The President has recommended eliminating the provisions prescribing separate administration of the military departments as a means of reducing needless argument and misunderstanding which adds to the difficulty of administering the Department."

And, there is no question, as the 14-page letter of documentation of history indicates, of the interpretation that the military establishments have placed upon this language, "separately administered." That has been their argument for continuing this bickering and this triplication, indeed quadruplication, of procurement, distribution, and supplies. This has cost us untold billions of dollars, I might state, of unnecessary waste and inefficiency in the military operation.

I submit that the language of the committee bill is illusory. We must eliminate what Secretary McElroy said was one of the essential errors in the law. To accomplish this purpose the language in the bill must be definite. Congressional intent must be clearly stated to obviate a misconstruction of the law. The language in the O'Mahoney amendment was definite—and even there the three services sought to argue about that language. I submit the services will argue about any language. The committee certainly has given them ample opportunity to argue over the language contained in the committee bill because on page 2 it is provided:

"That each military department shall be separately organized under its own secretary and shall function under the direction, authority, and control of the Secretary of Defense through the respective secretaries of such departments."

This statement permits the services to use the same argument that they used in regard to the language of "separately administered" to try to get around what was fully the intention of the Congress in 1946, and as expressed in the O'Mahoney amendment, and expressed time and time again in debate on the floor to try to bring about this unification.

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

Mr. CURTIS of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Chairman, I am well acquainted with what the gentleman is talking about because I have been very much interested, as the gentleman knows, in the same subject of services and supplies, and so forth. I might say that it is my intention to offer an amendment to the Vinson bill tomorrow which I think will adequately take care of that situation and will be a complete culmination of the years of effort of the gentleman from Missouri [Mr. CURTIS], of myself, of the gentleman from Virginia [Mr. HARDY], the gentleman from North Carolina [Mr. BONNER], Senator O'Mahoney, and others.



I am hopeful it will be adopted. I say it is to be offered to the Vinson bill; I am referring to the committee bill.

Mr. CURTIS of Missouri. I thank the gentleman. I am happy that the gentleman is going to offer his amendment. I have had the opportunity to read the language and I think it will do exactly what the gentleman says and will be a tremendous step forward.

The substance of the amendment is that whenever the Secretary of Defense determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, he shall provide for the carrying out of any supply or service activity common to more than one military department by a single agency or such other organizational entities as he deems appropriate. It is significant to note that any supply or service activity common to more than one military department shall not be considered a major combat function within the meaning of subsection 3 of the committee bill.

This is an excellent amendment. It permits flexibility so that the Secretary of Defense may provide the best possible type of operation for a supply or service function depending upon its nature.

Unfortunately neither the President's bill, H.R. 11958, nor the Vinson bill, H.R. 12541, makes specific reference to supply and service activities though these functions constitute approximately two-thirds of the military budget. It is in this area of overlapping and duplication where billions of dollars can be saved, each year, at the same time producing a more alert and hard-hitting military organization by making it more efficient.

As I see it three basic things must be done in this area.

First. We must have unification of the three services in procurement, supply, and distribution. This means levels of buying, warehousing, distributing, and so forth.

Second. Utilization rather than duplication of the civilian supply and distribution system.

Third. A personnel system that is trained to think in these terms and one that will improve on the system as it goes along.

Mr. Chairman, I previously stated that it is necessary to have unification in other areas. If the theory behind common-use items is accurate, as far as the unification of procurement, supply, and distribution is concerned, it is certainly true of common items that are military in aspect among the three services. That is the importance of the Arends amendment and I hope the gentleman from Massachusetts [Mr. McCormack] and others on his side will recognize that that was the intent of the Bonner subcommittee because, although we were dealing with common-use items, we stated very positively that if this proved to be true in that area it certainly should be carried over into military areas.

Mr. Chairman, I want to point out one other thing before I conclude my remarks. There has been some question, particularly on the part of the Committee on Armed Services, challenging the statements of the Hoover Commission to the effect that billions of dollars could be saved in this area of unification of procurement, supply, and distribution. It is a difficult thing to estimate how much can be saved. But I can tell you one way in which you can verify that we are talking in terms of billions, and that is in this fashion. We start at the garbage pail, as it were, just as the supply officer, in looking to see whether or not the mess has been properly administered, takes a look at the garbage pail to see what is in it. So we look to the garbage pail, as it were, of military items that are in surplus and we find that we are talking in terms of billions of dollars. This year there will be \$6 billion of excess military supplies. That is an annual figure. It has not been running as high as \$6 bil-

lion each year, but it has been running in the billions. I think last year it was somewhat over \$5 billion. This year it is \$6 billion. This is the total value of the Department of Defense excess personal property which will be up for sale this year. We have been realizing only 7 cents on the dollar from these sales. This index I have in front of me contains some 290 pages of various items that go into this garbage pail. This index is the Department of Defense excess personal property book for the month of May 1958. There are some 35,000 individual items running in cost from millions of dollars in individual items down to 1 cent apiece. The last item in the book is a metal-backed paper tag. We overbought 46 million of them at 1 cent apiece. This amounts to \$460,000 for that one item alone. A review of this index discloses thousands of similar examples. How do these surpluses accumulate? Who overbuys and why? The answer is triplicate buying, unnecessary buying, untrained personnel, a hundred reasons of inefficiency. Our military procurement system is outmoded and inefficient. If we achieve unification and efficiency we will save billions of dollars and will produce a more alert and hard-hitting military organization. That is why it is necessary for this legislation to pass.

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

Mr. CURTIS of Missouri. I yield to the gentleman from Virginia.

Mr. HARDY. I would like to inquire of the gentleman with reference to any duplication and improvement of management in the military supply operation, and say that he and I see eye to eye. However, I wonder if in the gentleman's statement which he will put in the Record he will have a definition of what he means by common-use items?

Mr. CURTIS of Missouri. Oh, yes. I will get to that. In fact, I will discuss it right now, and say that the Bonner committee—and I know the gentleman was on the Committee on Government Operations back in 1951—essentially went into what we defined as common-use items, meaning common use in respect to military and civilian use such as furniture, mattresses, or coffee, and things that were common with civilian use.

Now, it is my understanding that you who serve on the Armed Services Committee use the term "common use" more to mean something that is common between services, and not just confined to one service. So, in further developing the term "common use," I would make a definition in this way: Common-use items do mean items that are common between military and civilian. The items that are common between services could be rifles, or could be a military item that is not common with civilian use. The McCormack-Curtis amendment very definitely not only referred to common-use items in the sense of being common to civilians, but specifically referred to services and supplies that are common to more than one of the military services.

Mr. HARDY. If the gentleman will yield further, just to sort of clear this up, the question of what constitutes a common-use item as between two or more military services is one that we are trying to see if we can tie down.

Mr. CURTIS of Missouri. Yes.

Mr. HARDY. The gentleman mentioned rifles. The different services do not necessarily use the same kind of rifles.

Mr. CURTIS of Missouri. That is right.

Mr. HARDY. In other words, the Marines might want to use a special rifle, the Army might use an entirely different rifle, and there might not be any interchangeability between the two services with respect to that rifle. Would the gentleman construe that to be a common-use item which should be procured by a single Defense Department agency?

Mr. CURTIS of Missouri. No; I would not if it does not meet that definition, and as the gentleman has advanced the explanation of rifles, I would say that it would not meet that definition.

Mr. HARDY. If the gentleman will yield further, let us pursue this a little bit further.

Mr. CURTIS of Missouri. Certainly. Mr. HARDY. Because this is extremely helpful.

Take, for instance, the case of aircraft. Mr. CURTIS of Missouri. Yes.

Mr. HARDY. Now, the aircraft used by the Army are frequently entirely different from those used by the Air Force or the Navy or the Marine Corps. The gentleman then, I take it, under his definition would not construe that an aircraft which was exclusively used by the Marine Corps should be procured by a Defense Department agency just because other aircraft were procured by that agency?

In other words, the gentleman would not put all aircraft in one class?

Mr. CURTIS of Missouri. No. I think I would go along with the gentleman in that respect.

Mr. HARDY. If we could take one other further item, because I think this one would help us tie up our thinking. Incidentally, I might say to the gentleman that I am in complete accord with his thinking in this matter. There are, however, in this weapons system area now some particularly difficult problems and some particularly difficult supply problems, I might say, in the electronics area, where a particular weapons system is peculiar to one service, and is not employed at all by the other.

Would the gentleman think that because each of these services procures electronics parts that might be used only by one service, a particular part, that all those should be lumped together into one great big category of electronics parts and procured by an agency in the Department of Defense not responsible directly to any one of the services?

Mr. CURTIS of Missouri. Let me say this. Of course, on electronics, I do not know how you would define that. We could get into a question of semantics.

Mr. HARDY. I am trying to avoid that.

Mr. CURTIS of Missouri. I know that. That is why I wanted to make a basic point where we could evaluate not only electronics, but the other categories that the gentleman has mentioned. I think each one has to be viewed on its own bottom. There might be some minor



items in one of these categories where one service has a particular use, say for a widget, in tools, for example, that would still make it overall justifiable to say that tools are a category common to more than one service and therefore the Secretary of Defense would have authority. He would not have to use that authority, mind you; this is only permissive. But he could if he sees that efficiency would result. But I would go along and say that there is a point, such as in the case of airplanes, when I think it would become very obvious—particularly with combat airplanes—where the fact that they are all airplanes is not sufficient to decide that there is an element of commonness in use between the services, and so that would not come under this definition. So as to electronics, it depends on the details, and I do not know the details well enough. I could see where one could say electronics in certain categories, yes. But there are certain things that would be excluded.

Mr. HARDY. Electronics that would be used by more than one service.

Mr. CURTIS of Missouri. That is right.

Mr. HARDY. But if you had a little black box that was a particularly critical item for a Polaris missile, and it was not used by any other missile service, does the gentleman think that that ought to be procured by someone who was not completely versed in that particular missile? That gets at the heart of it.

Mr. CURTIS of Missouri. I think the gentleman is getting to the heart of this. I think the gentleman is aware of the fact that the McCormack-Curtis amendment definitely refers to combat items or missions, that it does have its origin in common use items in the original sense, common with civilians; but it did not confine itself to that and did extend from that base to items that are common among the military services. So the origin of the thinking and the philosophy behind it, as I have tried to bring out in this statement, goes from that area and moves over into things that one could say are military but are common to the military service. Very definitely I would say that it did not contemplate in any sense getting into something that would be peculiar to a combat mission of a service, let us say.

Mr. HARDY. I am delighted to hear the gentleman make that observation because I am afraid the intent of Congress is being misinterpreted in some areas. That is a thing we are trying to straighten out.

Mr. CURTIS of Missouri. I thank the gentleman, and let me say this; that is the purpose of my taking the floor here, to try to clarify this. When you opened your hearings in your subcommittee, the gentleman from Virginia referred to the debate on the floor of the House at the time the McCormack-Curtis amendment was offered. Let me direct attention to that specifically to show how I think some misinformation came out. Here is a statement of the gentleman from Virginia [Mr. HARDY] on the defense agencies investigation, on June 4, 1962; I think this is from page 5:

It is interesting to note that those who supported Mr. McCormack's amendment

during the debate generally confined their remarks to common-use items.

Mr. HARDY. That is right.

Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. HARDY. Although I did not quote the gentleman's entire statement, for it would have been too long for the purpose we were using it for, I do not believe there was actually any inconsistency in the position which we have taken and the position which the gentleman took in his presentation, because I certainly subscribe, as he does, to the use of common-use items as those will apply to more than one service just as well as those will apply to the military and to the civilian fields.

Mr. CURTIS of Missouri. There is where there was some confusion.

The point is this: As I read the hearings that the gentleman from Virginia and the gentleman from Massachusetts participated in, in the Armed Services Committee, you are raising the question of whether under the McCormack and Curtis amendment these agencies in the Defense Department should be set up to bring about this unification in these areas of common use.

I wanted to point this out because it is our opinion, at least it was at that time, and our intention, if the Secretary did deem it to be expeditious and efficient that he could and, indeed, should set up an operating supply group in the Defense Department.

Mr. HARDY. Of course, the single manager system would lend itself to that kind of proposition.

Mr. CURTIS of Missouri. That is correct.

Mr. HARDY. It would not necessarily, and I am not thinking in terms of necessarily precluding an agency outside of the single manager system. There is, it seems to us at least, some question as to the extent of the legal authority for an independent agency within the Department of Defense which is not responsible through one of the service Secretaries. In other words, you get into a question of operations versus policy. Insofar as policy direction from the Secretary of Defense is concerned, I do not think there has ever been any question in the minds of any of us who are members of the Committee on Armed Services with respect to that. But, insofar as direct day-to-day operations are concerned, there was not any reason in our mind, or at least in my mind—there was not any reason why an individual service could not perform the administrative operations under the policy directions from the Department of Defense—if you gentlemen understand the distinction.

Mr. CURTIS of Missouri. Yes. As a matter of fact I think that probably was the kind of thing that would have occurred to most of us, but we did definitely contemplate and thought in some areas there might even be a separate agency set up in the Department of Defense. So, apparently, there is some doubt in the gentleman's mind as to whether the amendment does go that far.

Mr. HARDY. Frankly, there is doubt in my mind that the language goes that far.

Mr. CURTIS of Missouri. Yes.

Mr. HARDY. And I say to the gentleman, we have not resolved this. Our own committee held some hearings on it and we are trying to understand what the latent implications are. But if in the supply area you include authority for entering into contracts, only in one other specific case has the Department of Defense, as such, ever been given authority to enter into contracts and that is in the research and development field. That was done specifically and deliberately by the Congress. In this case, of course, we oppose this amendment. I supported the amendment.

Mr. CURTIS of Missouri. I know the gentleman did.

Mr. HARDY. The purposes which we seek, I think, are laudable and the question of how it is to be done and the statutory authority is another matter. I would be happy if the gentleman from Missouri would yield to the gentleman from Massachusetts to comment on that particular point.

Mr. CURTIS of Missouri. Yes, I want to do so; and I now yield to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Speaker, the gentleman from Missouri and I have discussed this matter for the last half hour off the floor. I believe we have a meeting of minds as far as the intent of our subcommittee is concerned. Like the gentleman from Virginia, when this amendment was presented to the floor, I had in mind the adoption of a single manager concept rather than an organization outside of the individual service, like the Defense Supply Agency, which has been established. Perhaps, the reason why I could give more credence to my judgment in this matter was that we considered this particular problem at great length in committee—as to what is the function of the Department of Defense, or more specifically the Office of the Secretary of Defense. From the act of 1947 through the bill that we discussed at that time in 1958, there is very clearly spelled out in the reports that the Department of Defense or the Office of the Secretary of Defense should be a supervisory organization and that they should not be an operating agency. In the bill in which the gentleman's amendment occurred that report also had that specific language. So when your language was offered on the floor, certainly, it was my idea that it would come within the framework of the individual service rather than outside one of the services. So I am glad we have had this opportunity to discuss this.

I just have one question to ask the gentleman in further relation to the inquiry made by the gentleman from Virginia in respect to categories or items that might be transferred to this particular agency. Does the gentleman believe that broad categories can be transferred to those agencies from the respective departments even though within these broad categories there are particular items that are special and peculiar to an individual service?

Mr. CURTIS of Missouri. I think this is somewhat a matter of argument. Certainly if those were significant items I do not believe they could be.



Mr. BATES. It was my judgment after listening to the gentleman and discussing the matter with him that each item transferred would have to be determined on its own basis.

Mr. CURTIS of Missouri. I would think so.

Mr. BATES. To determine whether it was peculiar to a given service or common to all services, and if it was peculiar to a particular service it should be required for a particular item so used.

Mr. CURTIS of Missouri. Let us take this list on page 10 of the remarks I have prepared. I list 12 supply organizations that have been included in the Defense Supply Agency; they are:

Armed Forces Supply Support Center.  
Military Subsistence Supply Agency.  
I believe the word "Subsistence" would not indicate that it might be peculiar to a particular service.

Traffic Management Agency.

Clothing and Textile Supply Agency.  
You could have different types of uniforms but I do not think that difference is one that would justify saying that that was peculiar for combat reasons and I would think there could be unification.

Medical Supply Agency. There is an area in which the Bonner subcommittee particularly felt we needed to bring about real unification.

Petroleum Supply Agency. Possibly there. There may be in petroleum.

General Supply Agency. I do not know what that would include.

Industrial Supply Agency. I do not know anything about that.

Automotive Supply Agency. That would undoubtedly include vehicles.

Construction Supply Agency—which I think brought about this specific question in the full Armed Services Committee, did it not? The question of the Construction Supply Agency, I would say to the gentlemen, both members of the Armed Services Committee, I would not put my judgment ahead of theirs at all, but if there are things that are used in common by the various services, the Air Force, the Army, or the Navy, I certainly think the language of the amendment would contemplate that.

Mr. BATES. In other words, the gentleman does not refer to particular items but to a broad category.

Mr. CURTIS of Missouri. The gentleman is correct.

Let me call attention to the other material rather than read it. I refer in my report there to the gentleman's subcommittee at some length on the Comptroller General's opinion. It might be well, not that I want to be presumptuous, but you might call the Comptroller General before your committee to get his views on this interpretation. You will find in my prepared statement some rather lengthy quotes from opinions and letters of the Comptroller General which bear on the interpretation of what this amendment contemplates.

Mr. MORSE. I commend the gentleman for the superb job he has done in this field, and I would like to associate myself with his remarks. I serve on the Military Operations Subcommittee which heard extensive testimony from the Secretary of Defense, Mr. McNamara, the

Deputy Secretary of Defense, and other officers, and I think the record established made it abundantly clear that there was no intention of establishing any fourth service or anything comparable to a fourth service. I have served as a staff member in the other body, and from my long experience I have been for many years apprehensive about a single service, and my long study of this entire matter supports the gentleman's conclusion that there is nothing in the authority granted by the McCormack-Curtis amendment, as that authority has been used, which would give rise to any particular concept which I am apprehensive about. I think the gentleman's leadership over the years has been one of the most commendable accomplishments of his career.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. HARDY. Mr. Chairman, if the gentleman will yield further, I would just like to make this observation about one of the major purposes that the gentleman from Massachusetts [Mr. BATES] and I had in exploring this particular matter at this time. As the gentleman from Missouri, I am sure, knows, our attempt to analyze what has been done is not confined to the Defense Supply Agency. We are looking at all of the departments which are being consolidated in a similar manner under the McCormack amendment, including the Intelligence Agency. I wish I had reached the point where I could state with conviction the statement which the gentleman from Missouri made a while ago that we had not gotten beyond these confines of what is good management and what would keep the services separate and put in the Defense Supply Agency only those items which are common items. I am not sure of that yet. I hope that we will be sure just where we are before we get through. I would like to ask the gentleman a question in connection with a key to supply, major key supply. Would the gentleman agree that the requirements must be determined by the individual services to meet their needs?

Mr. CURTIS of Missouri. Of course, I certainly do agree.

Mr. HARDY. I thank the gentleman very much.

Mr. MORSE. I would like to call the attention of the gentleman from Virginia to one point, and that is that the Defense Intelligence Agency was, of course, not established under the McCormack-Curtis amendment.

Mr. HARDY. I am not sure, I will say to the gentleman.

Mr. CURTIS of Missouri. I know the scope of your subcommittee is away beyond the supply area, and I am very pleased that the work is being done, and I again emphasize that you are looking to see the extent of what has been done under the so-called McCormack-Curtis amendment, because I want to know, too, on account of the fears I have had. And, very frankly, one reason I took the floor, I was very apprehensive that this was one further attempt on the part of the services to resist this program of unification which we have fought so long and hard for, and the gentleman from

Virginia [Mr. HARDY] has been one of the stalwart supporters of this approach.

Mr. HARDY. I would like to ask just one question. This was what might be termed an instantaneous thing and grew out of the Armed Services Committee hearings and came up out of a discussion of construction of facilities for the Defense Supply Agency, and it sort of branched out. That prompted our committee to look into this whole area of what is happening in the way of establishing separate agencies in the defense operation under the Office of the Secretary of Defense.

Mr. CURTIS of Missouri. I thank the gentleman.

I want to again pay tribute to our Speaker, the gentleman from Massachusetts [Mr. McCormack], who has fought in this area for this reform so long, and the great work that he has done. This has been true all along, and it shows here today that it has been a completely bipartisan approach in this matter.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. CURTIS of Missouri. To those who differ with me, and there are many, I would like to say that it is not a matter of one side of the aisle being against the other side of the aisle. I hope, and in fact I know, that it will remain in this fashion.

Mr. Speaker, I yield back the balance of my time.

#### INFAMOUS SUPREME COURT DECISION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. SIKES. Mr. Speaker, I am shocked and angered by what I have seen the U.S. Supreme Court do to the institution of Americanism and what they seek to do to the principles which have guided this Nation through all its years. This is a nation founded on spiritual concepts. It is a nation which has repeatedly affirmed and reaffirmed its belief in an eternal God and its adherence to religious precepts. Almost everywhere we turn, in virtually every act of Government, there is reference to Deity. Now the Supreme Court strikes a deep and serious blow at this historic concept by ruling that prayer may not legally be offered in the public schools. I find it difficult to choose the adjectives which properly describe this latest bid for infamy by the Nation's highest Court. But, I must say that if the Supreme Court were openly in league with the cause of communism, they could scarcely advance it more than they are doing now.



I note almost with abhorrence that in the same breath with which the Court refuses schoolchildren the right to begin their daily work with prayer, the Court strikes down a ruling by the Post Office Department to prevent obscene matter from going through the mail. I would have expected any court composed of just and honest and learned men to rule exactly the opposite in both cases. I trust that Congress will speedily set up the necessary legislative machinery whereby an amendment may be voted by the States which will specifically, in clear and incontrovertible language, enable prayer to be offered in the schools of the Nation. I am introducing and I shall work for the passage of this legislation—just as I have worked for years for legislation to curb the irresponsible and improper performance of this judicial body.

#### FREEDOM SEASON IN CALIFORNIA

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CORMAN. Mr. Speaker, last year at this time I was privileged to be the first Member of this body to call attention to a great new enterprise in my district in California. It was called the Freedom Season, and I said about it at that time:

If the rest of our country caught this fervor and propelled it into an expression of national joy for our hard-won liberty, it would serve as a clear demonstration to the rest of the world that, rather than the last refuge of scoundrels, the American brand of patriotism is a moving force for truth, justice, and good.

I am pleased to say that the second annual Freedom Season has been celebrated in its birthplace, Woodland Hills, Calif. And I am happy to say that some of this fervor I alluded to in last year's speech has been caught in other parts of the Nation.

The result has been that Freedom Season 1962 is bigger, better, and more inspiring than last year. The community of Woodland Hills and the Freedom Season Committee have done a magnificent and commendable job. The surest proof is the participation they have picked up from other communities throughout southern California and the rest of the Nation.

The parade this year included contingents from Santa Ana, San Bernardino, Redondo Beach, Twentynine Palms, Santa Barbara, and Long Beach, Calif. More than 1,500 persons participated in the ceremonies in Woodland Hills, and more than 10,000 persons turned out to watch.

But probably the most encouraging sign was the fact that the Kiwanis Club of Kenmore, N.Y., almost 3,000 miles away, has caught the spirit of Freedom Season, and has celebrated its own Freedom Season this year. Mr. Speaker, when an idea travels that far in 9 or 10

short months, it must have something to recommend it.

May I say that Freedom Season in Woodland Hills, embodying as it does all that is great about our America, has much to recommend it.

#### FLAGRANT IMPROPRIETY AND UNDER THE TABLE EX PARTE REPRESENTATION

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FASCELL. Mr. Speaker, David Kraslow, of the Miami Herald, Washington bureau, in a series of copyrighted articles in the Knight newspapers has revealed a case of "flagrant impropriety" and "under the table" ex parte representation in dealings before an independent agency of the executive branch of our Government.

The facts in the case, briefly, are as follows: Two groups were seeking approval from the Federal Home Loan Bank Board for a savings and loan institution to serve the Negro community in Miami, Fla. One group had only one Negro among its original members, and the other group had three Negro members. While the applications were pending before the Federal Home Loan Bank Board, six members of one of the groups made a trip to Atlanta, Ga., to visit the home of Rev. Martin Luther King. They told him they were encountering difficulties with the Federal Home Loan Bank Board because they did not have enough Negro members in their group. Following this meeting, the Reverend Mr. King, last November, placed a telephone call to Federal Home Loan Bank Board Chairman, Joseph P. McMurray, on behalf of that group.

Subsequently, the group in question was allegedly permitted by the Board to add four Negro members to its group and receive a charter from the Federal Home Loan Bank Board in January of this year.

Now the other group has filed a motion with the Board accusing it of "improper conduct," "secret ex parte representations," "flagrant impropriety," and "violation of its own rules."

While this case may simply be considered as another in a long series of disputes of this type, none of the previous ex parte cases such as those involving airlines and communications licenses—have come to the attention of the Congress wherein an individual immediately and openly admits that he contacted an agency official directly seeking favor for a particular applicant.

Under present law and practice, there are those who contend that Members of Congress have the right and the responsibility to intercede with governmental agencies on behalf of their constituents without regard to whether such intercession is on the record or off the record. Therefore, it is no wonder that private citizens might be confused as to their

right to contact and make off-the-record representations on matters before governmental agencies.

Private citizens may not know—but certainly the Federal Home Loan Bank Board Chairman should have known and made a note of this representation in the public record and under my bill, this would have been required but under present practices it is not.

From a purely legal viewpoint as well as what is best in the public interest this state of affairs leads to nothing but confusion, doubt, misunderstanding, uncertainty, and loss of confidence.

Under existing legislation there also remains a great amount of doubt and confusion as to whether all Federal agencies are covered under such legislation as the Administrative Procedure Act.

There exists a need for clear-cut guidelines for the conduct of the public, the applicants, Members of Congress, boards, and others. With the establishment of such guidelines would come penalties for violations of the public interest—which all of these cases involve.

The American Bar Association has recognized the need for such legislation and through establishment of a special subcommittee has called for it. The result of their thinking is my bill, H.R. 351. The ABA thinks it is necessary and right—I think it is necessary and right. The Miami Herald case shows that legislative and administrative action is needed and right to protect the public interest.

It is clear beyond a shadow of a doubt that my bill would fully cover such cases as the one raised by Mr. Kraslow's story. It is clear that such legislation is long overdue from the Congress and I, consequently, urge the appropriate committee of the Congress to immediately consider in full the issues and implications raised by the Kraslow story.

My bill on these matters has been before the committee for a long time. Ex parte representations and their attendant problems make it vital that the Judiciary Committee hold full public hearings on this legislation as soon as possible.

#### FEDERAL SMALL BUSINESS ADMINISTRATION

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, yesterday I introduced H.R. 12282, a bill that calls for changing the name of the Small Business Administration to the Federal Small Business Administration. I urge that you consider the merits of this proposal.

The basic purpose of the change is to alleviate the confusion caused by this agency's current name. As it exists, the Administration is not clearly designated as an arm of the Federal Government. It has often been mistaken for State and local small business agencies, private

small business associations, and especially, for the common small business investment companies. In fact, it has come to my attention that a letter sent from a high executive office in the Government to the Administration's regional director at Los Angeles was addressed to him as "President, Small Business Association, Inc."

Nor is the proposed new name without precedent. Among other examples, I can cite the Federal Communications Commission, the Federal Trade Commission, and the Federal Power Commission. It seems to me worthwhile, for clarity and uniformity, that we add the word "Federal" to executive agencies, and particularly to those whose names are likely to be duplicated or similarly used by groups outside the Government.

I suggest that there is confusion enough in public understanding, and apparently even in official understanding, of Government operations. I ask your support for this attempt to clear up at least this much of it.

#### DECISION BY THE SUPREME COURT TO BAN ALMIGHTY GOD FROM THE SCHOOLS OF THE LAND

The SPEAKER pro tempore (Mr. KORNEGAY). Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONER] is recognized for 15 minutes.

Mr. WAGGONER. Mr. Speaker, not any time before in the short history of this Nation has a more disgraceful or evil act been perpetrated by supposedly honorable men than yesterday's decision by the Supreme Court to ban Almighty God from the schools of the land.

That these men are able to read the sentence "Congress shall make no law respecting an establishment of religion" and solemnly find that the writers actually meant "little children shall not voluntarily repeat the Lord's Prayer in school" far exceeds the credibility of this mortal.

Is there a Member in this Chamber today who can, in honesty and candor, say he believes the majority of the people agree that there is some terrible danger and threat to our freedom and security when little children, of their own free will, out of reverence for their Creator, bow their heads and repeat the Lord's Prayer?

Is there a Member in this Chamber today who believes that this is what the framers of the Constitution had in mind?

I do not believe there is.

I do not believe there is a Member who agrees with Dr. Virgil Lowder, spokesman for the Council of Churches, who commented that he "cannot feel that we have lost much that is really vital."

Nor do I believe that there is a Member in this Chamber who agrees with the executive director of the Jewish Community Council, who said that he was "gratified" by the decision and that this decision is "good for religion, public education, and American democracy."

What is there in the Lord's Prayer that the Supreme Court finds seditious and demoralizing?

Is it the phrase, "Our Father, which art in Heaven. Hallowed be Thy name"? Is that the passage that strikes terror into the hearts of the members of the Supreme Court when repeated by little boys and girls?

Or is it, "Thy kingdom come; Thy will be done on earth as it is in heaven"?

Is there treason in, "Give us this day, our daily bread"?

Can it be wrong to ask that the Almighty, "Forgive us our debts as we forgive our debtors"?

Or to invoke His blessings by asking that He, "Lead us not into temptation but deliver us from evil"?

And, though I have said it a thousand and more times, I have never conjured up visions of anarchy in the concluding phrase, "For Thine is the kingdom and the power and the glory, forever and ever. Amen."

Can it conceivably be that the Supreme Court would now have us say: "For Thine was the kingdom, the power and the glory up until today. We now hereby supersede Your kingdom, Your power and Your glory"?

I have not yet had the time to ponder the limitless reaches of this sacrilegious ruling, but it comes to my mind immediately that, if we allow this decision to go unchallenged, the House and the Senate are daily performing unconstitutional acts by opening our sessions with prayer. Each of us whoever placed our hand on the Bible when we took the oath of an office is now undoubtedly guilty of an unconstitutional act. Will we now be required to disband the Corps of Chaplains serving the Armed Forces and order that all chapels on military reservations be torn down?

Is this the preposterous end to which we have come?

I am thoroughly in agreement with the principle that the U.S. Government should not force anyone to participate in a religious ceremony against his or her will. And, I would be the first to say that this Government should not interfere in anyone's pacific worship of his God.

But can it possibly be said, as Justice Black has said, that the voluntary repetition of the Lord's Prayer is an "unhallowed perversion"?

I think not.

Examine, too, the simple prayer that is also branded as "perverse" and "unhallowed":

Almighty God, we acknowledge our dependence upon Thee and we beg Thy blessing upon us, our parents, our teachers, and our country.

Where is the perversion?

The perversion can only exist in the minds of the Supreme Court, for it surely does not exist elsewhere.

If we allow this Court to hold up the Lord's Prayer to this ridicule, we are equating ourselves with the Soviet Union which also bans the mention of the Almighty in their schools. What possible gain is there in bringing our philosophy into juxtaposition with theirs?

Reaction across the country to this bitter and galling decision includes, here and there, a weak-kneed expression of "disappointment" and "regret."

I do not share that apologetic attitude. I am appalled, horrified, ashamed. And I am fearful.

Appalled that such an edict could come from the pens of men sworn to protect and defend us.

Horrified at the thought that the day may be drawing near when mothers may have to hide in darkened rooms while they teach the Lord's Prayer to their children.

Ashamed to say to the world that we now officially denounce the Lord's Prayer and an "unhallowed" and "perverse" bit of doggerel.

Fearful for the safety of our country if we are to reject the prayers of our children in an hour when we are engaged in mortal combat with our enemies.

If we allow this decision to go unchallenged, yesterday will be recorded as our most infamous hour and I cannot abide it.

If there is one thing crystal clear in this finding it is the revelation that some of the members of the Supreme Court need, all over again or perhaps for the first time, a personal religious experience which would preclude ever again any decision such as this.

I am in the process now of preparing a constitutional amendment which will guarantee forever the right and the privilege of our children to repeat, of their own free will, the Lord's Prayer in our schools.

That it is necessary for such an amendment to be written is to our everlasting shame, but if it is required, then let us be about it.

#### WHO HAS INFLUENCE?

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. DOLE. Mr. Speaker, Secretary of Agriculture Orville L. Freeman should drop further efforts to control the Nation's farmers and seek instead to win control of his own Department.

On the heels of the repudiation of his farm bill by the House of Representatives last week, now comes another grudging admission by Mr. Freeman that his agency has been covering up the shady activities of some of its own employees in connection with the Estes cotton allotment scandal. In line with his pattern of the past, which is to admit it only when it is exposed or about to be exposed, the Secretary of Agriculture yesterday issued a press release announcing he had issued a formal reprimand to Thomas H. Miller, Acting Southwest Area Director of ASCS for failing to reveal that he—Miller—prepared a report under instructions from a superior recommending that cotton allotments in the Estes case be allowed to stand for 1961 and subsequent years.

These fraudulent allotments have since been canceled but only after the scandal was exposed in Texas State courts and in the Nation's press.



In his press release, Mr. Freeman reports:

[Miller] now states that the recommendation he made was contrary to his own judgment and that it was made at the direction of Emery E. Jacobs, former Deputy Administrator, ASCS, who resigned April 13, 1962. The course of action subsequently taken by the Department with respect to Estes' transferred cotton allotments was in no way affected by Mr. Miller's memorandum and was completely at variance with his recommendations.

The Freeman statement goes on to say:

Miller has advised the Department in an affidavit that Jacobs instructed him to write a memorandum justifying a departmental decision to permit Billie Sol Estes to retain all of the cotton allotments he had acquired at that time. He also stated that he had disagreed with Mr. Jacobs but considered I had no alternative under the circumstances.

Here we have the spectacle of a high USDA official, Jacobs, instructing one of his subordinates to write a memorandum justifying the Estes cotton allotments which Jacobs must have known were fraudulent and which career administrators had said were illegal months before.

Miller knuckled under, wrote a false report and, now that the whole sorry mess has been exposed, draws a mere reprimand from the Secretary of Agriculture. It is reminiscent of the reprimands which were first handed to two Oklahoma ASCS officials for dabbling in cotton acreage allotment transfers, although they were subsequently fired when public attention was focused upon the matter.

The Secretary's action with respect to Miller stands in sharp contrast with his handling of the N. Battle Hales case. Hales, one of the career USDA employees who had recommended that the Estes cotton allotments be tossed out back in November of 1961, was locked out of his office, denied access to his files and assigned to a different job when Mr. Freeman discovered that Hales had given a deposition to the FBI concerning this matter. In the deposition Hales made it clear he believed the Estes allotments were fraudulent and he stuck to his guns in subsequent public questioning by the press.

For making an honest evaluation of this case, Hales was, in effect, demoted and subjected to indignities. His secretary was summarily arrested and detained for 13 days in the psychiatric ward of District of Columbia General Hospital.

For going along with the people who were attempting to cover up for Estes, Miller receives only a reprimand and that only after the Secretary of Agriculture learned investigators for the Senate Permanent Investigations Subcommittee, headed by Senator McClellan, got Miller to admit that he had written a false memorandum at Jacobs' request.

In his press handout, Mr. Freeman says that he received word of Miller's action from ASCS Administrator Horace Godfrey on June 2 and I read:

I immediately ordered an investigation of the facts.

Yet it was not until yesterday—23 days later—that Freeman ordered a

reprimand of Miller and then only after a newspaper reported the case.

Miller, in his affidavit, says Jacobs told him that Estes would be willing to settle for the allotments he had already received and this was in accordance with the wishes of Under Secretary Murphy. Murphy, however, denies that he had ever met Miller or knew that he had filed a report on the Estes cotton allotments until the past few days.

That Murphy was well aware of the Estes cotton case can hardly be disputed, however, in view of the fact that he sat in on the USDA meeting on January 6, 1962, at which Estes and his attorneys were in effect given a reprieve and another opportunity to establish the legality of an operation which was patently illegal from the outset. Murphy's role in this matter calls for a much more detailed explanation than he has offered thus far.

As an interesting footnote to this latest retreat and coverup policy of Freeman with respect to the Estes scandal, I should like to quote from a letter which he sent to me on May 9, 1962. In this the Secretary said:

Emery Jacobs agreed to resign from the Department, not because he has taken anything from Billie Sol Estes, which he has consistently denied, but rather because he placed himself in a position where due to the extent of his purchase [of clothing] and the prominence of Billie Sol Estes on the scene at the given time and place it might be concluded by the public and interpreted as an improper relationship affecting the integrity of the Department. This being the case, Mr. Jacobs agreed to tender his resignation subject to clearing himself of any wrongdoing.

Perhaps a further footnote is in order. This concerns the news reports of Jacobs' exit from USDA. It was related that the Secretary threw his arm about Jacobs and had told the departing official it was like losing his own right arm. Jacobs was admonished to go out and clear himself of what Freeman seemed to believe were ballooned-up charges and then come back to his former job.

All of this confirms what I said at the outset: that the Secretary of Agriculture should quit trying to control farmers and get control of his own Department. It also demonstrates again the utter futility of having him investigate his own agency.

It is abundantly clear by now that the Secretary of Agriculture is going to divulge or confirm what facts he has in connection with the Estes scandal only after they have been exposed first by Congress, the press, and the courts.

#### FOREIGN AID AUTHORIZATION

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. JOHANSEN. Mr. Speaker, the operators of the foreign aid bureaucracy specialize in two kinds of handouts, both

at taxpayers' expense—money and self-laudatory news releases.

With the approach of the annual debate in the House on the foreign aid authorization, a news handout is being circulated to the Michigan press, television, and radio, purporting to show the total amount of foreign aid funds spent in the State of Michigan during the 8-year period ending in December 1961.

It includes a breakdown of such expenditures for 48 Michigan communities, including 3 in my own Third Congressional District.

When a similar news handout was made a year ago, I referred to it as political blackmail. I know of no reason for altering that opinion.

However, I do have a few additional comments to make on this lobbying practice.

I note, for instance, that the operation this year involves an even more brazen and blatant violation of Federal law.

Last year there was at least the pretense that the handout originated with a nongovernmental source; namely, the so-called Citizens Committee for International Development.

This year, however, the pretense of a front organization is abandoned and the release is made by the Office of Public Affairs of the Agency for International Development, a governmental unit of the Department of State. The copy which came to my desk bears a covering note over the name of John L. Salter, Assistant Administrator of AID for congressional liaison.

One must be unsophisticated indeed either to pretend or to believe that this is not a lobbying activity directed against Members of this House.

I invite the attention of Mr. Salter, Administrator Hamilton, and Secretary of State Rusk to the fact that such lobbying activities financed by appropriated moneys constitutes a criminal offense under section 1913 of title 18 of the United States Code with penalties of not more than \$500 fine or imprisonment for not more than 1 year, or both.

I further invite these officials' attention to the precise wording of the ban contained in this statute:

No part of money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation.

This latest AID handout shows the alleged beneficiaries of the foreign aid program in my own Third District of Michigan during the 8-year period to be Battle Creek, in the amount of \$444,906; Coldwater, in the amount of \$856,586, and Kalamazoo, in the amount of \$281,898.

This type of news handout is an insult to the intelligence of the voters of my district.

They know that the only valid justification for foreign aid is that it contributes to the national interest and



security of the United States. I am sure that they would vastly prefer the tax relief which would come from abolition or curtailment of foreign aid above the alleged trickle-down benefit of the million-and-one-half-odd dollars spent for foreign aid goods and services in the third district during the past 8 years.

There is a particular irony in this year's aid propaganda handout to the news media of Michigan.

It was only about 15 days ago that the distinguished majority leader of the other body, in a commencement address at Michigan State University, raised some very searching questions regarding the cost and benefits of our massive multibillion-dollar foreign aid spending in southeast Asia.

In this address he made the significant observation:

Nether form of aid [military or economic] has much effect on the economic or social well-being of the ordinary people of these nations. The principal gain of these programs has flowed to a relatively small number of persons in the cities and to military personnel.

In all candor, I must ask: Is a permanent policy of that kind justified on the basis of any enduring interest of the people of the United States in southeast Asia?

Apparently, the distinguished commencement speaker at Michigan State University did not have the benefit of the propaganda handout of Mr. Salter, and others.

#### PRAYER IN OUR PUBLIC SCHOOLS UNCONSTITUTIONAL

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. SHORT] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. SHORT. Mr. Speaker, "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country."

The Supreme Court of the United States rendered a historic decision yesterday when it determined that this prayer, which I have just quoted, authorized by the New York State Board of Regents, violated the Constitution of the United States.

This in spite of the fact that the prayer is optional, so far as schools are concerned, and students may be excused from the classroom during the prayer if they so desire.

The decision was rendered on the broad provision in our Constitution of separation of church and state, but in my opinion, on the erroneous assumption that expression of a belief in God in our schools constituted a union of government and religion. A careful scrutiny of the prayer, it seems to me, fails to imply a belief in any particular God or any particular religion. Even for those who have no belief in any God, the prayer is not required, nor do the children even have to remain in the room while it is repeated. I find it difficult to recognize

any infringement of the individual's right to his personal religious belief or infringement of the principle of separation of church and state.

It would seem we have reached a strange point in our history when this Nation of people "endowed by their Creator" as stated in the Declaration of Independence should take such a long step toward prohibiting the reiteration of a belief in God. Perhaps the next step is banning the prayer at the opening of each session of the House and Senate, which has been the historic practice since the first days of our Government's organization in 1789.

Are we now to renounce the official motto of the United States, "In God We Trust," declared by a joint resolution of the 84th Congress and approved by the President on July 30, 1956?

Are we now to renounce the practice of placing the words "In God We Trust" on our paper money and coins, which has in varying degrees been the practice since 1864—and officially made law by the 84th Congress, approved July 11, 1955? Do those people who object to the small prayer in our schools also object to—or refuse to spend our official U.S. money?

Let me quote significant words by Secretary of Treasury Solomon P. Chase, in connection with the use of the motto during Civil War days:

No nation can be strong except in the strength of God, or safe except in His defense.

While it is true the first amendment to the Constitution states that "Congress shall make no law respecting an establishment of religion," the same amendment continues on to say "or prohibiting the free exercise thereof." It further continues to say "or abridging the freedom of speech," and further continues—and quite significantly I think, in view of this ridiculous decision of the Supreme Court—"or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

Perhaps this latter section of the first amendment will suggest a course of action to those people who consider this a grievance.

Amendment 9 to the Constitution also states:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

I quote these amendments because it is entirely possible the next step could be requiring anyone in Federal Government employment to refrain from any association with his church during his term of service. If this seems fantastically ridiculous, I would observe that yesterday's Supreme Court decisions seem no less ridiculous to me.

Twenty years ago the Supreme Court of the United States had the same question brought before it. At that time, it wisely bypassed the case.

In view of the fact that the majority of the people in this country object to suppression of a harmless prayer in their public school systems, it would seem that the Supreme Court could have bypassed this case without harm to either the Constitution or the United States itself.

There are many other issues of concern to the people in these times which involve flagrant violation of our constitutional rights. Let us concentrate upon these issues and spend our time and energy in solving these problems rather than creating problems such as that now presented to our school systems.

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the Record and include extraneous matter.

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

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, the Supreme Court decision that the recitation of official prayers in public schools is unconstitutional has two serious consequences: First, it says to our children in our schools that God is a myth; that He does not exist; that if your family wants to accept this "superstition" it is all right—but the state cannot allow its children to be corrupted by any mention of a Supreme Being; and second, it plays into the hands of the determined effort of the atheistic Communists whose political and social philosophy is based on the concept that there is no God. The rest follows in order: First, since there is no God who created man, then second, man is devoid of dignity and special worth; and third, the state can rule supreme.

This is a far cry from the historic spiritual foundation on which this Nation was founded. Destroy the recognition of God among our people and you destroy a respect for the very basis upon which our freedoms are founded, stated so clearly in the Declaration of Independence:

When in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the Pursuit of Happiness.

And in the concluding paragraph of that same great document:

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly Publish and Declare, That these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great-Britain, is and ought to be totally dissolved. \* \* \* And for the support of this Declaration, with a firm Reliance on the Protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

If the name of God is not to be uttered in the public school classroom, then in



the name of consistency we can look forward to the time when it will become unconstitutional to read or to teach the Declaration of Independence in our schools because this historic document includes these references to God as the very author of our rights.

Destroy the recognition of God among our youth and you destroy a respect for the very basis upon which our freedoms are founded.

It should be significant to the American people that under atheistic Communist tyranny the individual, by the authority of the state, is denied the right to life, if the state so decides; is denied the right of liberty, if the state decides to put him into a work-slave camp to correct his "dangerous" thinking; and he is denied his right to the pursuit of happiness since the state tells him what he can and cannot enjoy.

I agree 100 percent with Associate Justice Potter Stewart, who said: the Court misapplied "a great constitutional principle" and is denying schoolchildren "the opportunity of sharing in the spiritual heritage of our Nation."

It is the spiritual heritage that has made and kept us free, not anything that the Government or men have done, since we have historically recognized the fact that it is God and not the state that is the author of our rights.

I warn the American people that this is the beginning of what now will be a bold attempt to destroy the spiritual foundation of our Nation, and thus our freedom, by making it unconstitutional to provide spiritual guidance to our men in uniform, prayers at public functions, at opening sessions of Congress and official public gatherings in general.

If the mention of the word "God" is offensive, then our children will have no other choice but to believe that this great Nation of ours owes its greatness to men, not God, and ultimately is guided in its destiny not by the truths of God but by the decisions of imperfect men who reject the authority of God.

No doubt the decision of the Supreme Court was based upon an interpretation of the Constitution. If it is against the law of the land to mention the name of God in public gatherings, it is time we clarified the intent written into our Constitution and the Declaration of Independence. While it would never be my intention to deny the rights of any minority, even a minority of one, I believe that we have an obligation to protect the rights and liberties of the majority by protecting the foundation of these liberties from being destroyed. In view of this fact I have today introduced a bill to make constitutional the official recognition of God in prayer in our schools. I hope it will serve to gather support for a more serious deliberation in Congress on this issue so we can fulfill our obligation to protect the spiritual foundation upon which this Nation has its birth.

I uphold the basic constitutional principle of separation of church and state but this should not hinder us in our determination to keep intact the vital role faith in God has in national life.

Mr. CAHILL. Mr. Speaker, I ask unanimous consent that the gentleman

from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BRAY. Mr. Speaker, the so-called regent's prayer, recommended by the board of regents in the State of New York for use in the public schools, reads as follows:

Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

Such a simple little prayer. Someone has referred to it as innocuous; I am not sure any prayer could be called innocuous, but it can be said that this brief supplication is certainly not offensive, and is hardly more than a bare minimum acknowledgment of our dependence upon providence.

The board of regents had recommended this prayer as a part of its statement on moral and spiritual training in the schools. Of it they said:

We believe that this statement will be subscribed to by all men and women of good will, and we call upon all of them to aid in giving life to our program.

No child was required to say the prayer if he or his parents objected to it. But some parents brought suit, saying that its use violated the Constitutional prohibition against the establishment of religion, and yesterday the U.S. Supreme Court upheld their objection.

I would be the first to object to any attempt by one denomination to force religious observances on the members of another faith. To act as though no religions exist, however, is an absurdity. As a result of this decision there have been comments suggesting that reference to Christmas, Easter, and other holidays will have to be deleted from school programs.

Now, Mr. Speaker, one wonders if we in this body must give up the daily prayer which has started our sessions since the First Congress? Must the Supreme Court, which open its sessions with a request for divine protection, abandon this practice? Will we be required to do away with the chaplains in the armed services, and the regular chapel services which are provided to the men and women in uniform? Will we have to do away with the chapels at our service academies? Shall we banish the Bible from ceremonies, and do away with oaths which acknowledge a divine being? Shall we take "In God We Trust" off our coins, and remove the phrase "under God" from the pledge of allegiance to the flag after we finally put it in there recently?

A current magazine carries the story of John Glenn's belief in God; must we recruit new astronauts who are nonbelievers?

My answer to these questions, Mr. Speaker, is "No." No, we shall not attempt to deny the spiritual nature which is common to the great majority of Americans—no matter what a few dissenters may say. No, we will not put

God out of our lives, nor even out of those simple governmental references, for to most Americans He is the center of our existence, and our national existence cannot have meaning without Him.

I suggest if something is wrong it is wrong with the Supreme Court. On the same day that the Court struck down this simple prayer, it asserted the rights of homosexuals to receive magazines about their common interests through the mails, saying such magazines were not patently offensive.

On the same day the Court struck down a California statute which made addiction to narcotics a crime; whatever else may be said of it this was the attempt of the people of California to combat addiction which surely is an evil.

As an attorney I have deep respect for the law and its importance in protecting the individual or the minority from the tyranny of the majority. I realize that the Court must at times make decisions which run against the popular sentiment. I can report, however, widespread concern among the people about the trend of Court decisions over the last several years. It seems to many observers that there is always a way to excuse a wrongdoer if his cause can somehow be entwined with so-called liberal ideas. Many of my constituents have asked me if the protection of the laws only applies to Communists and fellow travelers, to atheists and perverts, and to those who would destroy our society. They wonder why this protection is not more often extended to protect things which are good and decent in our society, encouraging patriotism, spiritual devotion, personal morality, and responsibility.

There are rules of law to be considered; there are also rules of common sense, and rules of public acceptability.

When the Court in one breath tells us that narcotics addiction is not a crime, and literature about homosexuals is not offensive, but that we cannot lead our schoolchildren in prayer, they are coming dangerously close to destroying the confidence of the people in our laws and in our courts.

I believe we must give serious attention to this matter, and if the only way to restore sensible practice is by amending the Constitution then we should undertake that action so that it may be submitted to the States for ratification next year.

#### 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. WAGGONER (at the request of Mr. WILLIAMS), for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. JOHNSON of Maryland, for 15 minutes, Wednesday, June 27, 1962.

Mr. ELLSWORTH (at the request of Mr. CAHILL), for 120 minutes, on July 9, 1962.

Mr. DERWINSKI (at the request of Mr. CAHILL), for 120 minutes, on July 16, 1962.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. SIKES and to include extraneous matter.

Mr. LINDSAY.

(The following Members (at the request of Mr. SIKES) and to include extraneous matter:)

Mr. MOORHEAD of Pennsylvania.

Mr. BAILEY.

Mr. DELANEY.

(The following Members (at the request of Mr. CAHILL) and to include extraneous matter:)

Mr. MORSE.

Mr. CUNNINGHAM.

Mr. FINO.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1912. An act to increase the appropriation authorization for the completion of the construction of the irrigation and power systems of the Flathead Indian irrigation project, Montana; to the Committee on Interior and Insular Affairs.

## ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3444. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes;

H.R. 7723. An act to amend section 303(a) of the Career Compensation Act of 1949 by increasing per diem rates and to provide reimbursement under certain circumstances for actual expenses incident to travel;

H.R. 10459. An act to provide for the conveyance of 39 acres of Minnesota Chippewa tribal land on the Fond du Lac Indian Reservation to the SS. Mary and Joseph Church, Sawyer, Minn.;

H.R. 11057. An act to declare that the United States holds certain lands on the Eastern Cherokee Reservation in trust for the Eastern Band of Cherokee Indians of North Carolina; and

H.R. 11743. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended.

## SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 860. An act to provide greater protection against the introduction and dissemination of diseases of livestock and poultry, and for other purposes;

S. 1834. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended, by providing for an increase in the authorization funds to be granted for the construction of hospital facilities in the District of Columbia; by extending the time in which grants may be made; and for other purposes;

S. 3063. An act to incorporate the Metropolitan Police Relief Association of the District of Columbia;

S. 3266. An act to amend section 2 of the act entitled "An act to create a Library of Congress trust fund board, and for other purposes", approved March 3, 1925, as amended (2 U.S.C. 158), relating to deposits with the Treasurer of the United States of gifts and bequests to the Library of Congress and to raise the statutory limitation provided for in that section;

S. 3291. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury.

S. 3350. An act to amend the act of August 7, 1946, relating to the District of Columbia hospital center to extend the time during which appropriations may be made for the purposes of that act; and

S.J. Res. 192. Joint resolution providing for the filling of a vacancy in the board of regents of the Smithsonian Institution, of the class other than Members of Congress.

## ADJOURNMENT

Mr. SIKES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 27, 1962, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2238. A letter from the Secretary of the Treasury, relative to reporting an overobligation of a limitation in a fund allotment for the third quarter of the fiscal year 1962 from the appropriation 2020902, "Salaries and expenses, Internal Revenue Service," pursuant to Bureau of the Budget Circular No. A-34 and of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

2239. A letter from the Acting Secretary of State, transmitting the 10th report on the extent and disposition of U.S. contributions to international organizations for the fiscal year 1961, pursuant to section 2 of Public Law 806, 81st Congress (H. Doc. No. 460); to the Committee on Foreign Affairs and ordered to be printed.

2240. A letter from the Comptroller General of the United States, transmitting a report on the review of tax and other revenue collection activities of the Finance Office, Department of General Administration, District of Columbia Government, June 1961; to the Committee on Government Operations.

2241. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to authorize a study of means of increasing the capacity and security of the Panama Canal, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

2242. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217), and submitted to the Speaker of the House of Representatives pursuant to rule XL of the Rules of the House of Representatives; to the Committee on Science and Astronautics.

2243. A letter from the Administrator, National Aeronautics and Space Administra-

tion, transmitting a report to the Committee on Science and Astronautics pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217), and submitted to the Speaker of the House of Representatives, pursuant to rule XL of the Rules of the House of Representatives; to the Committee on Science and Astronautics.

2244. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of a proposed bill entitled "A bill to amend title II of the Social Security Act to eliminate the restriction on the period during which an application for a determination of disability is granted full retroactivity, and for other purposes"; to the Committee on Ways and Means.

## 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:

Mr. HAYS: Committee on House Administration. House Resolution 584. Resolution authorizing the printing of additional copies of House Document No. 234, 84th Congress, 1st session, entitled "The Prayer Room in the United States Capitol"; with amendment (Rept. No. 1910). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 651. Resolution providing for the printing of a House document; without amendment (Rept. No. 1911). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 454. Concurrent resolution authorizing the printing of additional copies of the "Hearings on Small Business Problems Created by Petroleum Imports"; without amendment (Rept. No. 1912). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 476. Concurrent resolution providing for additional copies of hearings on Judicial Review of Veterans' Claims, 87th Congress, 2d session; without amendment (Rept. No. 1913). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 480. Concurrent resolution authorizing the printing of a report entitled "Motor Vehicles, Air Pollution and Health" as a House document, and providing for additional copies; without amendment (Rept. No. 1914). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 69. Concurrent resolution authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on "Constitutional Rights of the Mentally Ill" and "Wiretapping and Eavesdropping Legislation"; without amendment (Rept. No. 1915). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 413. Concurrent resolution authorizing the printing of additional copies of "Supplement to Cumulative Index to Publications of the Committee on Un-American Activities—1955 through 1960 (84th, 85th, and 86th Congs.)," 87th Congress, 1st session; without amendment (Rept. No. 1916). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 415. Concurrent resolution authorizing the printing of additional copies of the publication entitled "Cumulative Index to Publications of the Committee on Un-American Activities, 1938-54," 84th Congress, 1st session; without amendment (Rept. No. 1917). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 417.



Concurrent resolution authorizing the printing of additional copies of House Report No. 1278, parts 1 and 2, 87th Congress, 1st session; without amendment (Rept. No. 1918). Ordered to be printed.

Mr. FORRESTER: Committee on the Judiciary. Senate Joint Resolution 91. Joint resolution to establish the St. Augustine Quadricentennial Commission, and for other purposes; with amendment (Rept. No. 1919). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 12180. A bill to extend for a temporary period the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders; without amendment (Rept. No. 1920). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORRESTER: Committee on the Judiciary. H.R. 11996. A bill to amend the act of January 30, 1913, to provide that the American Hospital of Paris shall have perpetual succession; without amendment (Rept. No. 1921). Referred to the House Calendar.

Mr. FORRESTER: Committee on the Judiciary. House Joint Resolution 720. Joint resolution to designate September 17, 1962, as Antietam Day, and for other purposes; with amendment (Rept. No. 1922). Referred to the House Calendar.

Mr. WALTER: Committee of conference. H.R. 8291. A bill to amend the act of July 14, 1960, enabling the United States to participate in the resettlement of certain refugees; and for other purposes (Rept. No. 1923). Ordered to be printed.

Mr. BOLLING: Committee on Rules. House Resolution 712. Resolution for consideration of H.R. 11970, a bill to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes; without amendment (Rept. No. 1924). Referred to the House Calendar.

Mr. MILLS: Committee of conference. H.R. 11879. A bill to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates, and for other purposes (Rept. No. 1935). Ordered to be printed.

## 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. S. 1889. An act for the relief of Mrs. Geohar Ogassian; with amendment (Rept. No. 1925). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1943. An act for the relief of Hajime Sumitani; without amendment (Rept. No. 1926). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2198. An act for the relief of Lise Marie Berthe Marguerite De Simone; without amendment (Rept. No. 1927). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2355. An act for the relief of Filomena F. Schenkenberger; without amendment (Rept. No. 1928). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2606. An act for the relief of Patricia Kim Bell (Kim Booshin); without amendment

(Rept. No. 1929). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2607. An act for the relief of Lee Hwa Sun; without amendment (Rept. No. 1930). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2633. An act for the relief of Susan Holt Lerke (Choi Sun Hee); without amendment (Rept. No. 1931). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2679. An act for the relief of John Axel Arvidson; without amendment (Rept. No. 1932). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2732. An act for the relief of Yoon So Shim; without amendment (Rept. No. 1933). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 7738. A bill to amend the act of May 13, 1960 (Private Law 86-286); without amendment (Rept. No. 1934). 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. FINO:  
H.R. 12299. A bill to amend title 38, United States Code, to provide free insurance protection for members of the Armed Forces serving outside the United States; to the Committee on Veterans' Affairs.

By Mr. DENT:  
H.R. 12300. A bill to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes; to the Committee on Ways and Means.

By Mr. KING of Utah:  
H.R. 12301. A bill to amend the act providing financial assistance for local educational agencies in areas affected by Federal activities in order to provide educational assistance under the provisions of such act to the District of Columbia and to make the change in the District of Columbia motor fuel tax law needed to insure that such assistance will be fully effective; to the Committee on Education and Labor.

By Mr. LENNON:  
H.R. 12302. A bill to promote the general welfare, foreign policy, and security of the United States through international trade agreements, and for other purposes; to the Committee on Ways and Means.

By Mr. STEED:  
H.R. 12303. A bill to amend the Library Services Act in order to make areas lacking public libraries or with inadequate public libraries, public elementary and secondary school libraries, and certain college and university libraries, eligible for benefits under that act, and for other purposes; to the Committee on Education and Labor.

By Mr. CELLER:  
H.R. 12304. A bill to amend sections 281 and 344 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. HOSMER:  
H.R. 12305. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

By Mr. JOELSON:  
H.R. 12306. A bill to encourage the development, initiation, and expansion of occupational safety programs in the States through grants to States for demonstration and experimental occupational safety proj-

ects and for other purposes; to the Committee on Education and Labor.

By Mr. SANTANGELO:  
H.R. 12307. A bill to facilitate the entry of alien skilled specialists and certain relatives of the U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:  
H.R. 12308. A bill creating a commission to be known as the Commission of Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 12309. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Interstate and Foreign Commerce.

H.R. 12310. A bill to strengthen the criminal laws relating to bribery, graft, and conflicts of interest, and for other purposes; to the Committee on the Judiciary.

By Mr. BECKER:  
H.J. Res. 752. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. JOHNSON of Maryland:  
H.J. Res. 753. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of nonsectarian prayers or any other nonsectarian recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

By Mr. SCHADEBERG:  
H.J. Res. 754. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. TAYLOR:  
H.J. Res. 755. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. BROTHILL:  
H.J. Res. 756. Joint resolution proposing an amendment to the Constitution relating to the offering of prayers in public schools; to the Committee on the Judiciary.

By Mr. KING of New York:  
H.J. Res. 757. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. KORNEGAY:  
H.J. Res. 758. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools or other public bodies in the United States; to the Committee on the Judiciary.

By Mr. ALEXANDER:  
H.J. Res. 759. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. BOW:  
H. Res. 711. Resolution providing for the continuation of the opening prayer in the House of Representatives; to the Committee on Rules.

By Mr. HALPERN:  
H. Res. 713. Resolution relative to the establishment of a White Fleet designed to render emergency assistance to people of other nations in case of disaster; to the Committee on Armed Services.

## PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BURKE of Massachusetts:

H.R. 12311. A bill for the relief of Naja Nesslerah, his wife, Samira Nesslerah, and their minor sons, Kozhaya Nesslerah and

Mansur Nesslerah; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 12312. A bill for the relief of William C. Jessup; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 12313. A bill for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 12314. A bill for the relief of Byung Yong Cho (Alan Cho Gardner) and Moonee Choi (Charlie Gardner); to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 12315. A bill for the relief of Wilfredo Larar de Leon; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### Facts on Communist Propaganda, IV— A Profit for the United States?

#### EXTENSION OF REMARKS OF

**HON. GLENN CUNNINGHAM**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

Mr. CUNNINGHAM. Mr. Speaker, I now include part IV in this series of background information on the problem of Communist propaganda in this country.

Previous parts in this series were part I, "Universal Postal Union"; part II, "Volume of Propaganda"; part III, "American Publications in Russia."

#### A PROFIT FOR THE UNITED STATES?

Some reference has been made to the pounds of mail sent from this country to Iron Curtain nations and to the pounds of mail received from these same countries. When considering such figures it is well to inquire further as to just what these figures reflect.

First, there are the figures for all types of international mail including letters, printed matter and packages, which are the three basic classes of international mail. These figures show that Americans sent 16 million pounds of mail of all classes to eight Iron Curtain countries during the year ending March 31, 1961. During the same period there was delivered to this country by Communist authorities 2.3 million pounds of mail of all classes.

Second, there are figures which reflect only the amount of letters and printed matter. These figures show that we sent 2.5 million pounds and received 1.6 million pounds during the same period.

Third, it should be remembered that much of the mail going overseas is in the form of packages sent to relatives and friends behind the Iron Curtain, packages containing such items as soap, clothes, and other necessities which are not available as readily as they are here. These figures do not, however, reflect the sending of CARE packages, since they are handled through other channels.

Fourth, it should be remembered also that the amount of mail sent to Iron Curtain countries is not the same as the amount of mail actually delivered to individuals in those countries. There is ample evidence that mail is censored in the Iron Curtain countries. Many people in this country attempt to send magazines and books behind the Iron Cur-

tain, which is one reason that we send more pounds of mail than we receive. But there is considerable evidence that much of the printed matter does not reach its destination; that religious material and publications are refused entry; that current events periodicals are banned; that only some travel magazines and other such material are actually delivered within the Iron Curtain countries.

Fifth, there is the claim made by some people that because we send more pounds of mail than we receive, we therefore make a profit on our international mail operations. This claim bears closer examination. In order to make a profit on international mail, we would, of course, have to take in more money through the sale of U.S. postage on international mail leaving this country than it costs our Post Office Department to handle all international mail. Post Office costs involve three things: First, cost of transporting our outgoing mail from all over the country to ports; second, cost of transporting this mail from our ports to its overseas destination—to a port or airport; and, third, cost of delivering all mail received from foreign countries to its destination in this country.

Obviously, there are high costs involved in these three operations. That is why international mail requires higher postage than domestic mail. But it is not high enough to cover the costs. Post Office Department official figures show that during the last fiscal year this country lost \$17.8 million on international mail.

Obviously, there is no profit for this country. There is a loss.

### Free Life Insurance for Members of the Armed Forces on Active Duty Outside the United States

#### EXTENSION OF REMARKS OF

**HON. PAUL A. FINO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

Mr. FINO. Mr. Speaker, I have today introduced a bill to provide free life insurance to those members of the Armed Forces on active duty outside the United States.

The maximum amount of insurance to be provided in each case is \$10,000 reduced by the amount of U.S. Govern-

ment life insurance or national service life insurance held by the insured and in force at the time of his death.

This insurance will be provided by the United States without cost to the serviceman. In this regard, the bill provides that upon application, any member of the Armed Forces shall be granted a waiver of premium payment on any policy of National Service Life Insurance or U.S. Government life insurance during the term of his active duty outside the United States. Such waiver shall render the insurance nonparticipating while the waiver is in effect. Additionally, while any waiver of premiums is in effect, all premiums on 5-year level premium term insurance, and the portion of premiums on all other insurance which represents the pure insurance risk shall be waived.

The need for a program of this kind is certainly apparent. Today, large numbers of our Armed Forces perform vitally essential security and national defense assignments outside the United States. Annually, many of these men die by accidents or other causes while in the performance of these tasks. Moreover, we need only refer to our daily newspapers to learn that a number of these men are also dying in Laos and other international trouble spots where they are engaged in direct conflict and combat with the enemies of our freedom.

These men who die for freedom's common cause are, in many instances, insured for much less than the maximum protection provided by this bill or by the current National Service Life Insurance and the U.S. Government life insurance programs. In fact, in a significant number of cases, men die without the benefit of any life insurance whatever in favor of their dependents and loved ones. In this latter case especially, deserving dependents are too often limited to the too-little-too-late remuneration provided under the dependency and indemnity compensation provisions of 38 United States Code 3001, and the following.

Upon enactment, this bill would constitute a much needed and a very worthy improvement over the present system of insurance under which many servicemen—either because of lack of funds, or lack of wisdom, or just plain oversight—have not applied and perhaps will not apply for any insurance at all, or as is the case in too many instances, have applied for far less than the maximum protection to which they are entitled.

Under this bill, the loved ones at home would be more cheerful and more at ease in the knowledge of a certain measure



of economic security in the event of the death of a member of the Armed Forces who serves in the world's trouble spots or at our country's other vital defense posts outside the United States.

This bill, I might add, is identical in principal to the Servicemen's Indemnity Act of 1951, 65 Statutes 33. Consequently, within its limitations, the bill would produce a corresponding savings to the Government in the elimination of the redtape and expense in man-hours and money that is required in the administration of a premium payment plan.

This bill provides a \$10,000 indemnity to the families of those individuals who lose their lives as a result of active duty, outside of the United States, in one of the branches of the armed services. There would be a maximum lump sum payment of \$10,000 payable to the wife, child, children, parents, brothers, or sisters.

### Secretary Ribicoff on Aid to Education

#### EXTENSION OF REMARKS

OF

### HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

Mr. DELANEY. Mr. Speaker, in discussing Federal aid to education on the radio-TV program "Meet the Press," the Secretary of Health, Education, and Welfare, on June 17, 1962, stated that there are five elements which "could be the basis for a new discussion and a new dialog in America in the entire field of education."

With the thought that those of my colleagues who missed the program will be interested in the Secretary's latest views, under leave to extend my remarks, I include those excerpts from the interview which deal with educational aid.

#### SECRETARY RIBICOFF ON AID TO EDUCATION

NED BROOKS (moderator). And now resuming our interview, our guest today is the Secretary of Health, Education, and Welfare, Mr. Abraham Ribicoff. You have just met Lawrence E. Spivak, our permanent member of the panel. Our other reporters are Jack Bell of the Associated Press, Miss Marianne Means, Hearst newspapers, and Robert McCormick, NBC News.

We will continue the questions with Mr. Bell.

Mr. BELL. How do you stand on this issue of aid to education, as far as aid to parochial schools is concerned? Now, at least five educational organizations already are protesting against including direct grants to such schools in the higher education bill, which is now in conference committee.

What is your view of direct Federal grants to parochial schools?

Secretary RIBICOFF. I would say this, Mr. Bell: I think those organizations are wrong. There is nothing unconstitutional in grants to higher education. To me it seems that the time has come to eliminate the bitterness that has developed in this fight on all educational programs. If we don't eliminate this bitterness, we will never have an educational program in America and I do believe that education is vital for the future of our Nation. Education is power.

Mr. BELL. Do you agree with the President—I think he has stated this decisively—it is unconstitutional to give aid to secondary parochial schools, direct grants to them?

Secretary RIBICOFF. Well, I would say that across-the-board grants as the President has said, are unconstitutional.

Mr. BELL. He has said, I believe, as you just pointed out, higher education comes in a different category, and of course these are hedged in, these grants. But I'm trying to get at the fundamental belief that you have of whether it is constitutional to provide for the education of children in secondary parochial schools.

Secretary RIBICOFF. Well, let me say this: I think there are things that can be done that are constitutional, and I would mention them to you. Higher education I think is constitutional. Special purposes grants, and loans for the purpose of science, education—science, math, and foreign languages—is constitutional. In my opinion auxiliary services that go to the child—such as health services, school lunches, bus transportation, school books—are constitutional.

There is another method that can be used that hasn't been talked about too much, that I think is constitutional, and that is the use of tax credits and tax deductions. And I would advocate this method to be used as an alternative to give to all the children and their parents an equal opportunity and an opportunity for children going to private schools.

There are some 6½ million youngsters going to elementary and secondary private schools. They are not all Catholic, Mr. Bell. Out of the 6½ million, 1.2 million of these go to non-Catholic schools. Let me give you an example of how—

Mr. BELL. I didn't say they were all Catholic, Mr. Secretary. I regard a parochial school as a private school in that sense, and I think that is the accepted sense of it.

Secretary RIBICOFF. And I would treat all students going to private schools the same way. Let me show you how the tax credit could work out.

Let us assume that there was voted across-the-board grants to pupils of \$20 per pupil. I think under these circumstances it would be fair to give the parents of the child who is going to a private school a tax credit of \$20 because in the final analysis, these parents are making a great contribution to all education, those in public school as well as private school, and I do think, in an element of justice, they should be entitled to a tax credit.

This is a method which I think with the other three I outlined, together with the possibility of the use of a share-time approach, that could take us out of this great bind, that could take us out of this bitterness, and come up with a new discussion, Mr. Bell, on this all-important subject.

These five elements could be the basis for a new discussion and a new dialog in America in the entire field of education.

Mr. BELL. Isn't the tax cut program which you are advocating almost exactly the same thing Senator BARRY GOLDWATER has advocated?

Secretary RIBICOFF. I don't know—

Mr. BELL. He has advocated a tax reduction to make up for local school taxes, which would amount to the same thing.

Secretary RIBICOFF. Well, I don't know whether Senator GOLDWATER advocated it or not, but I would say we should explore the tax credit and tax deduction feature in order to take care of this great problem because what we must be interested in in America is a good education for every child, whether that child goes to a public school or that child goes to a private school.

Mr. SPIVAK. Mr. Secretary, you are a lawyer. Do you firstly think that a Federal aid bill which includes money for classrooms and for teachers' salaries is unconstitutional?

Secretary RIBICOFF. A Federal aid—no, I think such a bill—

Mr. SPIVAK. For parochial schools, too?

Secretary RIBICOFF. For parochial schools?

Mr. SPIVAK. Yes.

Secretary RIBICOFF. Across the board it would be unconstitutional, but if it were related to a special purpose of this Nation, which has nothing to do with religion, such as in the field of math, such as in the field of science, such as in the field of languages, similar to the approach of the National Defense Education Act, under these circumstances and for that purpose I don't think it would be unconstitutional.

Mr. SPIVAK. If you use the money to build the schoolroom, you couldn't designate it just for math and not for other things.

Secretary RIBICOFF. Oh, yes, you could. There is no reason why you couldn't use these funds for specific purposes for a math building that would be used for math, science, and languages, in which religion would not be taught at all.

Mr. SPIVAK. No, but of course if a parochial school were given money to put up a building, you wouldn't insist it just be used for one purpose—for one kind of classroom?

Secretary RIBICOFF. Yes, if grants or loans were to be given for such purpose, it should be used for that purpose. Yes, sir.

Mr. BELL. Mr. Secretary, isn't that just splitting legalistic hairs to say that you can grant Federal funds for a classroom in which mathematics will be taught, but you can't grant Federal funds to a parochial school for a classroom in which something else might be taught?

Secretary RIBICOFF. No, Mr. Bell, because there is always a fine line in every law, and basically we are engaged at the present time and have been for a long period of time in giving grants to medical schools, for giving grants for research as well as for fellowships.

Mr. BELL. Has that ever been tested in the Supreme Court?

Secretary RIBICOFF. Measures such as this have not been tested in the Supreme Court.

Mr. BELL. We don't know whether it is constitutional or not?

Secretary RIBICOFF. No, that is right, but there are outward limits to which you cannot go, and that is for any measure that would have to do with the teaching of religion I believe would be unconstitutional. I think both sides would agree that would be unconstitutional. But there are some things that you can do, and I would try to confine it to the measures that can be done. And I think that I outlined to you before the measures that could be done constitutionally. You have to confine it to the constitutional means.

Mr. MCCORMICK. I would like to ask a very quick one, and then I'll turn it over to Mr. Spivak. On this tax deduction, that would apply to the parents of students in parochial schools, is that correct?

Secretary RIBICOFF. The children in all private schools, be they parochial or otherwise.

Mr. MCCORMICK. Yes, but I mean it would not apply—I mean this is not a new education program in which we give a tax allowance for it?

Secretary RIBICOFF. No, it isn't a new educational program. It is what I consider a sense of fairness. And one of the means to get over this great hassle that has taken place, and I do believe that we could do this and do it constitutionally and there is no constitutional restriction to give this tax credit and deduction to the parents of children who go to private schools.

Mr. SPIVAK. How would the money get to the school itself? You would give it to the parents and they would get the credit, but how would the parochial school get the money?

Secretary RIBICOFF. Well, basically, the parents are the ones who basically pay tuition in many private schools, and basically

tuition is not a matter that is given a tax credit or tax deduction at the present time and by a series of credits or deductions, you can equalize the sense of fairness and be within constitutional means, Mr. Spivak.

Mr. SPIVAK. They are paying that tuition now. If you gave them a \$20 credit, do you think they would turn that over to the parochial school for buildings or for teachers' salaries?

Secretary RIBICOFF. That would be entirely up to the parents and their relation with the school.

Mr. SPIVAK. I don't see how that would do the parochial school any good.

Secretary RIBICOFF. The parents are the ones who are basically supporting all private education, and to the extent you give them a sense of equalization, at least you leave the parents in the sense of wholeness, and they are not having their funds go for education in public schools and private schools at the same time. You are making a basis of equality between the parents who are sending their children to private schools and the public schools who really receive a Federal grant. So there is a balancing off.

Mr. SPIVAK. Yes, but the parent who got the \$20 credit is likely to keep that credit and the parochial school that has to pay extra money for its teachers or for buildings would not get the money if the Federal Government gave it to them?

Secretary RIBICOFF. Well, I would say "No." The Federal Government wouldn't give that \$20 to the parochial school. If the private school wanted to raise the tuition to the parents of the children, I suppose they could do so. But that would be an arrangement between the private schools and the parents.

Mr. SPIVAK. I still don't see how—

Secretary RIBICOFF. To help the schools.

Mr. BROOKS. I'm sorry at this point we are going to have to suspend our questions.

## Commonsense About the Common Market

### EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, tomorrow, debate begins on the Trade Expansion Act of 1962. In view of this fact, I should like to ask permission to insert in the RECORD the text of a speech of mine which I made to the Chamber of Commerce of Greater Pittsburgh's World Trade Council on February 22 of this year.

The speech follows:

COMMONSENSE ABOUT THE COMMON MARKET  
(Remarks of WILLIAM S. MOORHEAD to the World Trade Council of the Chamber of Commerce of Greater Pittsburgh)

The entire free world is engaged in a military, political and economic struggle with the forces of international communism.

On the political and economic front, there is one development of almost overriding importance.

We have had our eyes so riveted upon the crises of Berlin, the Congo and Laos that we have failed to realize the significance and the breathtaking possibilities of the European Common Market.

After World War II, Europe was a weak and divided continent, a vacuum attracting Soviet aggression. We propped up Europe with the Marshall plan and NATO and defended it by our monopoly of atomic and nuclear weapons.

With our loss of our nuclear monopoly, the policy of unifying and strengthening the European economy became more urgent. We encouraged the Treaty of Rome, which, in 1957, established the European Common Market.

The success of the European Common Market has been so remarkable that it has exceeded dreams of its most loyal supporters. Its success has been so great and its future so certain that the British Government, despite all the historic pressures for holding aloof from the European Continent, has decided to negotiate for membership in the Common Market. The British are attempting to join not to rescue the Common Market from its weakness but to reap the benefits of membership in it. To do this Britain may have to adapt, though not necessarily weaken its ties with the Commonwealth, modify its traditional balance of power policy toward France and Germany and even surrender some of its sovereignty to the European political institutions. Some of Britain's partners in the European Free Trade Association—the Outer Seven—will certainly want to follow suit. If these negotiations are successful, the European Economic Community will be enlarged to include more than 230 million consumers and producers whose goods, farm products and workers can eventually move across national frontiers nearly as freely as ours move across our own State borders.

The struggle between our Western society and the Communist society has often been called a struggle for the minds and the souls of men. In our nuclear age, so long as there exists a balance of power and terror, neither side can impose its doctrine and its ideology upon the other. The struggle for the minds of men is not going to be decided merely by propaganda. We are not going to convert our adversaries and they are not going to convert us.

The modern competition between the two societies turns on their respective capacities to become powerful and great; to become the leaders in science and technology; to see that their people are properly educated in order to operate such a society; to give their people the satisfaction which comes from having the opportunity to work for their best hopes.

In this connection, if the European Common Market continues to flourish, it will exert a tremendous magnetic attraction upon the peoples of the captive nations of Eastern Europe. As Western Europe prospers, the Eastern European nations may, of necessity, be drawn closer to the Western orbit and further from the Soviet orbit. If we permit ourselves to look hopefully into the far distant future, this magnetic attraction may even extend into the heart of Soviet Russia.

Thus far, the success of the European Common Market has served well the international political objectives of the free world. Shall we continue to promote and even expand the concept of the Common Market? The overriding policy question that confronts us and all the rest of the Western World is—shall we come together in one great trading community which includes not only Western Europe and North America but also Japan, Australia, Latin America, and Africa—or do we go our separate ways fragmenting the non-Communist world? Such a free world trading community would represent a concentration of economic power and economic dynamics beyond anything the world has yet seen—and far beyond anything Mr. Khrushchev has ever dreamed of. Such a trading community would so clearly demonstrate the vigor of its competitive free market consumer economy that, to more and more people, communism would look like a wave of the past.

For international political reasons, it seems clear that our policy of sponsoring the Common Market in the past and for coming closer

to it in the future have been and are entirely sound.

On the other hand, in economic terms, have we, like Frankenstein, created a monster which will rise up to destroy us? Will more and more of our American workers be thrown out of work because of a flood of European manufactured goods coming into our markets? To save our economic lives, must we fragment the free world by hiding American business behind a high wall of protective tariff?

I think not. I think we should talk commonsense about the Common Market. I think that the European Common Market should not be looked upon as an economic menace but as a magnificent economic opportunity.

I think it is a magnificent opportunity because I have great faith in the American free enterprise system and in the ability of American businessmen to compete. The very existence of the World Trade Council of the Chamber of Commerce of Greater Pittsburgh makes me believe this. You have formed the world trade council not because you are afraid of world trade but because you want to take advantage of it. I salute you as frontline soldiers in the economic battle against communism.

Furthermore, I believe that you have taken a position which is a sound business one. Today the American economy, which developed so magnificently because it had a mass market of 48 States in a free trading area, is productive enough to meet not only the demands of the people of 50 States but many of those of an expanding world market as well. At home, there is no longer pent-up demand such as existed in the immediate post war years. Instead our domestic market can be expected to grow more slowly, prompted largely by the demands of a growing population and replacements. To continue to raise our living standards, it is obvious we must find new customers. For a long time these new customers will not be found in the underdeveloped countries of the world. However, they can be found in the highly developed countries in Europe, Canada, and Japan.

For instance, in testimony given before the Joint Economic Committee this past December, one witness estimated that only 10 percent of the families in the present Common Market area owned television sets as compared with 89 percent of the families in the United States; 20 percent owned radios as compared with 96 percent here and a mere 12 percent have either refrigerators or washing machines as against well over 90 percent of the families in this country.

Further, wages have grown up at a rate in excess of 5 percent per year for many European countries and almost 10 percent per year for Germany since 1955. These wage increases reflect increases in the gross national product in real terms, which has also grown substantially for all the Common Market countries reaching from an average of 3.5 percent for France to 9.2 percent for Germany for roughly the same period. These comparisons confirm my own impressions from a recent trip to Europe. I am convinced that Europe is about to begin the greatest consumer buying spree the world has ever seen. Consider the European women. As the European labor shortage continues the upper income people will be able less and less to rely on domestic help. They must turn to labor-saving devices. Consider the workingman's family. As the husband's paycheck increases, as wages continue to go up, his wife is going to insist upon some of the advantages that American women have. Consider the fact that consumer credit and modern merchandizing techniques are just beginning to make their impact felt on the European economy. All of these things should stimulate demands tremendously. Who is going to satisfy them? Is it going to



be only European business employing European workers or are we going to join in and let American business and American workers share in supplying this demand for goods?

Today we have a head start. We have the technology and we have the mass market for these types of products. This gives us a competitive advantage. If we act now, we can enter an expanding market in fields in which we are specialized before the Europeans develop their own mass production in these fields. If we wait too long the Europeans will develop their own factories for their own mass market and American business and American labor will have lost a priceless market. If we refuse to enter into a trading relationship with Europe, then Europe will certainly refuse to lower its common external tariff wall against us. Capital investment and technical know-how can leap over tariff walls—jobs cannot. If we refuse to act, or even worse, if we revert to protectionism, the present tendency of American business to invest in productive facilities abroad will be accelerated and more and more jobs for American workers will be lost. Obviously, the Europeans will not let us come into their market unless they have something in return. This is where President Kennedy's trade proposals become important. On March 12 the Ways and Means Committee of the House of Representatives will begin hearings on these proposals. This will be the beginning of one of the toughest and most important battles in Congress this year.

Three alternatives face America and the Congress. We can either do nothing, or resort to protectionism, or negotiate a trading relationship with the free world.

In reality, there are only two alternatives because to do nothing is unthinkable. If we do nothing we cannot increase our exports and yet we cannot protect ourselves from imports. To maintain or increase our market in Europe for American goods it will be necessary for us to negotiate with the Common Market to reduce the common external tariff and other restrictions against American goods. At present the President's authority to negotiate under the Reciprocal Trade Agreements Act is extremely limited because the authority has been exhausted and because the item by item negotiation required under the act is not suitable for dealing with a block of countries like the Common Market.

On the other hand, if we resort to protectionism, we can expect certain results to follow. We can expect our exports to fall as our allies erect protectionist barriers against us. Production would fall and unemployment increase because we would be producing for a more limited market. We could expect an increase in capital investment abroad with correspondingly less capital available for investment in job-creating production in the United States. As our industry became less and less competitive because it was protected from competition from abroad, we could expect to lose our share in the third markets such as Latin America and the other developing nations. Although the siren call of protectionism may be attractive in the short run it would, in the long run, be disastrous for American business and American labor.

Further, the choices of doing nothing and of reverting to more protectionism would both be equally dangerous for our balance of payments. Under the present authority of the Trade Agreements Act, we have about exhausted the possibilities for further bargaining with other countries and with the Common Market. With every year that slips by without a new effort to secure a better competitive position for American exports, the prospect for increasing our share of the booming European market grows dimmer. Because of the vast range of our international commitments and responsibilities, we cannot afford to cut down significantly on

our flow of funds abroad. To curtail imports through greater protectionism would only be to deny our trading partners overseas the means with which to buy our products. The only feasible solution to our balance of payments problems is to increase our exports. But neither inaction nor protectionism will accomplish that goal.

We cannot, of course, be certain that new bargaining authority would guarantee a favorable balance of payments. But this much we know: Year after year, the U.S. exports far more goods than it imports, both in total and in our trade with Western Europe. Even if, after new tariff reductions, our imports and exports should expand only in equal proportions, our trade surplus would be larger, thus giving us a more satisfactory margin with which to finance our military and aid programs abroad, private investments, tourist expenditures, and the like.

During the period in which our balance of payments is being adjusted we must guard against an international financial crisis which could cause a run on the dollar and on our gold. Next week, on February 27, my committee in Congress, the Banking and Currency Committee, will begin hearings on legislation to provide special borrowing arrangements for the International Monetary Fund. The strengthening of the International Monetary Fund is important not only in the short-term situation but also in the long run because stability of the major currencies, and particularly the dollar, is essential for international trade in the free world.

The third alternative, that of a free world trading community, offers the only hope for world peace and world prosperity.

That is not to say that a world trading position will be entirely a bed of roses. We must learn to be again competitive in world markets. From 1940 almost to the present American business has been operating in a seller's market. Almost an entire generation of American businessmen has grown up without facing the difficulties of a buyer's market. It is easier for a businessman to sell exclusively in the United States where language, currency, and taste are the same. While there was unmet demand in the United States, it was perfectly understandable for the businessman to take the easier course. Today, that course is no longer possible. The expanding markets of the future will be found abroad. It is up to the American businessman to seek them aggressively.

The Federal Government has a legitimate function to perform in assisting American business to be competitive in the world market.

A program has been established under the direction of the Department of Commerce to promote exports, both by increasing awareness among U.S. businessmen of sales opportunities abroad and by increasing foreign awareness of the wide array and high quality of the U.S. products. The program includes regional conferences and a more active field service in the United States to provide information on foreign markets, trade exhibits and missions abroad, and an increased number of Government commercial representatives to aid the U.S. businessman abroad.

In addition to improving the flow of information about export possibilities, legislation recommended by the Banking and Currency Committee was enacted to improve U.S. competitiveness in the important dimensions of credit availability and export insurance for commercial and political risks, steps designed to place the U.S. businessman on a par with foreign exporters. The Export-Import Bank has established, in cooperation with the commercial banks and a group of insurance companies, simplified and expanded opportunities for obtaining credit and export insurance. An exporter is now able to arrange for full credit and insurance advantages directly with his local bank.

Our tax policies should be updated, too. Many foreign factories which have been built from scratch since World War II are far more modern and efficient than ours. Too many of our plants are obsolescent high-cost producers. To stimulate modernization, the administration has proposed liberalized depreciation allowances and tax credit for plant improvement.

Plant modernization, however, will tend to dislocate workers. Therefore, accompanying any measures to stimulate modernization there should be a manpower retraining act so that our work force will be upgraded so as to be able to perform the new jobs which an expanding and changing economy will provide.

Finally we must recognize that there are some industries in which no degree of modernization or training of workers will do the job. In these industries a degree of protection geared to tariffs or quotas must be continued for the period of time necessary to allow adjustment to take place. Financial and technical assistance should be provided to make this transition as painless as possible.

If we take these steps, we will be competitive with Europe—not only in Europe but also in the third markets of the world. We will find new customers for our production, and our production and our employment will increase.

Not only will we be working for world prosperity but also for world peace. If the industrialized nations of the free world are cooperating together, then problems like that of Berlin or Laos become more manageable because the overall political and economic power of the West will be more than a match for the Communist world.

Nineteen hundred sixty-two is the year for the United States to take the leadership in the great and historic business of uniting the non-Communist world in one low tariff trading area. Unquestionably, the expansion of the European Common Market and the creation of a free world trading relationship will present the Soviet system with its greatest economic challenge to date. To work for this end, as you are doing, is to be engaged truly in the great conflict of our age and to be doing the real work that we are challenged to do.

## Senior Citizens Legislative Report

### EXTENSION OF REMARKS OF

## HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

Mr. BAILEY. Mr. Speaker, under leave to extend my remarks in the Record, I include my remarks last evening before the National Retired Teachers Association and the American Association of Retired Persons.

The speech follows:

REMARKS OF REPRESENTATIVE CLEVELAND M. BAILEY BEFORE THE NATIONAL RETIRED TEACHERS ASSOCIATION AND THE AMERICAN ASSOCIATION OF RETIRED PERSONS, MONDAY, JUNE 25, 1962

Mr. Chairman, delegates, ladies, and gentlemen, I am indeed happy to have the opportunity to discuss with delegates to the Area Three Conference of the National Association of Retired Teachers and the American Association of Retired Persons, some of the pending legislation and some of the programs that are being considered on the Federal level on behalf of our rapidly growing retired population. It is a special



privilege for me to be able to talk to this group as, like many of you in attendance here, I have spent most of my life working in the field of education. During my 14 years in the Congress of the United States, I have introduced and supported many bills that have been aimed at improving the quality of education and of instructors, and designed to broaden educational opportunities in this great country of ours. I know that you and the vast majority of the members of your fine organization share with me this desire to bring the best in educational opportunities to all of our citizens no matter what their social or economic status.

It is also a privilege to talk to you because of the leadership that your organizations have taken in promoting a wide range of programs on behalf of retired persons. In this area, we have a common interest too since one of the subject matters that has been referred to the general Subcommittee on Education of which I am chairman has to do with the coordination and expansion of all of our programs for the aged population. Representatives of your organizations testified at hearings in various areas in support of the principles of this legislation.

It is not necessary, I am sure, to give detailed statistics to an audience of this caliber concerning the problems that exist for the young and old alike because of the rapid growth of our aged population. It should suffice to point out that our over-65 group is growing at a much more rapid rate than our under-65 population, that the over-80 population is growing at an even faster pace, and that our lifespan is being lengthened at an ever-accelerated rate because of the wonders of modern science. Thus, we are continually increasing our so-called non-producing population and putting a greater and greater burden on our younger generations. Ways must be found to ease this burden and to provide for programs that will make the over-65 population as self-supporting as possible within the bounds of our complex economic structure.

The answers are not simple, however. Along with our growing aged population and increased longevity come many problems—an increased need for medical services, more frequent, longer, and more expensive hospital stays, a greater need for nursing home and rest home care with the resulting need for more and better facilities.

We also find a sad lack of adequate low-rent housing for the elderly, a continuing decline in employment opportunities for the middle-aged, as well as those over 65, and a shortage of education, recreational and leisure time services and facilities. The accumulation of these problems is leading to a critical period, and it is, therefore, urgent that we move rapidly toward programs that will make possible a meaningful life for our senior citizens in their declining years. To achieve this end, full cooperation is needed between Federal and State agencies—between governmental and private agencies, and between voluntary organizations such as yours, and the more formal public and private agencies that are planning or operating programs for the aged.

The job to be done is of tremendous proportions, and it is my belief, as well as that of the overwhelming number of witnesses that appeared before our subcommittee, that support and guidance must be furnished from the top. At the Federal level, great sums of money have been provided for scientific research in order to attain a greater longevity for our citizens. The creation and expansion of our social security system and other retirement plans has made early retirement possible for millions. Yet we have failed to provide an effective mechanism to make possible a healthy, independent, and meaningful life for many of these same people.

Legislation has been introduced that will, if passed, go a long way toward improving

the overall status of our aged population. It is being bitterly fought in some quarters. We will be told that these efforts represent another encroachment into State and local affairs, yet I ask you if it is not the responsibility of the Federal Government to lead the way since it has been the Federal Government that, in a sense, has caused the problem through its leadership in creating a longer-living, ever-increasing retired population.

Before examining the specific legislation let us look at the needs of the aged that we hope can be at least partially met by the proposed legislation.

Hearings held by my own subcommittee and by the Senate Committee on Aging, under the able leadership of Senator PAT McNAMARA, of Michigan, show clearly that the aged do not want charity, they do not want a "handout," they do not want to be treated as a necessary evil, or as one witness stated, they do not want to "vegetate." Indeed an intense desire was expressed for an opportunity to be of service to their communities, for better employment opportunities, for a chance to lead and to plan their own lives, to have available educational, recreational, and cultural programs that will lead to a purposeful existence, and for the type of medical care programs that will keep the elderly healthy, ambulatory, independent, and productive.

My limited knowledge of your organization indicates that you are making a substantial contribution toward meeting these goals. You pioneered in health insurance for retired teachers at a time when many said that it was impossible to provide health insurance for a retired group.

The recent addition to your health insurance program that will add out of hospital medical benefits should help reduce hospitalization for the elderly. I might add that witness after witness told our subcommittee that special emphasis must be put on noninstitutionalized care if we are ever to meet the needs and desires of our growing over-65 population and if we are to avoid being engulfed in an ever-increasing and overwhelming costly program of hospital and nursing home expansion.

It is interesting to note that the very insurance companies that 5 years ago said that it was impossible to furnish health insurance for the aged are now taking full page ads in our metropolitan papers and using the television medium extensively to broadcast the wonders of their over-65 health insurance plans. A substantial number of our major insurance companies have now joined Blue Cross, Blue Shield, and the prepaid medical service plans such as Group Health Association, Inc., in Washington, D.C., in offering such programs.

Many of the other programs that your organization sponsors are of the type for which a need was indicated at our hearings. These include the formation of active local chapters, travel and recreational programs, educational programs, group buying programs, including arrangements for hearing aids, a drug and prescription service, and others. I understand now that your national officers are even exploring the possibility of an eye care program.

You are to be congratulated on the leadership taken and the contributions you have made in providing worthwhile activities for retired persons. Other organizations and some governmental agencies have developed similar programs. However, many millions of retired persons either do not or cannot participate in such programs, and even the best of existing programs do not meet all the needs of the elderly.

It is the purpose of the legislation that we are now considering to assist in the development and expansion of existing programs, to fill gaps that exist, and to stimulate action in areas and among groups where programs currently are lagging.

Let us take a look at some of the pending bills, but first let me remind you of the background that created a public awareness for the need for such legislation. In 1958, JOHN FOCARTY, the able Congressman from Rhode Island, introduced legislation providing for Federal support for a proposed White House Conference on Aging.

The legislation that was finally enacted provided financial support for State as well as Federal conferences. Hundreds of interested persons participated in the White House Conference which was held in Washington in 1961. As a result, programs for the aging were started in some States and communities with varying degrees of success. Greater attention was given to our Federal programs. The need for Federal action was apparent from the recommendations and a number of bills to implement these recommendations have been introduced. I would like to discuss briefly three aspects of this legislation.

Legislation dealing with health is, of course, of utmost importance. The most controversial of all the bills dealing with the aged is the King-Anderson bill, which primarily provides hospital and nursing home care, and nursing service in the home, for persons who qualify for social security benefits. Since many retired teachers do not qualify for such benefits, this particular bill is possibly of secondary importance to those teachers presently retired. However, as a method of financing the future costs of expensive hospital care, it is of great importance to the 14 million retired persons now drawing social security benefits and will be important to many more in the future, including many teachers.

We believe that passage of this legislation, which is now bogged down in the Ways and Means Committee, should have high priority. Instead of slowing down the growth of private voluntary health insurance plans, as has been charged, it is my belief that enactment of this bill would stimulate such growth. Such was the case following enactment of the social security law, at which time its opponents predicted that private retirement systems would be eliminated. Instead the reverse has been true and the growth of private retirement plans in the last decade has been phenomenal.

Support for this position comes from Clem Martin, M.D., medical director of the Continental Casualty Co. of Chicago, your own insurance carrier, which pioneered, with you, health insurance for those over 65. Said Dr. Martin:

"Similarly, I think that if the President's health care plan is enacted, private companies will sell more health insurance than ever before. And they'll do it by offering policies insuring the individual against physicians' fees and surgery, and medical care beyond the limits of the bill.

"It's no secret that the chief reason private health insurance for elders costs so much today is because a certain percentage of these people require excessive hospital care."

Primarily the King-Anderson bill is designed to take care of these excessive hospital costs and to leave to the private insurance companies the task of taking care of acute illnesses and the more routine type care.

Another outcry against the King-Anderson bill is that it will leave out several million persons who are not eligible for social security. Let me make it clear that this administration does not intend to desert this segment of our aged population. Indeed I can assure you that steps will be taken not only to maintain the benefits of the Kerr-Mills bill, which is designed to care for the medically indigent, but to strengthen and expand it wherever necessary in order to fulfill our pledge of providing the best health care possible for all those over 65.

Of greater importance to your organizations is the legislation that is now before the general Subcommittee on Education which



would, if enacted, provide effective Federal guidance, support, and stimulation for many different types of programs for the aged.

As you know, many of our State and Federal agencies operate a wide variety of programs for our senior citizens. One of the strongest recommendations that came out of the White House Conference called for the establishment of a Federal agency to coordinate and encourage programs for the aging. It is hoped that we can secure the passage of legislation at this session of Congress which will provide the means through which this goal can be attained.

At the present time a study is being made in regard to the most effective method through which effective action can be insured. The proposed legislation has as its main features:

1. Establishment of a President's Council on Aging consisting of top-level Cabinet officers in those departments that administer programs for the aging.

2. Establishment of a staff for the Council whose main function will be to promote coordination between existing programs, encourage coordinated planning of future programs, serve as a central source of information, make studies and reports for the President and Congress which will keep them informed as to the needs and problems of the aging, and finally to recommend national policy for a more effective program.

3. Establishment of a joint congressional committee which will act as a watchdog committee to see that the objectives of the act are carried out and which, through hearings and studies, can determine the effectiveness of programs in effect.

4. Establishment of a citizens' advisory committee for the council through which it can keep in touch with the grassroots reaction to the various programs for the aging.

5. Establishment of a grant program for the following purposes: (a) \$2,090,000 for planning grants for the States to encourage development of programs for the aging; and (b) \$10 million a year for 5 years for training project, demonstration, research, and evaluation grants. Such grants would be made to private and public nonprofit organizations and to States and communities which develop programs for the aged. Methods and techniques that prove most effective will be studied and information regarding them made available to other organizations. Support will be given to developing new and improving existing programs. In this category would be support for home-makers service organizations, development of senior citizens' centers, and expansion of the preventive medical programs now existing in such centers that have proven the value of regular medical, dental, optometric, podiatric, and nursing services.

The third aspect which should be of especial interest to you is our desire to expand and develop educational services for the aged and for the younger generation that will cause an awareness of the problems of the aging. As I have mentioned, the legislation before our own subcommittee does provide for grants for various types of educational projects, including training of persons to work in this field. It is hoped that some of our educational institutions will develop projects that will result in employment of retired persons on a part-time basis as instructors, recreational directors, and for service in voluntary and community organizations.

However, in addition to this, I have introduced a bill providing for Federal support for university extension known as the "General Extension Education Act of 1962." This bill notes that a large segment of our population now has more personal time available than ever before and in order to combat

the attendant economic and social problems that are created thereby that it is essential for our institutions of higher learning to develop programs to study these problems and to train personnel that will be capable of operating programs that can cope with them.

In order to attain these ends an appropriation for grants to approved general university education programs of \$9,020,000 for each of the next 4 years is included. The Education and Labor Committee of the House of Representatives has reported out this bill and it is now pending before the Rules Committee of the House.

Legislative activities now underway to provide methods of coping with the problems of a fast growing aging population are not confined to those already mentioned. However, I believe that these and other legislative proposals indicate that Congress recognizes its responsibility in this matter. I sincerely hope that we will be able to secure some effective legislation during this session, and while we cannot hope to secure enactment of the perfect program or a model program, I believe that we have a very good chance to get a good start in this session. Our older people have every right to hope and demand that the Congress take some effective action during this session.

I can assure you of my continued support in behalf of better educational programs for the entire population, including the over 65 group, and in behalf of a program that will secure action on many fronts for the aged. With the continued cooperation and support of such organizations as the National Association of Retired Teachers and the American Association of Retired Persons I believe that we have a right to be optimistic about the prospect of meeting our obligations to our senior citizens.

### Fire Island, N.Y.

#### EXTENSION OF REMARKS OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

Mr. LINDSAY. Mr. Speaker, Fire Island, N.Y., threatened with the destructive natural forces of sea and wind and storm, is now threatened with man-made destructive forces, consisting of a plan by Mr. Robert Moses to build a four-lane highway along the spine of this narrow strip of sand and dunes.

Fire Island should be preserved as a national park seashore. A joint Federal-State acquisition program is the proper way to go about this. The improper way would be the superimposition of a four-lane highway for automobiles.

In the June 13 issue of the CONGRESSIONAL RECORD, I inserted a letter by Mr. Theodore H. White which criticized Mr. Moses' plan.

On June 20, the Secretary of the Interior added his voice to the growing criticism of the Moses' project. In a letter to the President of the Fire Island Voters Association, Inc., Mr. Arthur R. Silsdorf, Mr. Udall urged cooperation among Federal, State, and local authorities toward the goal of preserving Fire Island.

On June 21, a New York Times editorial entitled, "Using the Seashore

Wisely—II" strengthened the case against Mr. Moses' plan.

On June 22, the New York Herald-Tribune wrote an editorial in support of the Moses' plan. In the interest of completeness, I am inserting the Tribune editorial in the RECORD, along with Mr. Udall's letter and the Times editorial. This editorial was answered, in my judgment, by George Biderman in a letter to the editor of the Tribune which appeared in the June 26 issue, and follows the editorial.

My aim in inserting these four items is to bring these criticisms of the Moses' plan to the attention of my colleagues and the public.

JUNE 20, 1962.

Mr. ARTHUR R. SILSDORF,  
President, Fire Island Voters Association,  
Inc., New York, N.Y.

DEAR MR. SILSDORF: In reply to your letter of June 15, 1962, I can tell you that I have given a great deal of thought to the problem of Fire Island since my visit there a few weeks ago. Fire Island would be a precious natural resource located anywhere on our coastline. But because it is within 50 miles of metropolitan New York it is even more valuable and worthy of the most enlightened thinking and planning. I have a number of thoughts about what can and should be done about Fire Island in the national interest and for the benefit of the public.

First, as you who live there are too well aware, is the important problem of providing long-range erosion control and hurricane protection. The Army Corps of Engineers' plan authorized by Congress in 1960 offers a sound long-range solution and it appears that the Congress will appropriate the funds necessary to begin work this year.

Beyond the immediate need for protection against storm and erosion is the need for farsighted planning for future recreational needs. It is here that Fire Island offers a great challenge and an opportunity which may not exist even a few years hence. Natural shoreline areas, both on our ocean coasts and inland waters, have been developed at such a rate in recent years that there are very few such areas left. Many of these developments, such as Jones Beach in your vicinity, are splendid examples of one way in which to provide for the outdoor recreation needs of our expanding population. But as our population grows, we need diversity of recreational opportunity. And, in particular, we need to provide for the preservation of natural open spaces free of automobile traffic, parking lots and hotdog stands.

Fire Island offers just such an opportunity. We must use our ingenuity to do our public works so thoughtfully that this generation and the succeeding generations who come to the public parks at the east and west ends of the island will see the magnificent sand dunes, natural vegetation, bird-life and the splendid beach untouched as they are now. This is a different kind of planning than went into the creation of Jones Beach. It is perhaps even more difficult to achieve. That is why I have communicated with Governor Rockefeller suggesting that joint Federal-State thinking for this area begin now so that it might be included under the Shoreline Protection Plan passed by the Senate this year and now pending in the House.

The area between the two large public parks is shortly to receive large expenditures of public funds for erosion control, including restoration of the sand dunes and of the beach slope destroyed by the March storms.

In this area are both established communities of summer cottages and undeveloped stretches of land. I believe that we should study joint Federal-State acquisition of the undeveloped areas so that they may be preserved in their natural state. The entire oceanfront, including the dunes and beach, should be studied with a view to protecting it under the Shoreline Protection Plan. We should certainly prevent any building on the dunes which contributed so much to the undermining that occurred in the March storms all along the Atlantic coast.

My recommendation would be that the Federal, State and local authorities proceed now with boldness and imagination to keep as much of Fire Island as is still possible in its natural state, while at the same time preserving and protecting the area for public recreation.

I hope that this makes my position entirely clear. Let me repeat what I have said to many of your residents who have written to me in recent weeks: the Department of the Interior, under existing and pending authorizations of the Congress, stands ready to assist any shore locality in the important goal of acquiring and preserving areas such as Fire Island for the enjoyment of our people for generations to come. I will continue to urge such action. But as a practical matter a sound conservation result will only be achieved on Fire Island with the cooperation of the State of New York and Suffolk County.

Sincerely yours,

STEWART L. UDALL,  
Secretary of the Interior.

[From the New York Times, June 21, 1962]  
USING THE SEASHORE WISELY—II

The undeveloped, eastern reaches of Fire Island offer the last opportunity in the State of New York to preserve a natural, unspoiled seashore for public enjoyment. If recreation is the goal, what is needed is a series of protective works to build up the dunes in accordance with a long-range plan authorized by Congress in 1960.

What is not needed is a through highway, as recommended by Robert Moses, that will turn the island into a parade route on weekends. New York and Long Island residents have no shortage now of four-lane roads for such sightseeing as can be done at fifty miles an hour or in bumper-to-bumper traffic. Such a development would despoil, not enhance, the natural charm of Fire Island. As Secretary of the Interior Stewart L. Udall points out, "We need to provide for the preservation of natural open spaces free of automobile traffic. \* \* \* Fire Island offers just such an opportunity."

A National Park Service survey has identified Fire Island as one of the few remaining areas on the Atlantic coast suitable for preservation as a national seashore park. Undeveloped parts of the island ought to be acquired now, in a joint Federal-State acquisition program as recommended by Secretary Udall, in order "to keep as much of Fire Island as is still possible in its natural state, while at the same time preserving and protecting the area for public recreation." Among the things from which Fire Island must be protected is the entirely unnecessary highway that Mr. Moses has projected for an area that is already freely accessible without any such destructive development.

[From the New York Herald Tribune,  
June 22, 1962]

#### MR. MOSES IS RIGHT ABOUT FIRE ISLAND

In the controversy over Fire Island between Robert Moses, who speaks apparently for the State and county governments, and Secretary Udall and the embattled Fire Islanders, there is one unmistakable point of agreement.

A great many millions of dollars will have to be spent, as the Army Engineers recommend, on hydraulic fill and other improvements to preserve the Fire Island barrier and to protect the southern shore of Long Island. For another storm like that of last March could very well finish Fire Island, a catastrophe that must be guarded against with all scientific skills.

But when this is done, the people of Fire Island want to be left in their comparative isolation. And Secretary Udall, according to his latest fluctuation, thinks it would be a fine thing to keep the automobile out and preserve the strip in more or less of a natural state.

Mr. Moses, however, believes that the people's resources are meant to be used by all the people. He would build a boulevard on top of the projected bulwark, and thus ultimately unite the bridges at either end of Fire Island. There is nothing hideous about this, in the Moses opinion. With proper zoning, he thinks the result would be at least no worse than the island's existing communities. Instead of keeping Fire Island locked up as sort of a seaside Greenwich Village for the benefit of the relatively few, Mr. Moses wants to unlock the resorts for everybody's enjoyment.

True, Fire Island won't be quite the same, but this should be no real cause for tears. We believe that Mr. Moses, in holding out for the boulevard (with parks and plenty of access to the ocean beaches), is right.

[From the New York Herald Tribune, June 26, 1962]

#### MOSES' ROAD WOULD LIMIT FIRE ISLAND ACCESS

TO THE NEW YORK HERALD TRIBUNE:

Your editorial supporting Robert Moses' proposal for a Fire Island road does an injustice to "the embattled Fire Islanders" as well as to Secretary Udall in supposing that the Moses' plan opens up more of Fire Island to the general public than the Udall plan which the Fire Islanders support.

The facts are exactly the opposite. Commissioner Moses wants to put a road on top of the dune along the entire 31-mile ocean front, but only permit the general public to get off this road at the Fire Island State Park on the west and Smith Point County Park on the east. In between (which is two-thirds of the ocean front) he proposes "limited access." This means that only we supposedly "isolationist" Fire Island residents will be permitted to drive our cars off the road into what is left of our communities after a 300-foot right-of-way has been chopped out of a sandbar which in many places is less than 300 yards wide.

That's exactly the case at Jones Beach. Masses of people are crowded on to the beach in the area around the parking lots. Then there are miles of empty beach where people are not permitted to park and where swimming is prohibited. Then there is Gilgo Beach where one must be a resident to get off the road. This is a fantastic waste of accessible beach land, but it is the Moses way.

By contrast, on Fire Island today there are only 3 small communities out of 18 that do not have public streets and public ferry service open to anyone. Along the entire 31 miles of beach there are no "Private—Keep Out" signs and no fenced-off beaches. Commissioner Moses' plan would let the private real estate speculators take over most of the land between the two public parks, guarantee them privacy and guarantee, as he has said several times in print, that their land values will increase as much as five times if he puts in his road.

What we Fire Island residents propose, and Secretary Udall apparently agrees, is that all undeveloped areas and the entire

dune and ocean front be acquired either by the Federal Government or through Federal-State cooperation under the shoreline protection plan now pending in the House as S. 543. This bill has already passed the Senate. Bridge and road access to the two public parks is already assured. In between, ferry access, which has worked very well for all the years that Fire Island has been a summer resort, can be provided for a hundred years for less than the interest on Mr. Moses' \$1- to \$2-million-a-mile road. And when the public gets there, it will find one of the greatest and most valuable rarities in this land—a naturally beautiful, unspoiled shore.

Let us not forget that between 25 and 40 percent of the urban households in metropolitan New York do not own automobiles. Fire Island is now accessible to these people by railroad plus ferry at little more than it costs to go to Jones Beach. If Commissioner Moses' road is built, the ferries will be gone and only the ubiquitous and expensive automobile will be left.

It is the Udall plan and not the Moses plan which offers the greatest good for the greatest number.

GEORGE BIDERMAN.

FAIR HARBOR, FIRE ISLAND, N.Y.

### Congressman Stan Tupper Reports

#### EXTENSION OF REMARKS OF

### HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

MR. MORSE. Mr. Speaker, our good friend and distinguished colleague, STAN TUPPER of Maine, is a valued Member of this House, a Member who has worked hard and achieved much during the period he has served in this body. This week he has issued a statesmanlike declaration of principle in his newsletter. This clear expression of the philosophy he lives by is an excellent guideline for all of us seeking to serve and represent our constituencies.

His report follows:

#### CONGRESSMAN STAN TUPPER REPORTS

On July 4, 1851, 111 years ago, the cornerstone for the present House of Representatives was laid. The problems confronting the Representatives of the people then were fundamentally the same as those confronting us today. In the particulars the problems vary, but essentially all of us, before and now, in facing the daily tasks of Government, have been concerned with how freedom can be safeguarded in a stable, effective government.

I have had the privilege of serving Maine and my country in the Congress for almost 2 years. I look forward to continued service, for quite frankly, I have found that the personal satisfactions that come to a public servant (along with the trials) have no parallels. Public service challenges a man's highest capacity and calls forth his highest powers of reason and willpower.

Since our Government acts by virtue of the consent of the governed, the concerned citizen who exercises his prerogatives also shares in the rewards of political life. Each Congressman has the sobering responsibility of representing thousands of persons who must pay for the acts of Government, usually in the form of dollars, but occasionally with their very own lives.



In all political campaigns much is said about philosophy; this is pertinent because from his basic philosophy a man derives his purpose, his principles, his objectives and, consequently, his action. Every American should constantly reexamine his basic beliefs and the contribution to society that he can make within the framework of those beliefs.

We live in a society which is flavored by the widest variety of individual differences. This is basic to our democracy. We sometimes forget that there is a distinction between unity and uniformity. What has been customary and usual should not necessarily determine the direction of our social and political lives. Whether change is desirable or necessary depends upon given circumstance. The Constitution gives to the people the power of decision in the form of election, referendum, and direct exercise of public opinion. In other areas the people transfer some of their authority and power to their elected Representatives for the sake of an efficient political system, maintaining only an advisory voice.

Edmund Burke, in 1774, put into words better than I can, the relationship which I believe exists between the elector and the elected. He said: " \* \* \* it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinions high respect; their business unremitting attention. It is his duty to sacrifice his repose, his pleasure, his satisfactions, to theirs—and above all, ever, and in all cases, to prefer their interest to his own. But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. These he does not derive from your pleasure, no, nor from the law and the Constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion."

Applying this to our times, a Representative owes his constituents the closest attention to their problems and the most earnest

consideration of their views. In respect to legislation, he must depend upon mature judgment and conscience in deciding how he votes.

### National Rivers and Harbors Congress 49th Convention

#### EXTENSION OF REMARKS

OF

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1962

Mr. SIKES. Mr. Speaker, I am sure the membership of the House will read with interest a telegram sent by President John F. Kennedy to Henry H. Buckman, president of the National Rivers and Harbors Congress during its annual meeting in Washington last month. The message follows:

THE WHITE HOUSE,  
Washington, D.C., May 18, 1962.

HENRY H. BUCKMAN,  
President, National Rivers and Harbor Congress, Washington, D.C.:

It was with regret that I was unable to accept your kind invitation to address your 49th national convention. The continued development of our water resources is one of the important tasks to which this administration is dedicated. Your organization during the past half century has contributed greatly to our accomplishments in this field, and I am sure will continue to do so.

Heartening progress has been made in the conservation and development of our water and related land resources in the past 16 months. Many new water resources projects have been started and planning for such developments has been intensified. Surveys and advanced engineering have been accelerated so that more high priority projects will be ready for construction as needed. A most significant step was taken toward maintaining the quality of this country's water with

the enactment last year of the amendments to strengthen the Water Pollution Control Act. A new policy has been adopted in connection with Federal reservoirs to provide for the acquisition of land sufficient to preserve the recreational potential of those areas for the increasing public use in future years. Many other forward steps were taken, as outlined in my conservation message to the Congress.

To assure that future developments will meet all foreseeable needs and provide maximum benefits for all purposes, I approved, a few days ago, a statement of policies, standards, and procedures for the use of the Departments of the Interior, Agriculture, Army, and Health, Education, and Welfare in the formulation, evaluation, and review of plans for the use and development of water and related land resources. The Bureau of the Budget will use the approved statement in its review of proposed programs and projects and I have accordingly directed that Budget Circular A-47 be rescinded.

There is, of course, much remaining to be done in the field of conservation and development of our resources. Last year I transmitted to the Congress a draft of legislation entitled the "Water Resources Planning Act." Enactment of this legislation would provide a firm foundation for the further sound development of our water resources by providing for preparation of comprehensive river basin plans, for grants to States to strengthen their participation in planning water development activities, and for periodic assessment of the water supply-demand outlook.

Our goal is to have sufficient water sufficiently clean in the right place at the right time to serve the range of human and industrial needs. This administration adheres to the policy that our available water supply will be managed to provide maximum benefits for all purposes—hydroelectric power, irrigation, flood control, navigation, recreation and wildlife, and municipal and industrial water supply. Thus, I share your view on the need for the continued orderly and balanced development, conservation and use for all beneficial purposes of our water and land resources. To all of your members and delegates I extend every best wish.

JOHN F. KENNEDY.

## SENATE

WEDNESDAY, JUNE 27, 1962

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

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

God of all mercies, who didst guide our fathers when they laid the foundations of this Republic as they called on Thee to save, Thou hast entrusted to our hands a sacred heritage crimsoned by sacrifice and strengthened by chastening trials.

We look upward in our morning prayer that in a continual sense of Thy presence we may be delivered from the fret and fever of today's demands, from the world's discordant noises, and from the vain imaginations of our own hearts.

In these high hours of national decision, freighted with destiny, grant that

those who here speak for the Nation may be so true to their high calling, as servants of the common good, that radiant joy may transfigure duty, that on this and every day which may be granted us, appointed tasks may be met with purity of purpose, with the good will that bridges all chasms, and without moral compromise or craven fear.

We ask it in the dear Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 26, 1962, was dispensed with.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 3161) to provide for contin-

uation of authority for regulation of exports, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. RAINS, Mr. MULTER, Mr. BARRETT, Mr. KILBURN, Mr. McDONOUGH, and Mr. WIDNALL were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 8773) to amend section 265 of the Armed Forces Reserve Act of 1952, as amended (50 U.S.C. 1016), relating to lump-sum readjustment payments for members of the Reserve components who are involuntarily released from active duty, and for other purposes.

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

H.R. 10541. An act to assist States and communities to carry out intensive vaccination programs designed to protect their pop-