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PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 28, 1962

The House met at 12 o'clock noon.

Dr. Preston Bradley, pastor, People's Church, Chicago, Ill., offered the following prayer:

Infinite and Eternal Father, we are grateful that in a world bewitched by hatred, tortured by religious and racial animosities, there is this deliberative assembly trying to give proper evaluation and perspective to the great problems of our time.

We ask Thy blessing upon it and upon every Member of this House. May we ever be sensitive to the responsibilities which are upon us in this fragile hour in the history of the world.

We are grateful most of all for the opportunity which is presented to us in this greatest and most important parliamentary body of the world. We must stand for that which is honorable and right and just. May we respect each other's loyalties and find a great common denominator upon which we can build and find our way back again to dignity, to greatness, and to peace.

In the spirit of love we pray, and for love's dear sake. 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 bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H.R. 310. An act to amend title 10, United States Code, to authorize the Secretary of Defense, the Secretaries of the military departments, and the Secretary of the Treasury to settle certain claims for damage to, or loss of, property, or personal injury or death, not cognizable under any other law;

H.R. 2952. An act to direct the Secretary of the Interior to convey certain public lands in the State of California to the city of Needles;

H.R. 5423. An act to amend title 10, United States Code, to authorize the Secretary of the Navy to take possession of the naval oil shale reserves, and for other purposes;

H.R. 11887. An act to provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex.;

H.J. Res. 659. Joint resolution granting consent of the Congress to a compact entered into between the State of Maryland and the Commonwealth of Virginia for the creation of the Potomac River compact of 1958;

H.J. Res. 693. Joint resolution granting the consent and approval of Congress for the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to amend the Washington metropolitan area transit regulation compact, and for other purposes; and

H. Con. Res. 569. Concurrent resolution authorizing the Clerk of the House to make a correction in the enrollment of H.R. 10.

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. 8556. An act to amend the National Science Foundation Act of 1950 to require certain additional information to be filed by an applicant for a scholarship or fellowship, and for other purposes; and

H.R. 11793. An act to provide criminal penalties for trafficking in phonograph records bearing forged or counterfeit labels.

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

S. 2683. An act for the relief of Laszlo Janos Buchwald;

S. 2928. An act for the relief of Seymour K. Owens;

S. 3453. An act for the relief of Dr. Felix Nabor Sabates; and

S. 3600. An act for the relief of Chao Hua-Hsin.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 919. An act to amend section 9(b) of the act entitled "An act to prevent pernicious political activities" (the Hatch Political Activities Act) to eliminate the requirement that the Civil Service Commission impose no penalty less than 90 days' suspension for any violation of section 9 of the act.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10) entitled "An act to encourage the establishment of voluntary pension plans by self-employed individuals."

POSTAGE REVISION ACT OF 1962

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7927) to adjust postal rates and for other purposes, together with the Senate amendment thereto, disagree to the Senate amendment and request a conference with the Senate thereon.

The Clerk read the title of the bill.

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

Mr. HECHLER. Mr. Speaker, reserving the right to object, I am sure the gentleman from Tennessee appreciates the strong feelings of the House in respect to the 3½-cent rate on circulars for third-class matter which was voted by the House in January. I shall not object, but I am sure the gentleman appreciates the strong feeling in the House on that aspect of the bill. The people of the country are up in arms against the junk mail which crams their mailboxes, and they resent the fact that the Federal Government subsidizes this form of advertising through absurdly low third-class rates. I withdraw my reservation, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I do so initially for the purpose of raising a point of order, the point of order being that H.R. 7927 contains a pay increase bill which has never been considered by the House of Representatives, involving some $1 billion.

Mr. Speaker, I invoke rule XX which provides as follows, paragraph 1:

Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the State of the Union if, originating in the House, it would be subject to that point of order.

Mr. Speaker, this rule was adopted in 1880 to prevent a practice by which Senate amendments of the class described had escaped consideration in the Committee of the Whole.

Mr. Speaker, a Senate amendment which is a modification merely of a House proposition like the increase or decrease of the amount of an appropriation, and does not involve new and distinct expenditures, is not required to be considered by the Committee of the Whole. But where the question was raised against the Senate amendment, which on its face apparently placed a charge upon the Treasury, the Speaker held it devolved upon those opposing the point of order to cite proof to the contrary.

Mr. Speaker, I further call attention to rule XXIII, paragraph 3, entitled "Bills Required To Be Considered in Committee of the Whole." Rule XXIII, paragraph 3, provides:

All motions or propositions involving a tax or charge upon the people, all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to

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be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, or referring any claim to the Court of Claims, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Mr. Speaker, I submit that the regular prescribed order under the rules is for the Speaker to refer such propositions as H.R. 7927 to the standing committee having jurisdiction.

The SPEAKER. The Chair will state that the rules mentioned by the gentleman from Iowa are not involved at the present time. The matter before the House is the unanimous-consent request to send a bill to conference. The unanimous-consent request, if granted, would waive all rules mentioned by the gentleman from Iowa.

Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

TRIBUTE TO DR. PRESTON BRADLEY

Mr. O'HARA of Illinois. 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 Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, something unusual happened in Chicago and in Illinois a week ago today. By proclamation of Mayor Richard J. Daley, September 21 was made Preston Bradley Day in Chicago. By proclamation of Gov. Otto Kerner, September 21 was made Preston Bradley Day in Illinois. That evening 500 leaders in every activity of a great city and a great State met together in tribute and in honor to the Reverend Dr. Preston Bradley. Today we have with us, by invitation of our next Speaker and our beloved Chaplain, Preston Bradley, as Chaplain for a day of the House of Representatives of the Congress of the United States.

Preston Bradley came to Chicago from his native Michigan and in 1912 began preaching independently on the north side of Chicago. I think there were not more than 40 or 50 in his flock. At the end of his first year of ministry some of us, not members of his flock but who were close to him in association at the Press Club in Chicago, joined in sponsoring a little dinner there in his honor. Henry Horner, later Governor of Illinois, Frank Comerford, later a judge in our courts, and I were of that number. That little dinner was 49 years ago. I thought back to it last week when in Chicago and Illinois the day was being proclaimed as Preston Bradley Day and in the evening there was held in celebration of 50 years of a remarkable ministry, one of Chicago's largest banquets.

The little church that Preston Bradley started in 1912 now is housed in a building costing close to $1 million and with a membership running into the thousands. The voice of Preston Bradley for many years has gone into the homes of Chicago and of Illinois over the radio and TV. No man has ever made a larger, more penetrating spiritual impress upon a community, a city, and a State.

For all my colleagues in this historic body, I extend to Preston Bradley an expression of our appreciation of him and our every good wish for every good fortune in the years of fruitful service ahead.

Mr. MURPHY. 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 Illinois?

There was no objection.

Mr. MURPHY. Mr. Speaker, I rise today to join with my colleague, the distinguished gentleman from Illinois [Mr. O'HARA], to pay my respects to a great American; namely, Dr. Preston Bradley, of the People's Church of Chicago. I have been a personal friend of Dr. Bradley for a period of 30 years and am thoroughly aware of his many accomplishments in behalf of the city of Chicago.

In my 24 years as a member of the City Council of Chicago it has been my privilege to be associated with him in many programs for the welfare and betterment of the city of Chicago, such as juvenile delinquency, redevelopment, and housing. He was not only a great spiritual leader and civic leader but was admired by many people interested in athletics as was indicated by a well-known organization known as the Old Timers, which held an annual dinner at the Conrad-Hilton Hotel to pay respect to outstanding athletes in the field of professional baseball, football, and basketball by being the annual principal speaker for a period of 20 consecutive years.

Mr. Speaker, I want to congratulate Dr. Preston Bradley on 50 years of spiritual guidance to the people of the city of Chicago, and his great contribution to the civic accomplishments in behalf of the city of Chicago.

I pray to God that He will allow Dr. Bradley carry on his great work for many years.

Mr. FINNEGAN. 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 Illinois?

There was no objection.

Mr. FINNEGAN. Mr. Speaker, I want to join my good friends, the gentlemen from Illinois, BARRATT O'HARA and BILL MURPHY, in extending greetings of the day to Dr. Bradley. I am fortunate in the fact that Dr. Bradley is a member of the political organization of which I am a member in the city of Chicago, that he is a resident and has his church in the middle of my present district and in the new district as it will be in the fall.

I have always known Dr. Bradley as a leader of youth and a spiritual leader on the North Side of Chicago. He has been admired by everyone over the years.

I remember him in an early day when he was ready and willing at all times to proceed on any civic question, to take the platform for it, and he has been doing it as of the latest date.

Mr. Speaker, I congratulate Dr. Bradley on reaching his 50th year in the ministry. I wish I had been able to be present when they celebrated Dr. Bradley Day in Chicago on September 21.

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

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

There was no objection.

Mr. LIBONATI. Mr. Speaker, the Members of the House had the honor and privilege of hearing in prayer one of the Lord's most profound ministers of divinity whose dedication in life is to advance humanitarian causes. The People's Church in Chicago is the house of refuge for believers in the redemption of the human race through prayer and the realistic practice of the doctrine of faith, hope, and charity in everyday life.

Dr. Preston Bradley personifies the spirit of benevolence that imbued the Good Samaritan—human frailties shall be measured in the spirit of human kindness and overcome by the virtues of love, to instill confidence and interest and to give courage and hope.

As a churchman and orator, Dr. Preston Bradley has enjoyed international renown. The city of Chicago is the proud recipient of his great work for good. Its people are proud of his works both in the pulpit and in his authorship on public questions that affect the morality and civic responsibility of the citizenry.

The members of the Chicago delegation of the Congress are especially proud of Dr. Preston Bradley's contribution to the good name of Chicago in his many travels to foreign shores and the British Isles. It was a signal honor and memorable event to participate with him in the opening prayer this morning—the glowing praise with comments of the members in attendance attests to the talents of a brilliant orator and religionist whose philosophy of life touches the heart chord of understanding of the common man. Here is truly a true servant of God who speaks with a tongue that leads men in the paths of righteousness.

THE HOUSE OF REPRESENTATIVES: KEEPER OF THE PURSE STRINGS

Mr. PASSMAN. 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 Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, thank God for the House of Representatives. Our Founding Fathers and the framers of the Constitution displayed great wisdom in placing control of the purse strings in the hands of that part of our legislative branch that has to be rehired every 2 years.

PROPOSED JOINT COMMITTEE ON ORGANIZATION OF THE CONGRESS

Mr. RYAN of New York. 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. RYAN of New York. Mr. Speaker, today I have introduced a resolution which I believe is most important. The resolution already has support in the House and in the Senate. It would establish a Joint Committee on the Organization of the Congress which would be composed of seven Members of the Senate and seven Members of the House. The committee would make a full and complete study of the organization and operation of the Congress. Such a study would include, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress and all other matter pertaining to the parliamentary system of Congress.

There is no need for me to dwell at length on the problems of Congress. The fact of the matter is that congressional procedures have not kept pace with the rapidly changing times and the enormously increased workload of the Congress.

We all know that the Rules Committee procedure, for example, has proven to be a device for obstruction rather than for an orderly disposition of the business of the House. Today we have three major bills which were referred to the Rules Committee some time ago without being heard from again. These bills are: the mass transportation bill, H.R. 11158, referred to the Committee on Rules on July 3, 1962; the Youth Conservation Corps bill, H.R. 10682, referred to the Committee on Rules on March 29, 1962; the medical and dental school construction bill, H.R. 4999, referred to the Committee on Rules on March 24, 1962.

In addition, 19 other bills are being held up by the Rules Committee.

The Rules Committee is not the only snag in the legislative process. We are all familiar with the extended controversy between the chairmen of the Senate and House Appropriations Committees. This unfortunate occurrence highlighted the general problem of the relationship between the House and Senate about which the committee under this resolution would study and report. The entire committee system would come under the scrutiny of this joint committee as well as the adequacy of our general parliamentary process.

Mr. Speaker, the procedures of the Congress must catch up with the great challenges of the mid-20th century. The establishment of a Joint Committee on the Organization of Congress is a necessary first step.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. GEORGE P. MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a report of the activities of the Committee on Science and Astronautics.

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

There was no objection.

Mr. GEORGE P. MILLER. Mr. Speaker, the Committee on Science and Astronautics has completed what we believe to be a year of fruitful work During the fourth year of its existence, the scope of the committee's activities has continued to be broad, encompassing both the many phases of space research, development and exploration and the broad spectrum of scientific endeavors. Greater emphasis has been placed this year than in the past on science in general, along with a strong stress on space activities which has motivated the committee from the start.

It has been another busy year for the committee, highlighted by action on the fourth annual budget of the National Aeronautics and Space Administration, now rapidly approaching the $4 billion mark. In addition to the intensive study the space budget underwent, the committee also conducted 26 investigations, issued 16 reports, held 124 days of hearings, and heard 236 witnesses.

Indicative of the committee's activity is the more than 2,175,000 words of testimony taken this year, incorporated into approximately 3,860 pages of printed hearings.

Although the committee is only 4 years old, its record in that brief period is one of marked activity. Since its formation in 1959, the committee has conducted 108 investigations, issued 88 reports, held 498 days of hearings, and heard 1,193 witnesses.

I realize, of course, that quantity is not necessarily an indication of quality. But in this instance I am happy to say that the quality of the work has been high and is continually improving.

Much more remains to be done in the future. Now that man has burst the confines of the earth, a vast new world of exploration has opened before him. The Nation is engaged in a tremendous endeavor to hurtle across space to the moon and the planets. Accompanying this new program, so vast in scope, has been a tremendous increase in the importance science will play in what we hope will be the bright new world of tomorrow. The committee, with legislative jurisdiction over both these fields, will make the utmost effort to remain in the forefront of what is being done. Many worthwhile projects are now under study by the committee and the future looks encouraging for many new accomplishments in space and in science.

The Committee on Science and Astronautics was organized in 1959. As a standing committee, it exercises legislative jurisdiction over outer space, including exploration and control thereof, science scholarships, and scientific research and development.

It also exercises legislative jurisdiction over astronautical research and development, including resources, personnel, equipment, and facilities, and over the following executive agencies of the Government: The Bureau of Standards including standardization of weights and measures and the metric system, the National Aeronautics and Space Administration, the National Aeronautics and Space Council, and the National Science Foundation.

The committee is the only committee of Congress with general jurisdiction in the field of science.

ACTIVITIES DURING 1962

The committee set a fast, but thorough, pace during its fourth year in its hearings and investigations in the fields of science and astronautics. During the 2d session of the 87th Congress, the committee compiled this record:

First. Conducted 26 investigations whose scope ranged from the Nation's manned lunar program to an annual review of the Bureau of Standards' programs.

Second. Held 124 hearings on 17 subjects ranging from aeronautical and space research patent policies to the qualifications of astronauts for space travel.

Third. Issued 16 reports on varied legislative and investigative matters.

REPORTS (INVESTIGATIVE)

During the 2d session of the 87th Congress, the committee issued the following nonlegislative reports:

First. Cape Canaveral, the hope of the free world—committee print, April 5, 1962.

Second. Centaur launch vehicle development program—House Report No. 1959. Also listed as committee report, serial Q.

Third. Project ANNA—geodetic satellite system—House Report No. 2151. Also listed as committee report, serial R.

Fourth. Qualifications for astronauts; in preparation for publication in 1962.

Fifth. Project Advent—military communications satellite program; in preparation for publication in 1962.

Sixth. Solid propellants; in preparations for publication in 1962.

Seventh. Progress of research development in meteorological satellites; in preparation for publication in 1962.

Eighth. Space economy; in preparation for publication in 1962.

Ninth. Civilian communications satellite progress; in preparation for publication in 1962.

Tenth. Radio astronomy; in preparation for publication in 1962.

REPORTS (LEGISLATIVE)

The committee issued these legislative reports during the second session under the following titles:

First. Authorizing appropriations to the National Aeronautics and Space Administration—H.R. 11737, House Report No. 1674, May 15, 1962.

Second. Amending the act authorizing national medals of science—H.R. 4055, House Report No. 1859, June 20, 1962.

Third. Designating a National Goddard Day—H.R. 9485, House Report No. 1860, June 20, 1962.

Fourth. Amending the National Aeronautics and Space Act of 1958 with respect to property rights in inventions—H.R. 12812, House Report No. 2185, August 14, 1962.

REPORTS (MISCELLANEOUS)

First. Creation of the Office of Science and Technology—Reorganization Plan No. 2 of 1962; committee print, May 15, 1962.

Second. Aeronautical and astronautical events of 1961—committee print, June 7, 1962.

HEARINGS

The committee issued the following printed hearings on legislative and investigative subjects:

First. Patent policies relating to aeronautical and space research—January 29–31, February 1–8, 1962. Committee publication No. 1.

Second. 1963 NASA authorization—parts 1–5; February 27–28, March 5–29, April 2–12, May 3, 1962. Committee publication No. 2.

Third. Panel on Science and Technology—fourth meeting, March 21–22, 1962. Committee publication No. 3.

Fourth. Centaur program, May 15–18, 1962. Committee publication No. 4.

Fifth. Project ANNA—geodetic satellite system, May 14–16, 1962. Committee publication No. 5.

Sixth. NASA lunar orbit rendezvous decision—July 12, 1962.

Committee publication No. 6.

Seventh. National Science Foundation briefing, February 6–7, 1962. Committee publication No. 7.

Eighth. Limitation on indirect costs in research grants, July 30, 1962. Committee publication No. 8.

Ninth. Qualifications for astronauts, July 17–18, 1962. Committee publication No. 9.

Tenth. Development of the large solid propellant booster, August 8–9, 1962. Committee publication No. 10.

Eleventh. Amending the Organic Act of the National Bureau of Standards, June 6–26, 1962. Committee publication No. 11.

Twelfth. New modes of land, air, and sea transportation, July 11–13, 1962. Committee publication No. 12.

Thirteenth. Project Advent—military communications satellite program, August 14–15, 1962. Committee publication No. 13.

Fourteenth. Progress and development of weather satellites, August 28–September 21, 1962. In preparation for publication in 1962.

Fifteenth. Radio astronomy, September 25–27, 1962. In preparation for publication in 1962.

Sixteenth. Civilian communications satellite program, September 18–27, 1962. In preparation for publication in 1962.

Seventeenth. Means of effecting economy in space programs, July 24–August 16, 1962. In preparation for publication in 1962.

INVESTIGATIONS

During the 2d session of the 87th Congress the committee conducted 26 investigations or studies. The following subjects held the committee's attention:

First. The European space research organization and its effect on the U.S. space program.

Second. Army research and development.

Third. Satellite functions in mapping and geodesy.

Fourth. Electrical propulsion and auxiliary electric power in space vehicles.

Fifth. NASA contract procedures.

Sixth. NASA reprograming of research and development funds.

Seventh. NASA's man-in-space program.

Eighth. NASA's lunar program.

Ninth. Mobile sea launching capabilities.

Tenth. The current year program of the National Science Foundation.

Eleventh. Guidance instrumentation for satellites.

Twelfth. Lunar exploration vehicles.

Thirteenth. Progress of the Centaur booster program.

Fourteenth. Management and operation of the Mercury tracking network.

Fifteenth. Annual review of Bureau of Standard programs.

Sixteenth. Upper stage technology of space boosters.

Seventeenth. Reduction in space expenditures through economies.

Eighteenth. Weather satellite program.

Nineteenth. Military communication satellite program—Advent.

Twentieth. Qualifications for astronauts.

Twenty-first. Radio astronomy.

Twenty-second. New modes of land, air, and sea transportation.

Twenty-third. Development of the large solid propellant booster.

Twenty-fourth. Civilian communications satellite program.

Twenty-fifth. Scientific and technical manpower—supply, demand, and utilization.

Table of appropriation bills, 87th

[Does not include any back-door appropriation bills.

Bill No.	Title	House							
		Budget estimates to House	Date reported	Amount as reported	Amount reported compared with budget estimates	Date passed	Amount as passed	House action compared with— Budget estimates	House action compared with— Amount reported
	1962 supplementals								
H.J. Res. 612	Veterans' Administration	$151,200,000	Jan. 31	$55,000,000	−$96,200,000	Jan. 31	$55,000,000	−$96,200,000	
H.R. 11038	2d supplemental	[1] 503,265,000	Mar. 30	431,807,000	−71,458,000	Apr. 4	447,514,000	−55,751,000	+$15,707,000
H.J. Res. 745	Supplemental [2]		June 14	(133,259,929)		June 14	(133,259,929)		
	Total, 1962 supplementals	654,465,000		486,807,000	−167,658,000		502,514,000	−151,951,000	+15,707,000
	1963 appropriations								
H.R. 10526	Treasury-Post Office	5,575,386,000	Mar. 1	5,461,671,000	−113,715,000	Mar. 6	5,461,671,000	−113,715,000	
H.R. 10802	Interior [4]	930,674,000	Mar. 16	868,595,000	−62,079,000	Mar. 20	868,595,000	−62,079,000	
H.R. 10904	Labor-HEW	5,284,831,000	Mar. 23	5,170,788,000	−114,043,000	Mar. 27	5,170,788,000	−114,043,000	
H.R. 11151	Legislative	114,078,425	Apr. 6	113,733,890	−344,535	Apr. 11	113,733,890	−344,535	
H.R. 11289	Defense	47,907,000,000	Apr. 13	47,839,491,000	−67,509,000	Apr. 18	47,839,491,000	−67,509,000	
H.R. 12276	District of Columbia	(299,134,478)	June 22	(290,059,000)	(−9,075,478)	June 26	(290,059,000)	(−9,075,478)	
	Federal payment	35,199,000		33,199,000	−2,000,000		33,199,000	−2,000,000	
	Loan authorizations	(26,042,000)		(26,042,000)			(26,042,000)		
H.R. 12580	State, Justice, Commerce, Judiciary [6]	2,004,178,000	July 17	1,902,065,700	−102,112,300	July 20	1,901,215,700	−102,962,300	−850,000
H.R. 12648	Agriculture	6,354,783,000	July 20	5,477,092,500	−877,690,500	July 25	5,475,842,500	−878,940,500	−1,250,000
	Loan authorizations	(805,000,000)		(805,000,000)			(805,000,000)		
H.R. 12711	Independent offices [7]	12,560,063,500	July 27	11,501,141,000	−1,058,922,500	July 31	11,501,141,000	−1,058,922,500	
H.R. 12870	Military construction	1,594,729,500	Aug 10	1,369,741,000	−224,988,500	Aug 14	1,369,741,000	−224,988,500	
H.R. 12900	Public works	4,745,332,000	Aug. 14	4,613,807,900	−131,524,100	Aug. 16	4,613,807,900	−131,524,100	
H.R. 13175	Foreign assistance	7,335,029,000	Sept. 18	5,956,852,000	−1,378,177,000	Sept. 20	5,956,852,000	−1,378,177,000	
	Supplemental								
	Total, 1963 appropriations	94,441,283,425		90,308,177,990	−4,133,105,435		90,306,077,990	−4,135,205,435	−2,100,000
	Total, all appropriations	95,095,748,425		90,794,984,990	−4,300,763,435		90,808,591,990	−4,287,156,435	+13,607,000
	Total, loan authorizations	(831,042,000)		(831,042,000)			(831,042,000)		

[1] Adjusted to reflect rescission of $44,637,000 for Civil Service Commission proposed in H. Doc. 333 but not acted upon by Congress.

[2] Of this amount, $117,457,000 which was originally provided for fiscal year 1962 costs eliminated by H. Con. Res. 505 as no longer required.

[3] Included primarily deficiency items contained in 2d supplemental, 1962 (H.R. 11038) considered necessary to enable certain agencies to finish out fiscal year. Not sent to conference or enacted into law.

[4] Includes borrowing authority as follows: Budget estimate, $20,000,000; House reported and passed, $6,000,000; Senate reported and passed, $20,000,000.

Twenty-sixth. Manned Soviet space flights.

LEGISLATION

Four bills were approved by the committee during the second session. Another measure was also considered, but no action was taken. The major pieces of legislation reported by the committee were the annual authorization of funds for the space agency and revision of that portion of the Space Act of 1958 relating to patents and inventions.

The legislative histories of the bills follow:

H.R. 4055, A bill to amend the act of August 25, 1959, to authorize the payment of a monetary award to recipients of the National Medal of Science.

The bill was sponsored by the gentleman from New York, Representative VICTOR L. ANFUSO. It provided additional incentives for scientific achievement, particularly by encouraging more young people to follow careers in science and engineering. The 86th Congress enacted Public Law 86–209, which authorized the President to award 20 Medals of Science each year for outstanding contributions in the physical, biological, mathematical, or engineering sciences. H.R. 4055 amended the law by authorizing the President to award, also, with each medal a grant of up to $10,000.

The bill was reported by the committee June 20 to the House, which refused on September 4 to suspend the rules and pass the bill.

H.R. 9485, A bill to amend the National Aeronautics and Space Act of 1958 to designate a National Goddard Day.

This measure was sponsored also by the gentleman from New York, Representative ANFUSO. Its purpose was to promote public knowledge of progress and achievements in astronautics and related sciences by designating a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rocketry. The bill established March 16, the anniversary of his first successful liquid rocket launching in 1926, as Goddard Day, in order to pay tribute to a great American pioneer. The bill was reported by the committee June 20 and passed the House July 2.

H.R. 11737, a bill to authorize appropriations to the National Aeronautics and Space Administration for research, development, and construction of facilities, and for other purposes.

This was an administration measure, sponsored by the gentleman from California, Chairman GEORGE P. MILLER, Democrat, authorizing funds for the Federal Space Agency for the 1963 fiscal year, beginning July 1, 1962. The full committee and four subcommittees met 60 times on the bill in both public and executive sessions before reporting it to the House May 15. It passed the Senate, as amended, July 11. It was approved by a conference committee July 25. The conference report was adopted by the House July 30 and the Senate August 1. It was signed into Public Law 87–584 on August 14. The measure authorized $3,744,115,250.

H.R. 12812, a bill to amend the National Aeronautics and Space Act of 1958 with respect to property rights in inventions.

This measure was sponsored by the gentleman from Connecticut, Representative EMILIO Q. DADDARIO, Democrat. It would grant the National Aeronautics and Space Administration greater flexibility in the negotiation of research and development contracts with respect to property rights in inventions arising out of the contracts.

The bill was approved by the committee August 14, following a new study of the space research patent problem by a special subcommittee which held 14 days of hearings and heard testimony from 37 witnesses.

No action has been taken by the House.

H.R. 11561, A bill to amend the organic act of the National Bureau of Standards.

The purpose of this bill, a Department of Commerce proposal introduced by Chairman MILLER, was to give the National Bureau of Standards authority to improve its fiscal and administrative procedures in the interests of permitting a more effective conduct of its research and development activities. The committee held hearings on the measure, but postponed further consideration until a later date.

COMMITTEE ON APPROPRIATIONS

Mr. CANNON, from the Committee on Appropriations, pursuant to order of the House of September 21, 1962, submitted the following tabulation showing the up-to-date status of the appropriation bills:

Cong., 2d sess., as of Sept. 28, 1962

Also excludes permanent appropriations]

Senate							Final action			Increase or decrease compared to budget estimates to date
Budget estimates to Senate	Date reported	Amount as reported	Date passed	Amount as passed	Senate action compared with— Budget estimates	Senate action compared with— House action	Date approved	Amount as approved	Public Law No.	
$151,200,000	Feb. 1	$55,000,000	Feb. 2	$55,000,000	−$96,200,000		Feb. 13	$55,000,000	87–404	−$96,200,000
[1] 522,231,929	Apr. 11	487,802,980	Apr. 16	560,008,344	+37,776,415	+$112,494,344	July 25	373,550,689	87–545	[2] −148,681,240
	June 22	(277,222,429)	June 23	(277,222,429)						
673,431,929		542,802,980		615,008,344	−58,423,585	+112,494,344		428,550,689		−244,881,240
5,575,386,000	Mar. 16	5,526,558,000	Mar. 29	5,526,558,000	−48,828,000	+64,887,000	Aug. 6	5,489,781,000	87–575	−85,605,000
932,674,000	May 10	916,560,820	June 12	922,560,820	−10,113,180	+53,965,820	Aug. 9	885,362,000	87–578	−47,312,000
5,386,363,100	June 29	5,333,084,000	July 20	5,380,958,000	−5,405,100	+210,170,000	Aug. 14	5,334,609,500	87–582	−51,753,600
146,913,210	July 31	146,690,690	Aug. 2	146,690,690	−222,520	[3] +32,956,800		146,477,270		−435,940
47,907,000,000	June 8	48,429,221,000	June 13	48,429,221,000	[3] +522,221,000	+589,730,000	Aug. 9	48,136,247,000	87–577	+229,247,000
(300,161,478)	Sept. 27	(289,253,300)	Sept. 28	(289,253,300)	(−10,908,178)	(−805,700)				
35,199,000		33,199,000		33,199,000	−2,000,000					
(26,042,000)		(26,042,000)		(26,042,000)						
				( )	( )					
6,354,783,000	Aug. 22	4,774,983,000	Aug. 25	4,774,983,000	−1,579,800,000	−700,859,500				
(805,000,000)		(820,000,000)		(820,000,000)	(+15,000,000)	(+15,000,000)				
12,580,269,500	Aug. 27	11,789,153,000	Aug. 31	11,801,590,000	−778,679,500	+300,449,000		11,631,792,100		−948,477,400
1,594,729,500	Sept. 4	1,349,611,000	Sept. 7	1,350,501,000	−244,228,500	−19,240,000	Sept. 25	1,319,114,500	87–684	−275,615,000
5,651,751,000	Sept. 28	5,211,271,400								
7,335,029,000	Sept. 28	6,781,402,000								
93,500,097,310		90,291,733,910		78,366,261,510	−2,147,055,800	+532,059,120		72,943,383,370		−1,179,951,940
94,173,529,239		90,834,536,890		78,981,269,854	−2,205,479,385	+644,553,464		73,371,934,059		−1,424,833,180
(831,042,000)		(846,042,000)		(820,000,000)	(+15,000,000)	(+15,000,000)				

[1] Includes $514,500,000 in new obligational authority in lieu of utilizing the sum of $514,500,000 appropriated for the current year for the procurement of long-range bombers, as proposed in the President's budget.

[2] Includes comparability adjustment of $115,480,000 for borrowing authority replaced by appropriation.

[3] Includes comparability adjustments of $34,427,500 for contract authorization and borrowing authority replaced by appropriations.

[4] Consists largely of Senate items not included in bill as passed House.

NOTE.—Indefinite appropriations in the bills are included in this table.

ASC COMMITTEE'S DEDICATED LEADERS

Mr. KING of Utah. 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 Utah?

There was no objection.

Mr. KING of Utah. Mr. Speaker, one of the most effective and best informed groups of farm leaders are the USDA's county agricultural stabilization and conservation committees, better known as the ASCS Committee. These dedicated men have come under recent attack; and for that reason I feel that these words on their behalf are appropriate, and well-deserved.

These committeemen, usually three to a county, are selected by their farm neighbors for their knowledge of farm programs and farm policies. They are responsible for seeing that farmers and nonfarmers alike are informed about the agricultural programs that are available. They decide on the requirements for those eligible to participate in these programs.

One of their major responsibilities is in the field of soil and water conservation. In cooperation with the agricultural extension agent and other conservation minded leaders, they develop the agricultural conservation program for their county. This is the program in which the Government shares with the farmer and rancher the cost of developing needed soil and water conservation on their farms and ranches. In my State of Utah, they work closely with the Utah Water and Power Board and State Association of Soil Conservation District Directors in developing soil and water conservation programs that are the most beneficial to the State of Utah.

During the severe drought of 1961, these were the men who developed the emergency ACP practices that meant so much to Utah's agricultural economy last year. In addition, they and their county office employees administer the sugar, dairy, wool, and other ASCS programs in their county.

I would like to pay tribute to these men who have so unselfishly devoted of their time to develop and guide these farm programs in the interest of farm and nonfarm people alike.

PHONOGRAPH RECORDS BEARING FORGED OR COUNTERFEIT LABELS

Mr. TOLL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11793) to provide criminal penalties for trafficking in phonograph records bearing forced or counterfeit labels, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 4, strike out "$10,000" and insert "$1,000".

Page 2, line 5, strike "ten years," and insert "one year,".

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

Mr. CRAMER. Reserving the right to object, Mr. Speaker, and I do not intend to object, may I ask the gentleman if he will explain these amendments to the House?

Mr. TOLL. The only amendments which were made by the Senate were the reduction of the amount of the penalties. The $10,000 penalty was reduced to $1,000 and the 10 years imprisonment was reduced to 1 year. Otherwise the bill was accepted as written in the House. The purpose of the legislation is to deter counterfeiting of phonograph records and labels by providing criminal penalties for such action.

Mr. CRAMER. I withdraw my reservation of objection, Mr. Speaker, with the understanding the minority has no objection to the bill as amended by the other body.

Mr. TOLL. That is correct; there is no objection.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

A CUBAN GOVERNMENT-IN-EXILE

Mr. CRAMER. 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. CRAMER. Mr. Speaker, just this last Wednesday this House passed a resolution concerning Cuba in which it was stated:

That the United States is determined * * * to work with * * * freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

As long as a year and a half ago many of us, particularly from the State of Florida, requested that the administration, in order to accomplish this objective, even at that time, asked that a free non-Communist government-in-exile be recognized so that this very aspiration of which the House spoke on Wednesday could be accomplished; and it could have been accomplished some time ago.

I proposed such a request to the then Secretary of State and received this very interesting reply from Frederick Dutton, Assistant Secretary, which I think is the best evidence of fuzzy thinking in this area and the refusal of the administration to carry out this obvious step. I quote in part from the letter, dated March 10, 1962, as follows:

The recognition of a Government of Cuba in exile at this time is not in the national interest of the United States because neither the Government of Switzerland nor any other government could then represent U.S. interests before the Castro regime.

At the same time we claimed we had withdrawn recognition.

Quoting further:

Were a government-in-exile formed, and should the United States recognize such a government, the United States would have to look to that government and not the Castro government for the fulfillment of Cuban obligations.

So the result of this fuzzy thinking is that we cannot recognize a free government-in-exile to help win back Cuba for the sole reason that we still have to do business with Castro. Now that makes a lot of sense.

The SPEAKER. The time of the gentleman has expired.

THE FARM BILL

Mr. SPRINGER. 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 Illinois?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I have just returned from a 4-day tour of the agricultural counties in my congressional district. The farmers there are much disturbed with the Kennedy-Freeman-Cochran farm bill which passed the House last week and the Senate on Tuesday of this week. The President signed it yesterday.

More corn is grown in my congressional district than in any other congressional district in the United States. The Kennedy-Freeman-Cochran farm bill was the worst blow to the Midwest corn farmer since World War II.

There are specific reasons why this bill is damaging to all corn farmers, but particularly the Midwest, because we grow the vast bulk of the corn in this country.

First. Under this bill corn price supports in 1964 will be down to 50 percent of parity or 80 cents a bushel.

Second. Government surplus corn can be dumped on the market at 84 cents per bushel.

Third. Second price wheat is created and the support price on that wheat would be 92 cents. This means that 275 million bushels of feed wheat would be thrown into the feed grain market in competition with corn, further depressing the price of corn. Every Midwest farmer knows that cheap feed will result in cheap livestock prices.

Fourth. The complicated two price wheat plan would result in a bread tax of $1.08 a bushel on the U.S. consumers.

Fifth. The bill would allow the Secretary to treat all wheat exports as primary market wheat. This would greatly increase the cost of our wheat export program including giveaways which annually is already costing us well over a billion dollars in taxes.

In my 12 years in the Congress I have tried to keep farm legislation out of politics. As the Members of this House know I have tried to work with anyone on either side of the aisle that I felt could come up with constructive legislation in agriculture. However, in my opinion of this particular piece of legislation I am reinforced by one of the most

knowledgeable persons in the United States. Senator CLINTON P. ANDERSON, of New Mexico, was Secretary of Agriculture in the Truman administration. He has been widely acclaimed by the Democrats as the best Secretary of Agriculture in our history. In debate on the floor of the Senate a few days ago he told the Senate:

This is the worst farm bill I have ever seen.

BURNS CREEK PROJECT

Mr. HARRISON of Wyoming. 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 Wyoming?

There was no objection.

Mr. HARRISON of Wyoming. Mr. Speaker, Wyoming has recoverable coal reserves in excess of 60 billion tons—about 150 times the total tonnage that has been extracted from the mines in our State since admission to the Union 72 years ago. We have the mining companies and the equipment and the manpower to get this coal out of the ground and sell it, but unfortunately demand has been slow for the past decade. Last year's total output amounted to 2,350,000 tons, or about one-third of our production record that came in 1945. Coal and allied industries have for a long time been looking forward to an increase in demand. As in most mining States, the principal hope for more business lies in the electric utility industry, where generating capacity is doubling about every 10 years. The coal miners have a big stake in this market. So do our railroads and all businesses that supply these industries.

A large number of our miners are unemployed, and many of those with jobs do not have steady work. The electric power market offers promise of employment the year around—something that too few mine employees have enjoyed in a long time. If the Congress of the United States has any sensitivity for these American citizens who want nothing more than the opportunity to earn a livelihood for themselves and their families, then unnecessary roadblocks to economic progress will be rejected here and now. Any number of extravagant and nonessential Government-sponsored programs have been proposed in the past 8 months—a period in which the national debt has exceeded the $300 billion level and in which economy should be the persuasive factor where any nondefense measure is involved—but I speak specifically at this time of the proposal to build the hydroelectric generating facilities at Burns Creek. I congratulate the gentleman from Pennsylvania [Mr. SAYLOR] for his forceful review exposing the irrational premises on which this project is based.

In the first place, the Bureau of Reclamation has admitted that this whole preposterous proposition is aimed almost exclusively at the production of electric power. Investor-owned companies are fully capable of providing all the electricity needed in that area for as long as anyone can see into the future. Yet, Congress is asked to subsidize the construction of an enormous dam whose effect would be to innundate employment opportunities in the States of Wyoming and Utah. In effect, Congress is being asked to appropriate tax money to take jobs away from coal miners, railroad workers and employees of multiple other industries and businesses. It is an action which would violate every concept of our fundamental economic standards. It would deprive depressed communities of a chance to regain economic stature. Here is a statement by Mr. William J. O'Connor, a director of the Utah-Wyoming Coal Operators' Association and a director of the National Coal Association:

A good part of the economy of the Utah-Idaho-Wyoming area is based upon the mining and distribution of coal. If there is a need for 90,000 kilowatts of additional electric power in the area of the Burns Creek plant, that power should be developed by the use of coal, and thereby add to the economy of the area. One-half billion kilowatt-hours of electric energy is the equivalent of approximately 20,000 man shifts working in the mines, which would bring to the people of our area engaged in mining more than one-half million dollars annually in wages.

The United Mine Workers of America are equally concerned and as vigorously opposed to the Burns Creek project. So are our other citizens who recognize the potential waste of Federal funds and the detrimental economic implications contained in this proposal.

Mr. Speaker, I appeal to my colleagues to join in refusing to permit proponents of Burns Creek to go ahead with a measure that was proved unsound and procedurally rejected in a standing committee of the House. Burns Creek has no place in the omnibus public works bill. It has no legitimate place in the Federal budget. To approve a project under these circumstances could set a dangerous precedent. To approve a project of this nature under any circumstances would impose upon every taxpaying citizen of our Nation, disrupt the economy of an important region of the West, dissipate job opportunities for deserving citizens.

PERSONAL ANNOUNCEMENT

Mr. PIKE. Mr. Speaker, on rollcall No. 224 on September 18 I am listed as not voting. On that day I was in the city of Syracuse getting ground up by a political machine. Had I been present, I would have voted "yea."

DR. PRESTON BRADLEY

Mr. MASON. 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 Illinois?

There was no objection.

Mr. MASON. Mr. Speaker some 36 years ago I was president of the Illinois Valley Teachers Association and was responsible for the program for the institute, which was held at Princeton, Ill. At that program I was successful in securing Dr. Preston Bradley as one of our principal speakers and I had the pleasure of introducing him to the teachers of that association. Dr. Bradley then—36 years ago—was one of the most able speakers I had ever heard, and he has been growing ever since.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1963

Mr. THOMAS. Mr. Speaker, I call up the joint resolution (H.J. Res. 897) making continuing appropriations for the fiscal year 1963, and for other purposes, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if we could have an explanation as to the reason why we have this fourth—and I emphasize—fourth continuing resolution to provide financing of the Federal Government.

Mr. THOMAS. I will do my best to comply with the request of our distinguished friend and colleague.

There are various appropriation bills such as the District of Columbia bill, State and Justice appropriation bill, foreign aid, and so forth, and, of course, the last supplemental appropriation bill which will be presented to this body one day next week. The point I am about to make is that four of the five bills which are in this status have been passed by the House of Representatives.

Mr. GROSS. And the other body is sitting on them; is that correct?

Mr. THOMAS. Yes, and I do hope, therefore, that there will be no objection to this. We will have to act.

Mr. GROSS. It is my understanding that the State and Justice Departments appropriation bill passed the House of Representatives back in July, about the middle of July.

Mr. THOMAS. That is not far wrong; that is substantially correct.

Mr. GROSS. Is that appropriation bill being held up now, can the gentleman tell me, in order perhaps to provide additional funds for the army of Federal marshals that is being assembled to invade the State of Mississippi? What is the story?

Mr. THOMAS. If I may do a little guessing, I do not think that would be in here. I see my distinguished friend from Ohio [Mr. Bow] as usual, on the floor. He is quite an authority. I think it is just a question of not being able to get around to it.

Mr. GROSS. Just a question of not being able to get around to it in the other body?

Mr. THOMAS. That is it exactly.

Mr. GROSS. So this is one of the reasons why this continuing resolution is made necessary?

Mr. THOMAS. It is the only reason that I know of, I will say to my friend from Iowa.

Mr. GROSS. Does not the gentleman think we ought to adopt a continuing resolution as an appropriation policy?

We might save the taxpayers some money if we made this continuing resolution effective until the end of December and then in January passed another continuing resolution for spending at last year's rate. It might eliminate the annual deficits.

Mr. THOMAS. I doubt if that end could be accomplished.

Mr. GROSS. Each year the appropriation bills get bigger and bigger.

Mr. THOMAS. May I say to my good friend that our colleagues at the other end of the Capitol number only 100 as against our 435 or 437, and they have got to do identically the same amount of work that we do here, have the same hearings, and so forth. It just takes time.

Mr. GROSS. Does the gentleman mind if I ask him a rather personal question? How many years has he been in Congress, in the House of Representatives?

Mr. THOMAS. Twenty-six.

Mr. GROSS. Has the gentleman ever seen a session that has dawdled as much as this one?

Mr. THOMAS. I will say to my friend that in my 26 years I have seen a lot of things. One I can recall during the war——

Mr. GROSS. But we are not at war.

Mr. THOMAS. No, that is right, but I recall during World War II when we were in session year after year.

I think after this session has adjourned it will go down in history as being a fine one.

Mr. GROSS. As one of the biggest spending Congresses we ever had, yes, and with more delegation of power to the Chief Executive, I would add.

Mr. THOMAS. I think that when the work of this Congress is reviewed it will be found to be one of the best in our history. The gentleman from Iowa has worked hard here and when he goes back home his friends will pat him on the back and say this Congress has accomplished much.

Mr. GROSS. The taxpayers will see the debt and deficit increased as a result of the actions of this Congress, and that is a serious thing to them.

Mr. THOMAS. We have had deficits of $8 billion or $9 billion, sure, but we have had larger deficits in previous years.

Mr. GROSS. One final question. I do not want to further presume upon time under a reservation of objection—does the gentleman think we are going to have another one of these continuing resolutions?

Mr. THOMAS. No. My guess is that we are going to get out of here in another 8 or 10 days.

Mr. GROSS. That is the gentleman's guess-estimate.

Mr. THOMAS. We are going to hold up our end at the other side of the Capitol and try to get out of here.

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

There was no objection.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of August 31, 1962 (Public Law 87-625), is hereby amended by striking out "September 30, 1962" and inserting in lieu thereof "October 31, 1962".

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. HOEVEN. 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 Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, I take this time to inquire of the majority leader as to the program for next week.

Mr. ALBERT. Mr. Speaker, first I would like to advise that there will be additions to the program as bills and conference reports are ready for House action. These will be announced as expeditiously as possible and as they are ready for consideration.

Monday is Consent Calendar day, and there are 11 suspensions to be considered, as follows:

House resolution to take H.R. 7927, Postage Revision Act of 1961, adjust rates, from the Speaker's table and send to conference.

S. 2568: Conservation of tropical tuna.

H.R. 5698: Apportionment of temporary summer employees.

H.R. 11587, Vessels, reimbursement of certain construction.

H.R. 8151: Authorize U.S. Coast Guard appropriation.

S. 1184: Vessels, contract requirement.

S. 3389: Promote commerce, trade fairs.

S. 3396: Reserve funds, construction, Merchant Marine Act.

H.R. 12968: Merchant Marine Act, amend section 901(B), eliminate time limitations.

H.R. 11086: Courts, commissioners, addition.

H.R. 13241: Agriculture, to amend section 309 of Food and Agriculture Act of 1962.

Each bill under suspension is allotted 20 minutes to the side. These bills may not necessarily be called in the order listed.

For Tuesday, and the balance of the week the Private Calendar will be called on Tuesday; H.R. 10650, Conference Report, Revenue Act of 1962, and House Joint Resolution 712, Roosevelt Memorial Commission; the third supplemental appropriation bill for 1963 will be considered; S. 1123, Child Labor Provisions, Fair Labor Standards Act.

This, of course, is subject to the usual reservation that any further program may be announced later and that conference reports may be brought up at any time.

Mr. HOEVEN. Will the Consent Calendar be called next week?

Mr. ALBERT. Yes, on Monday.

Mr. HOEVEN. The gentleman has announced that the Private Calendar will be called on Tuesday?

Mr. ALBERT. Yes.

Mr. HOEVEN. The gentleman made reference to an agricultural bill. Will the gentleman from Oklahoma please amplify what bill the gentleman has in mind for consideration on the Suspension Calendar?

Mr. ALBERT. I just received a request to place this bill—or the Speaker did—on the list of suspensions. However, the gentleman from Texas [Mr. POAGE] is here, and I shall yield to him to explain what this bill provides. I can tell the gentleman what the bill is, but since the gentleman from Texas knows what it is, perhaps the gentleman can elaborate upon it.

Mr. POAGE. If the gentleman will yield, I know nothing about procedures. I was caught cold on it, too. But it is the bill, the one that was discussed in the committee this morning. However, I know nothing about the procedures in regard to it.

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

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

Mr. ARENDS. Is this the bill that the chairman of the committee introduced that was up before your committee this morning?

Mr. ALBERT. If the gentleman will yield further, I think the gentleman is correct.

Mr. ARENDS. And was voted out of your committee this morning?

Mr. ALBERT. It is not voted out as yet.

Mr. ARENDS. Is this the bill that corrects the Agricultural Act and was introduced before this present bill was signed, and was introduced to correct it before it was signed by the President the other day?

Mr. POAGE. That is correct.

Mr. ALBERT. If the gentleman from Iowa will yield further, may I make an addition to the program?

I have been requested by the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], to advise that he will call up under unanimous-consent agreement at the earliest opportunity the following bills which have been unanimously reported by the Committee on Ways and Means:

H.R. 12030: Special statistical studies by Internal Revenue Service.

H.R. 12470: Income-tax deduction for child-care expenses in case of woman deserted by husband.

H.R. 3985: Duty treatment of certain bread.

H.R. 9414: Tariff treatment of certain electron microscopes. These bills may not necessarily be called in order listed.

Mr. HOEVEN. In reference to the agricultural bill which the gentleman mentioned, it was referred to in committee this morning as a technical amendment.

I wish to advise the membership of the House that as I understand it, it is a change in the basic law.

May I inquire further of the majority leader when he expects to introduce the sine die adjournment resolution of this Congress?

Mr. ALBERT. We are optimistically looking toward adjournment at the end of next week.

Mr. HOEVEN. Would the gentleman venture a guess as to whether that might be Wednesday, Thursday, Friday, or Saturday of next week? I have received many inquiries with respect thereto.

Mr. ALBERT. I am not able to specify with that much detail the day and time of sine die adjournment.

Mr. HOEVEN. The gentleman does feel that this Congress can adjourn sine die by the end of next week?

Mr. ALBERT. I say we are optimistically looking toward sine die adjournment some time next week.

Mr. HOEVEN. I will say to the gentleman that many of us have been optimistically looking forward to sine die adjournment for a long time.

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

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

Mr. ARENDS. The gentleman from Iowa [Mr. HOEVEN] is the ranking Republican member on the Committee on Agriculture. I would like to know what is being done over there with respect to this bill that is being discussed here and which comes up under suspension on Monday. The gentleman from Texas [Mr. POAGE] said the bill had not been reported. It was indicated that it involved a technical change. Now it is said that it involves a change in the basic law. If this bill was introduced prior to the other bill being signed by the President, I would like to know what goes on here.

Mr. HOEVEN. May I say to the gentleman that I am just as much perplexed as he is by this procedure. The bill in question was introduced on September 26 by the chairman of the House Committee on Agriculture, which was on the day prior to the signing of the omnibus farm bill by the President of the United States.

I first knew of this proposed revision of law this morning when I received a copy of the bill in the mail. I had not been consulted about it, and in view of that fact, at the committee meeting this morning, I made the point of order of no quorum, because we had no information whatsoever about it. The ranking Republican member of the committee had not been consulted about the necessity of making any correction. Following the usual procedure, and believing in following the rules of the Committee on Agriculture and of the House I was compelled to make the point of order against all bills that were pending before the committee this morning.

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

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

Mr. ARENDS. The gentleman has added to my confusion. The gentleman refers to a correction; this is really an amendment to the bill that had been signed. This is an attempt to correct the bill just passed.

Mr. HOEVEN. The gentleman is correct; it is not a correction, it is an amendment, a change in the basic law, a change to the bill that was signed only on yesterday. And I predict there will be many other proposed revisions and amendments proposed in the days that lie ahead.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman.

Mr. JONES of Missouri. Mr. Speaker, does the gentleman want to leave the impression with this House that this is a major change in basic law? Why does he not tell the people that it merely adds the words "or 1963"? It makes a correction in the law, I will admit, but it does what everybody thought was included in that law. I think the gentleman should not leave the impression or try to leave the impression that the Republicans offered any cooperation this morning so far as getting a quorum is concerned. They deliberately—and I use the word "deliberately" advisedly—tried to keep the committee from working, and thereby inflict damage on between 250,000 and 350,000 small wheatgrowers. I think that was done deliberately, because Republican Members were there and the committee was ready to go into session; but they left the room.

Mr. HOEVEN. Mr. Speaker, may I say to the gentleman that he is expressing one man's opinion.

Mr. JONES of Missouri. I am expressing more than one man's opinion.

Mr. HOEVEN. Mr. Speaker, I decline to yield further.

The fact is that this morning there were more Democrats absent than there were Republicans. There were only 11 members present out of a committee membership of 35. It was impossible to transact business. The gentleman from Iowa made the point of order of no quorum, not on account of any particular bill. There were some seven or eight bills on the agenda for committee consideration. I think in the interest of orderly procedure that a quorum should have been present. I take the responsibility for having made the point of order of no quorum. There were more Democrats absent than there were Republicans. I am not responsible for the absence of any Member. I had nothing to do with their absence. Even if those who left the room had remained, there still would not have been a quorum present to transact business.

PENDING BUSINESS IN THE COMMITTEE ON AGRICULTURE

Mr. JONES of Missouri. 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 Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I think we ought to clear this up further. At that meeting this morning there was a rump caucus, I guess you would call it, of the Republican members of the committee, and a number of them deliberately walked out of that meeting.

If any damage is done to these small wheatgrowers—and there are some 300,000 of them in the United States—the blame is going to be placed on the Republican leadership of our committee.

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

Mr. JONES of Missouri. I yield.

Mr. BATTIN. Mr. Speaker, I do not quite understand the gentleman's reasoning at this point. Who controls, who has the controlling membership on this committee the gentleman is talking about?

Mr. JONES of Missouri. We all know that there are people who are absent on Friday. There were enough people to constitute a quorum this morning, who were here, and we could have had them there by 11 o'clock this morning.

Mr. BATTIN. Mr. Speaker, will the gentleman yield further?

Mr. JONES of Missouri. I yield.

Mr. BATTIN. Would it not be the responsibility of those who have control of the committee to see to it that there is a quorum present?

Mr. JONES of Missouri. I think we all recognize that when you want to pull a political move like that, it can be done. There were only two Republicans there at the time we discussed this bill, the others having walked out. The ranking Republican Member is conscious of what this bill does. I am satisfied the bill will be passed because when it is brought up on the floor of this House, there is not a man here who would want to vote against it. No one would want to do damage to 300,000 small wheatgrowers.

I think it is a very important bill. I say it was a typographical, or a clerical error in the consideration of the bill when it did not show the words "or 1963". By adding those words we will have done what everybody thought we were doing when we adopted the conference report.

Mr. Speaker, let us be practical. I think everyone is aware of the situation which exists in this body. I doubt very much if a quorum of this House could be secured if one made a point of order today. We all know that many Members have left for the weekend, but that does not prevent us from proceeding with noncontroversial legislation, such as the resolution which was approved earlier. It has not been unusual for noncontroversial legislation to be reported from many of the committees of this House, when a quorum was not present, and no one has made a point of order.

I think it is apparent that there is an effort being made to make political hay out of the fact that the President on yesterday signed into law the controversial farm bill, when at the time it was known to a few people—and I doubt very seriously if this had been called to the attention of the President—that there was a small clerical error in the bill when it was drawn in conference. May I emphasize that the correction—adding "or 1963"—makes no change in the effect of what both this House and the Senate, and I might add, the conferees, had in mind when the farm bill was approved. On the other hand, unless this correction is made—and I doubt if there is a Member who would oppose making this correction—it could result in the imposition of penalties on many thousand small wheat producers, penalties that no one wants

to impose and which no one had any idea would be imposed.

I do not believe there is any Republican who is opposed to this amendment as such, but I think it is evident that the Republican leadership in the House Committee on Agriculture wanted to use this as the basis for discrediting the entire farm bill. A meeting of the House Committee on Agriculture has been called for Monday morning, at which time I am confident that a quorum will be present, and this small bill will be reported, and that it will be brought to the House under a suspension of the rules, and passed, probably without a rollcall. Frankly, as stated above, I cannot conceive how any person could possibly oppose its adoption.

This is not the first time, and I am confident it will not be the last time that errors have been made in drafting conference reports which will require corrections or amendments when the errors are detected.

The SPEAKER. The time of the gentleman from Missouri [Mr. JONES] has expired.

ADJOURNMENT OVER TO MONDAY, OCTOBER 1

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week may be dispensed with.

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

There was no objection.

SIGNING OF ENROLLED BILLS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

INTERPARLIAMENTARY UNION

Mr. POAGE. 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 Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, I take this time to make an announcement.

On Tuesday next at 10 o'clock in the old Supreme Court chamber there will be a meeting of the Interparliamentary Union, and all Members of the House of Representatives are invited.

We hope that those who criticize these meetings as being secret will actually attend, because all Members are invited. Notice is given here and now that there will be a meeting at 10 o'clock in the old Supreme Court chamber. We hope you will all attend.

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

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

Mr. GROSS. Is this to drum up support for your added appropriation that is coming up in the supplemental appropriation bill?

Mr. POAGE. No, the appropriation has been made but, if the gentleman will attend, he will be advised of the purpose of the meeting. We will be delighted to have the gentleman attend.

Mr. GROSS. I have been there before.

STRIKE AGAINST THE CHICAGO & NORTH WESTERN RAILWAY

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. NELSEN. Mr. Speaker, on August 30, the Order of Railroad Telegraphers called a strike against the Chicago & North Western Railway which is an extremely important transportation artery not only in my Second Congressional District of Minnesota but in an entire nine-State area.

The day before the strike began, I joined with my colleagues Congresswoman CHURCH, Congressman COLLIER, and Congressman HOFFMAN in a telegram addressed to the President. In that telegram we stated as follows:

In public interest urgently request that you exercise authority invested in your high office to prevent paralyzing strike in pending Chicago & North Western Railway dispute. In view of findings and recommendations of your Emergency Commission, and because the threatened paralysis of railroad service would seriously imperil economic welfare, health, and safety of every area dependent upon continued service by the Chicago & North Western railroad, appropriate action to preserve such service is imperative.

The then Acting Secretary of Labor, W. Willard Wirtz, responded to this telegram on September 6 saying:

We are hopeful that a settlement will be reached soon.

I then dispatched a telegram to Mr. Wirtz stating as follows:

Glad to have your letter advising that negotiations in North Western railroad dispute are proceeding quickly with hopes for prompt settlement. Have just spent week in southern Minnesota and am advised that farmers are losing $100,000 a day due to idle soybean processing plant alone; that unemployment is spreading in various industrial plants; that the entire economy served by the North Western is adversely affected. Strongly urge that efforts be pushed by every appropriate means.

Today, September 28, that strike still is completely tying up the operations of the Chicago & North Western Railway and, insofar as I have been able to determine, a possible settlement date is still very indefinite.

In the meantime—while negotiations toward a settlement drag on day after day in the office of the Secretary of Labor—the people in my district as well as in the nine States served by the Chicago & North Western are experiencing untold inconveniences, hardships and economic losses. Crops are now being harvested and the lack of transportation is working a hardship on the agricultural economy of the entire area. Industries including grain elevators which are vital to the economy of the area served by the Chicago & North Western are finding it difficult to continue their operations.

To emphasize the seriousness of this situation, I include certain communications which I have received in the RECORD at this point in my remarks.

NEW ULM, MINN.,
September 7, 1962.

Congressman ANCHER NELSEN,
Washington, D.C.:

Action imperative with railway telegraphers strike seriously affecting industrial firms and creating serious unemployment in our area. Why can't Government prevail upon union to accept Government Factfinding Board recommendations as Chicago & North Western railroad has done.

NEW ULM CHAMBER OF COMMERCE.
JOHN HOLLAND, *President.*

MANKATO, MINN.,
September 7, 1962.

Congressman ANCHER NELSEN,
House Office Building,
Washington, D.C.:

Minnesota farmers are losing over $100,000 every day the Chicago & North Western strike continues due to idle soybean processing capacity in our plant alone. Unused capacity can never be reclaimed. Also soybean harvest will begin this month and lack of Chicago & North Western transportation will serious affect the prices to farmers. Urge governmental intervention.

L. W. ANDREAS.

SOUTHERN MINNESOTA BEET
GROWERS ASSOCIATION,
Hector, Minn., September 10, 1962.

The Honorable JOHN F. KENNEDY,
President, The Capitol,
Washington, D.C.

DEAR PRESIDENT KENNEDY: The west central and southern Minnesota farmers growing sugarbeets, who ship their sugarbeets to Chaska, Minn., are represented by an organization known as the Southern Minnesota Beet Growers Association. A fair estimate of their 1962 production of sugarbeets is 258,000 tons, with an estimated gross market value of $3,096,000.

There is presently no existing way of transporting this crop to Chaska, except by rail-transportation. Chaska is not equipped with any facilities to handle this crop other than by rail transportation. Therefore, if the present rail strike continues, our people will face an economic loss of $3,096,000, which means financial ruination to many beet growers in Minnesota.

We urge you to use whatever authority you have to terminate the strike. If you do not have sufficient authority under the law to prevent the financial ruination of many of our people, then we urge you to immediately ask the Congress for this authority.

This matter is extremely urgent. Beets are a perishable crop and they must be gotten out immediately.

Very truly yours,

BERNARD L. TORBERT,
President.

FIRST STATE BANK OF STEWART,
Stewart, Minn., September 18, 1962.

Hon. ANCHER NELSEN,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE NELSEN: I am writing this letter to you to point out the seriousness of the Chicago & North Western railroad strike. This railroad strike affects other towns in our area, but it especially affects the sugarbeet growers in our community and other sugarbeet growers throughout the State. Our sugarbeet farmers must ship their beets to Chaska, which is approximately 60 miles from Stewart. They ordinarily are shipped by rail through the Chicago, Milwaukee, St. Paul & Pacific railroad, and then transferred to the Chicago & North Western railroad, whose rails go past the American Crystal sugarbeet factory.

The sugarbeet harvest will commence on September 26 in our area, and our farmers will deliver about 60,000 tons of sugarbeets. This will take from 1,000 to 1,500 cars. If this strike isn't settled, our farmers will have to truck the beets to Chaska. The cost of trucking, plus the lack of facilities at Chaska to unload these trucks would be infeasible.

Anything that you can do to help speed up action for a quick settlement will be much appreciated. Thank you.

Very truly yours,

LESTER LIPKE,
President.

THE GUARDIAN LIFE INSURANCE CO. OF AMERICA,
Hutchinson, Minn., September 18, 1962.

Hon. ANCHER NELSEN,
Member of Congress,
New House Building,
Washington, D.C.

DEAR ANCHER: The writer has just returned from spending the last few days in the country, calling on farmers west and southwest of Hutchinson and around Stewart, and this railroad strike seems to be getting quite serious among the farmers.

They are about to harvest their sugarbeets, and no way of getting them to Chaska. One farmer stated to me that if the strike did not get settled in time he would lose at least $5,000 on his crop by trucking it.

It would be a great thing for you and the farmers, if settlement of the strike could be cleaned up in the next few days.

Sincerely,

HANS M. PETERSON.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. RHODES of Pennsylvania.

Mr. FEIGHAN.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. POWELL.

Mr. HECHLER.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2683. An act for the relief of Laszlo Janos Buchwald; to the Committee on the Judiciary.

S. 3453. An act for the relief of Dr. Felix Nabor Sabates; to the Committee on the Judiciary.

S. 3600. An act for the relief of Chao Hua-Hsin; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker.

H.R. 12529. An act to provide for the free entry of one nuclear magnetic resonance spectrometer and one mass spectrometer for the use of the University of Illinois.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, October 1, 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:

2588. A letter from the Secretary of the Army, transmitting the semiannual report of the Department of the Army contracts for military construction awarded without formal advertisement for the period January 1 through June 30, 1962, pursuant to Public Law 87-554; to the Committee on Armed Services.

2589. A letter from the Secretary of State, transmitting a report relating in detail and summarizing the changes in the international embargo list resulting from the 1962 Paris Coordinating Committee (COCOM) annual review, which will take effect October 1, 1962, pursuant to the Mutual Defense Assistance Control (Battle) Act of 1951; to the Committee on Foreign Affairs.

2590. A letter from the Comptroller General of the United States, transmitting a report and recommendation to the Congress concerning the claim of Ronnie E. Hunter against the United States, pursuant to the act of April 10, 1928 (ch. 334, 45 Stat. 413, 31 U.S.C. 236); to the Committee on the Judiciary.

2591. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers Department of the Army, dated August 22, 1962, submitting a report, together with accompanying papers and illustrations, on an interim hurricane survey of Baltimore metropolitan area, Maryland, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 589); to the Committee on Public Works and ordered to be printed with illustrations.

2592. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 8, 1962, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study of Hills Beach, Biddeford, Maine, authorized by the River and Harbor Act, approved July 3, 1930, as amended and supplemented (H. Doc. No. 590); to the Committee on Public Works and ordered to be printed with four illustrations.

2593. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 18, 1962, submitting a report, together with accompanying papers and illustrations, on a review of the reports on the San Gabriel River watershed, Brazos River, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 20, 1955 (H. Doc. No. 591); to the Committee on Public Works and ordered to be printed with four illustrations.

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. CELLER: Committee on the Judiciary. Senate Joint Resolution 211. Joint resolution providing for the establishment of an annual National School Lunch Week; without amendment (Rept. No. 2496). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Tennessee:

H.R. 13273. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. HALEY:

H.R. 13274. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income; to the Committee on Ways and Means.

By Mr. STRATTON:

H.R. 13275. A bill to authorize the donation by the Commodity Credit Corporation of surplus feeds to State agencies to provide feed for livestock in areas determined to be emergency areas, and for other purposes; to the Committee on Agriculture.

By Mr. WIDNALL:

H.R. 13276. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a credit against the income tax for charitable contributions to educational institutions, and to allow an individual taxpayer a deduction for certain educational expenses paid by him; to the Committee on Ways and Means.

H.R. 13277. A bill to extend for 2 additional years the temporary provisions of Public Laws 815 and 874, 81st Congress, to eliminate certain limitations on the applicability of such acts, and for other purposes; to the Committee on Education and Labor.

By Mr. CANNON:

H.J. Res. 897. Joint resolution making continuing appropriations for the fiscal year 1963, and for other purposes; to the Committee on Appropriations.

By Mr. HOLLAND:

H.J. Res. 898. Joint resolution to provide for three civilian Commissioners for the District of Columbia; to the Committee on the District of Columbia.

By Mr. RYAN of New York:

H. Con. Res. 577. Concurrent resolution for a study of the procedures of Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

Mr. FOGARTY:

H.R. 13278. A bill for the relief of Hugh G. Lafave; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 13279. A bill for the relief of Stella Braha Levy; to the Committee on the Judiciary.

SENATE

FRIDAY, SEPTEMBER 28, 1962

The Senate met at 9 o'clock a.m., and was called to order by the Vice President.

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

O God, whose mercies are new every morning, we seek the confidence of Thy guiding hand as this day we commit to Thee our wills and our work.

Grant that those who here have been called to high places in the life of the state, in this hour when such vast issues are at stake, conscious of the great tradition in which they stand, may rise to greatness of vision and soul as the anxious eyes of all the world are upon this Chamber.

In the questions which press, deliver us from all malice and contempt for the convictions of others, lest we sour our own souls.

Open our ears, we beseech Thee, to hear the call of far horizons and the stirring trumpets of challenge sounding the advance to a new era for mankind, as our America in a darkened world lifts aloft the flaming light of freedom. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 27, 1962, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

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

The VICE PRESIDENT. Morning business is in order.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I yield myself one-half a minute, and move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. BUTLER, from the Committee on Finance:

John Neil McCardell, of Maryland, to be collector of customs for customs collection district No. 13, with headquarters at Baltimore, Md.; and

Edward F. O'Malley, of Maryland, to be comptroller of customs, with headquarters at Baltimore, Md.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

FEDERAL COMMUNICATIONS COMMISSION

The Chief Clerk read the nomination of E. William Henry, of Tennessee, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1962.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the U.S. Air Force.

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

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

AIR FORCE NOMINATIONS ON THE SECRETARY'S DESK

The Chief Clerk proceeded to read sundry nominations in the Air Force which had been placed on the Secretary's desk.

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

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

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

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

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

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

VOLUNTARY PENSION PLANS BY SELF-EMPLOYED INDIVIDUALS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10) to encourage the establishment of voluntary pension plans by self-employed individuals, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the report. Under the unanimous-consent agreement, the time is under control until 11 a.m., at which time the Senate is to vote on the question of agreeing to the report.

Mr. MANSFIELD. Mr. President, I turn over the time at my disposal to the Senator from Tennessee [Mr. GORE].

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following communications, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1963, FOR DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (S. Doc. No. 149)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1963, in the amount of $5,357,000, for the Department of Health, Education, and Welfare (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PROPOSED AMENDMENT TO THE BUDGET, 1963, FOR DEPARTMENT OF THE INTERIOR (S. Doc. No. 147)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1963, in the amount of $5 million, for the Department of the Interior (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PROPOSED AMENDMENT TO THE BUDGET, 1963, FOR SMALL BUSINESS ADMINISTRATION (S. Doc. No. 150)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1963, in the amount of $5 million for the Small Business Administration (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PROPOSED AMENDMENT TO THE BUDGET, 1963, FOR DEPARTMENT OF COMMERCE (S. Doc. No. 148)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1963, for the Department of Commerce, construction of a surveying ship (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H.R. 13175. An act making appropriations for foreign aid and related agencies for the fiscal year ending June 30, 1963, and for other purposes (Rept. No. 2177).

By Mr. ELLENDER, from the Committee on Appropriations, with amendments:

H.R. 12900. An act making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions for the fiscal year ending June 30, 1963, and for other purposes (Rept. No. 2178).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

H.R. 9747. An act to amend section 514(1) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (Rept. No. 2182).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with amendments:

H.R. 6190. An act to amend title 38 of the United States Code to provide for the repair or replacement for veterans of certain prosthetic or other appliances damaged or destroyed as a result of certain accidents (Rept. No. 2181); and

H.R. 9737. An act to amend section 641 of title 38, United States Code, to provide that deductions shall not be made from Federal payments to a State home because of amounts collected from the estates of deceased veterans and used for recreational or other purposes not required by State laws (Rept. No. 2180).

By Mr. MORSE, from the Committee on Labor and Public Welfare, without amendment:

S. 3326. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education (Rept. No. 2190).

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

S. 3041. A bill to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris (Rept. No. 2183);

H.R. 10613. An act to eliminate the requirements for certain detailed estimates in the annual budgets (Rept. No. 2184);

H.R. 10652. An act to amend the Administrative Expenses Act of 1946 to provide a more reasonable allowance for transportation of house trailers or mobile dwellings by certain governmental officers and employees upon their transfer from one official station to another (Rept. No. 2185);

H.R. 11378. An act to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus personal property to schools for the mentally retarded, schools for the physically handicapped, radio and television stations licensed by the Federal Communications Commission as educational radio or educational television stations, and public libraries (Rept. No. 2186); and

H.R. 11594. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments (Rept. No. 2187).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, with amendments:

S. 1696. A bill to authorize the Secretary of the Interior to conduct a survey of federally owned lands for the purpose of locating strategic minerals (Rept. No. 2188).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 2838. A bill to modify the project for protection against tidal waves and excessive high tides at Hilo Harbor, Hawaii (Rept. No. 2189).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women (Rept. No. 2192).

AMENDMENT OF NATIONAL DEFENSE EDUCATION ACT OF 1958—REPORT OF A COMMITTEE (S. REPT. NO. 2179)

Mr. MORSE, from the Committee on Labor and Public Welfare, reported an original bill (S. 3760) to amend the National Defense Education Act of 1958 to raise the limit on Federal payments into student loan funds, to broaden the types of equipment which may be acquired with Federal grants and loans under title III thereon, and for other purposes, and submitted a report thereof, which report was ordered to be printed, and the bill was read twice by its title, and placed on the calendar.

INTEREST RATES ON FOREIGN OFFICIAL TIME DEPOSITS—REPORT OF A COMMITTEE—MINORITY AND SUPPLEMENTAL VIEWS (S. REPT. NO. 2191)

Mr. HUMPHREY. Mr. President, on behalf of the chairman of the Committee on Banking and Currency, the Senator from Virginia [Mr. ROBERTSON], I report favorably, without amendment, the bill (H.R. 12080) to permit domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the minority views of the Senator from Wisconsin [Mr. PROXMIRE], and the supplemental views of the Senator from Illinois [Mr. DOUGLAS].

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Minnesota.

AMENDMENT OF HOME OWNERS' LOAN ACT OF 1933 AND FEDERAL HOME LOAN BANK ACT—REPORT OF A COMMITTEE—ADDITIONAL, SUPPLEMENTAL, OR MINORITY VIEWS (S. REPT. NO. 2193)

Mr. SPARKMAN. Mr. President, from the Committee on Banking and Currency, I report favorably, without amendment, the bill (H.R. 13044) to amend the Home Owners' Loan Act of 1933 and the Federal Home Loan Bank Act, which had been recommitted to the committee, and I submit a report thereon. I ask that the report be held open until midnight tonight for the filing of any additional, supplemental, or minority views, should be there be any.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the request of the Senator from Alabama is agreed to.

AUTHORIZATION TO PRINT AS A SENATE DOCUMENT A STUDY ENTITLED "UNITED STATES PRIVATE FOREIGN AID PROGRAMS"—REPORT OF A COMMITTEE (S. REPT. NO. 2176)

Mr. MANSFIELD. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, the resolution (S. Res. 407) authorizing the printing as a Senate document of a study entitled "United States Private Foreign Aid Programs," and I submit a report thereon.

Mr. President, this resolution has met with the unanimous approval of the Committee on Rules and Administration, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution, as follows:

Resolved, That there be printed as a Senate document a study entitled "United States Private Foreign Aid Programs"; and that one hundred and three thousand additional copies be printed for the use of the Senate.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1963—REPORT OF A COMMITTEE

Mr. HAYDEN. Mr. President, from the Committee on Appropriations, I report favorably House Joint Resolution 897, making continuing appropriations for the fiscal year 1963, and for other purposes.

This joint resolution amends the joint resolution of August 31, 1962—Public Law 87-625—by striking out "September 30, 1962" and inserting in lieu thereof "October 31, 1962".

The joint resolution thus makes provision for continuing in operation those functions of the Government for which annual appropriation bills will not have been signed into law prior to October 1 and is the customary type of resolution making interim provision for the necessary services of Government.

Mr. President, I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

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

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE:

S. 3760. A bill to amend the National Defense Education Act of 1958 to raise the limit on Federal payments into student loan funds, to broaden the types of equipment which may be acquired with Federal grants and loans under title III thereof, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. MORSE, which appears under the heading "Reports of Committees.")

By Mr. BUTLER:

S. 3761. A bill for the relief of Mr. Dena Jovanovic; to the Committee on the Judiciary.

By Mr. KEATING:

S. 3762. A bill for the relief of Carmelo Schillaci; to the Committee on the Judiciary.

RESOLUTIONS

AMENDMENT OF RULE VIII TO ADD A PROVISION RELATIVE TO GERMANENESS OF DEBATE

Mr. PASTORE submitted a resolution (S. Res. 409) to amend rule VIII to add a provision relative to germaneness of debate; which was referred to

the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. PASTORE, which appears under a separate heading.)

AUTHORIZATION FOR PRINTING AS A SENATE DOCUMENT A REVISED EDITION OF SENATE DOCUMENT NO. 74, 82D CONGRESS, ENTITLED "EQUAL RIGHTS AMENDMENT"

Mr. McGEE submitted the following resolution (S. Res. 410); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed as a Senate document a revised edition of Senate Document 74, Eighty-second Congress, entitled "Equal Rights Amendment—Questions and Answers on the Equal Rights Amendment," prepared by the National Woman's Party; and that five thousand additional copies of such document be printed for the use of the Committee on the Judiciary.

TO AMEND THE STANDING RULES OF THE SENATE RELATIVE TO GERMANENESS OF DEBATE

Mr. PASTORE. Mr. President, I submit, for appropriate referral, a resolution which reads as follows:

Resolved, That rule VIII of the Standing Rules of the Senate be amended by adding at the end thereof the following paragraph:

"At the conclusion of the morning hour or after the unfinished business or pending business has been laid before the Senate, and until after the duration of 4 hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate, motions (but not including amendments offered to the bill or resolution under consideration when reasonably related thereto) and appeals shall be germane."

The obvious and only purpose of the resolution is to amend our procedure so as to adopt a modified rule of germaneness. That rule of germaneness would prevail each day for 4 hours after the termination of the morning hour or after the pending business had been laid before the Senate, unless otherwise determined by the Senate. During this 4-hour period, Senators would be required to confine their remarks to the subject at hand. At other times, they would be free to discuss any and all topics.

In my judgment, Mr. President, the difficulties and pressures under which we have operated during this session clearly demonstrate the need for procedural reform to enhance the efficiency and dignity of the legislative process. We expect other segments of the Government to modernize their efforts and concentrate their energies to meet the challenge and complexity of the problems in today's world. The Senate has a corresponding duty.

Important though it is to preserve flexibility and freedom of debate in the U.S. Senate, I believe it is equally important to place moderate controls on irrelevant discussion, in order to expedite the Nation's legislative business and insure orderly procedure. Toward these objectives, and in the spirit of reasonable compromise between a rigid rule of absolute pertinency and unrestrained expression, I have drafted my resolution. I believe its adoption would mark a step forward in the prestige and progress of the Senate.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). If the Senator from Rhode Island will permit the temporary occupant of the chair to make a comment in his capacity as a Senator from Montana, I think the resolution is an excellent one. It would put into operation what might be called another Morse formula; and by means of this formula, after 4 or 5 hours of procedure during which the business then pending would be attended to, speeches on other subjects could be made.

Mr. PASTORE. Yes; during the period of 4 or 5 hours, the proceedings would have to be confined to the business at hand; but thereafter speeches on general topics could be made.

The PRESIDING OFFICER. Would the resolution properly be called the Pastore formula?

Mr. PASTORE. Yes; it might be called the Pastore formula.

Mr. KEATING. Mr. President, I commend the Senator from Rhode Island for offering this proposal. This idea has been given much thought by many persons who are interested in reform of Senate rules.

I caution my friend—who was the Governor of his great State at the time when I was serving in the other body—that there are ways to get around a rule of germaneness. If a Senator is speaking on a bill relating to the District of Columbia, and if that bill is the pending business, a Senator who wishes to speak about civil rights, foreign aid, or some other subject can say, "Of course, this measure is very important," and then can proceed to make a speech on another subject.

But I do think, at the very least, it would be helpful in focusing attention on the necessity of keeping to the business at hand as much as possible. I violate the present rule——

Mr. PASTORE. There is no present rule.

Mr. KEATING. I violate the spirit of the Senator's resolution very frequently, as does nearly every other Member of the Senate. If they want to get up on some subject, they get up and ask for recognition.

Mr. PASTORE. I have no complaint. Every Senator has a perfect right to speak on any subject he wishes to, under existing rules.

On the question that it sometimes would be difficult to establish germaneness, let me say that no rule is any stronger than the conscience of man, and I say, "Let your conscience be your guide"; but if a rule was imposed that would require a Senator to stick to the issue at hand, and a Senator wanted to select a subterfuge to get around it, I say, let him stand up before his fellows and do it.

Mr. KEATING. I commend the Senator from Rhode Island. This is a step in the right direction. I hope next year we will come to grips with our archaic rules and do something about them. I very strongly support the proposal that has been made to set up a committee to deal with this subject more fully than we are able to do on the floor. Certainly, the resolution should be considered.

Mr. PASTORE. I realize there are many modifications that should be considered, but this is one step forward. At this juncture, I certainly do not feel that the resolution will be adopted at this session of Congress, but I hope, under the leadership of the majority leader [Mr. MANSFIELD], who is the present occupant of the chair, he will marshal his forces and get us out of here by Wednesday of next week.

In that short period of time I do not suppose the resolution could be acted on, but if it is not acted on in this session of Congress, I expect to submit it at the next session of the Congress.

I thank the Chair and the Senators for their indulgence.

The PRESIDING OFFICER. The Chair merely wishes to say that the Senator is an optimist if he expects us to be out of here by Wednesday of next week.

The resolution will be received and appropriately referred.

The resolution (S. Res. 409) was referred to the Committee on Rules and Administration.

PRINTING OF REVIEW OF REPORT ON WHITE CLAY CREEK, ATCHISON, KANS. (S. DOC. NO. 151)

Mr. HUMPHREY. Mr. President, on behalf of the Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated September 17, 1962, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on the White Clay Creek, Atchison, Kans., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted August 4, 1958. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

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

THE SITUATION IN MISSISSIPPI

Mr. JAVITS. Mr. President, in connection with the continuing crisis between the United States and the State of Mississippi, there is one factor which I believe should be mentioned and documented on the floor of the Senate—one which thus far has not received the attention it deserves. It is the relationship between the State of Mississippi and the United States in economic terms. I serve on the Committee on Labor and Public Welfare and on other Senate committees; and almost invariably when we go over the list of grants-in-aid in various fields—whether in the field of various types of education or in the field of welfare—we find that the amounts which go from the Federal Government to the State of Mississippi generally greatly exceed the amounts which are paid in taxes from that State, as compared with the situation in regard to other States. In this connection, I ask unanimous con-

sent to have printed at this point in the RECORD, as part of my remarks, a complete table on the subject.

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

Federal grants to State and local governments compared to tax revenues collected by Federal Government (amount paid to Federal Government for every dollar received)

State	Fiscal year—		
	1959	1960	1961
Alabama	$0.40	$0.57	$0.51
Alaska	.22	.16	.17
Arizona	.59	.72	.68
Arkansas	.28	.54	.46
California	1.08	1.34	1.17
Colorado	.58	.74	.75
Connecticut	2.03	1.83	1.51
Delaware	3.42	2.01	2.01
Florida	1.04	1.04	1.05
Georgia	.44	.67	.64
Hawaii	.74	.90	.69
Idaho	.48	.57	.59
Illinois	1.60	1.18	1.21
Indiana	1.62	1.34	1.24
Iowa	.84	.80	.96
Kansas	.83	.81	.85
Kentucky	.54	.58	.61
Louisiana	.32	.45	.47
Maine	.74	.75	.80
Maryland	1.49	1.53	1.33
Massachusetts	1.20	1.16	1.24
Michigan	1.40	1.36	1.25
Minnesota	.90	.92	.86
Mississippi	.25	.48	.41
Missouri	.69	.81	.85
Montana	.66	.54	.52
Nebraska	.91	.98	.75
Nevada	.76	.85	.71
New Hampshire	1.19	.73	.77
New Jersey	2.49	2.14	2.07
New Mexico	.39	.60	.51
New York	1.78	1.40	1.63
North Carolina	.59	.80	.87
North Dakota	.53	.39	.45
Ohio	1.71	1.24	1.27
Oklahoma	.32	.57	.49
Oregon	.88	.81	.92
Pennsylvania	1.39	1.41	1.42
Rhode Island	1.01	.99	.97
South Carolina	.49	.60	.68
South Dakota	.43	.48	.42
Tennessee	.50	.67	.60
Texas	.78	.87	.98
Utah	.60	.56	.62
Vermont	.71	.51	.48
Virginia	1.02	1.05	1.00
Washington	.78	.97	.97
West Virginia	.56	.53	.56
Wisconsin	1.37	1.19	1.34
Wyoming	.67	.44	.47
District of Columbia	.55	.62	.60

Source: Tax Foundation, Inc., New York, N.Y.

Mr. JAVITS. In short, Mr. President, if my memory serves me correctly, the State of Mississippi is probably at the top of the list of States which receive from the Federal Government much more in revenue and in help than they pay in taxes.

I come from a State which pays approximately 19.3 percent of the Federal taxes, and our State receives approximately 6.8 percent of the amount the Federal Government pays to the States in connection with various matching programs, programs of State aid, and so forth. Yet it is said that we in the State of New York are interfering in an improper way with what is occurring in Mississippi.

It seems to me that before Mississippi secedes from the Union—which is the implication from what Governor Barnett is trying to interpose in connection with the activities defying the Federal courts of the United States—Mississippi had better study the economics of the situation. And those who say we should not interfere with Mississippi had better consult the tax returns and see what the Federal Government is paying into the State of Mississippi.

No American begrudges such aid for a moment; we are delighted that it happens. Mississippi is a great and noble State, and is an indispensable part of the Union. We want her to retain that status. That is the entire purpose of this effort. No one places blame on the State of Mississippi. I believe no one doubts the sincerity of the misguided persons who are leading the State of Mississippi in this situation.

Nevertheless, Mr. President, one's duty is clear: The laws of the United States must be enforced everywhere; and anyone who brings about a situation of violence or mischief has only himself to blame, because there is clearly an urgent necessity to enforce the laws of the United States.

Mr. President, I thank the Senator from Florida for yielding this time to me.

THE WILL TO WIN

Mrs. SMITH of Maine. Mr. President, one of the great daily newspapers of Maine, the Lewiston Daily Sun, in its September 25, 1962, issue with a lead editorial, commented on my Senate speech of September 21, 1962. I am very proud of such approbation because of the truly deep respect held for this publication in Maine and elsewhere.

I ask unanimous consent that it be placed in the body of the RECORD.

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

THE WILL TO WIN

Once again, Senator MARGARET CHASE SMITH has put into words the feelings of not only the people of Maine, but Americans everywhere.

In a critical analysis on the floor of the Senate, Mrs. Smith emphasized the need for the United States to have a will to win in the cold war. The United States, she declared, must conduct its foreign affairs from the standpoint that it can and will win, if forced into a nuclear war.

Maine's senior Senator struck out at defeatism and the feeling that in nuclear war there could be no winner. She earnestly stated her conviction that the United States can win, but to do so it must remain strong. It cannot surrender piecemeal until it no longer has the capacity to strike back.

In speaking out against halfway measures and policies of fear and hesitation, Senator SMITH was expressing the feeling of many Americans. Her evaluation that the position of the United States in the world has deteriorated sharply during the past year confirms the fears of critics of the administration and its policy of waiting to react to each new Russian move.

We agree with Senator SMITH that the United States must have the will to win, and demonstrate it by meeting the Communist challenge wherever it exists. We agree that we must be less concerned with offending the Reds, and more with maintaining, as she said, "a realistic overall military advantage reposing in a capability to win our objectives to any level of conflict from the lowest to the highest."

Senator SMITH did not plead for truculence or belligerency on our part. But, she did urge the need for realism in facing up to the fact of Communist expansionism and countering it step by step.

A strong America, confident of its ability to strike back, if attacked, and win, is the surest guarantee of peace.

A SILVER ANNIVERSARY FOR DR. WINFRED OVERHOLSER

Mr. BARTLETT. Mr. President, coworkers, and friends of Dr. Winfred Overholser, Superintendent of St. Elizabeths Hospital, are paying him richly deserved tributes as they honor him on his silver anniversary of Government service.

Alaskans have particular reason for joining in congratulations and extending thanks to Dr. Overholser. Last September 9 saw the dedication in Anchorage, Alaska, of the Alaska Psychiatric Institute which represented the culmination of a long, hard struggle Alaskans had to bring up-to-date procedures to our mentally ill. Until the passage of the Alaska Mental Health Act in 1956 the Federal Government had responsibility for the care of Alaska's mentally ill with no power resting with the territorial legislature to change what were termed barbaric procedures in our day and age. The first field study of mental health problems in Alaska was made by the American Medical Association in 1948. In the following year Dr. Overholser headed a committee which spent 3 weeks in Alaska holding hearings. The information developed from those hearings formed the basis of the long legislative history which resulted in the Alaska Mental Health Act. In a very real sense Dr. Overholser can be called one of the fathers of that act as he gave invaluable support, assistance, and inspiration to all of us who fought the successful fight to bring modern procedures to the care of Alaska's mentally ill.

In September 1937, when Dr. Overholser came to St. Elizabeths, the hospital was a Bureau in the Department of the Interior. Dr. William Alanson White had died, leaving vacant the post of Superintendent and the honorable Harold Ickes, Secretary of the Interior at that time, was anxious to make a nonpolitical appointment to this post. Prominent members of the American Psychiatric Association were asked to form a committee to select a candidate; and from the list presented to him Mr. Ickes selected Winfred Overholser to be Dr. White's successor, and sent the recommendation to President Franklin Roosevelt who placed the appointment under civil service by Executive order.

The Department of Health, Education, and Welfare honored Dr. Overholser in 1954 with its Distinguished Service Award because they felt he had placed St. Elizabeths "on the world's highest echelon of mental hospital institutions," and also because he had earned for himself a national and international reputation as a foremost psychiatrist and hospital administrator. They had taken into account, too, his tireless teaching that the psychotic patient is a sick human being, that mental illness is not a shame but is an illness, and that psychiatry is a vital service to humanity.

Today, according to the National Association for Mental Health, there are

more people in mental hospitals than in all other hospitals combined.

This statement emphasizes the great need for increased national and individual effort to advance the learning of psychiatric diagnosis and treatment. Recently, newly developed medication has caused great strides to be made in the rehabilitation of the mentally ill; even so, psychiatry remains one of the most complex and baffling specialties of the entire medical profession.

To present more fully Dr. Overholser's distinguished contribution to this profession, a brief glance at his past and present achievements is indicated.

Dr. Overholser came to Saint Elizabeths Hospital with a background of wide experience. Born in Worcester, Mass., April 21, 1892, he attended the public schools at Wellesley and entered Harvard in 1909, graduating cum laude in economics with the class of 1912. The following autumn he entered the Boston University School of Medicine and received the degree of M.B. in 1915, and M.D. in 1916. When he graduated he was asked to remain 1 year as resident at the Evans Memorial Hospital. Compared with previous periods, great advances were being made in psychiatry at that time. Active treatment of neurosyphilis was just beginning in Massachusetts. The diagnosis and treatment of psychotic disorders were being developed under the stimulus of men such as E. E. Southard.

After a year's residency at Evans Memorial Hospital, Dr. Overholser joined the staff of the Westboro State Hospital where the war interrupted his first year in clinical psychiatry. In February 1918, he entered the Army of the United States and was commissioned a first lieutenant. After further training in a military program at the Neurological Institute in New York City, he was sent overseas with an evacuation hospital established at Vaubecourt, France, and was later transferred to Base Hospital No. 117 at Prez sous La Fauche, the main center for the treatment of psychoneurotic soldiers. The work there was stimulating. Dr. Frederick W. Parsons was commanding, his assistant was Dr. Douglas A. Thom, and in that vicinity were Dr. Harry Solomon, Dr. Thomas Salmon, Dr. Donald MacPherson and others who often visited base No. 117.

Dr. Overholser returned to the United States after the armistice, and was assigned to an Army general hospital in East Norfolk, Mass.—now the Pondville State Hospital—where psychotic veterans were being treated.

Just before leaving the Army, on June 4, 1919, he and Dorothy Stebbins of Worcester, Mass., were married; and upon his discharge, went to Westboro, where Dr. Overholser resumed his staff position at the Westboro State Hospital. After a year there, he transferred to the Gardner State Colony as assistant superintendent; and in 1921, moved to Medfield State Hospital where he assisted Dr. E. H. Cohoon, one of the most able administrators then in the State. While in Medfield he was commander of the local American Legion Post. Dr. Overholser's outstandingly successful work in the improvement of State hospitals in Massachusetts resulted in his appointment as assistant to the commissioner of mental diseases. Many innovations were being brought into the State service at that time. Dr. L. Vernon Briggs was putting a great deal of emphasis on the importance of mental illness in relation to crime, and had secured the passage of the famous "Briggs law." Dr. Overholser was appointed director of the division for the examination of prisoners, and it was then that he began his career as a writer in the field of forensic psychiatry. In 1930, he was appointed assistant commissioner of mental diseases in Massachusetts; and in 1934, Gov. Joseph B. Ely appointed him commissioner.

Dr. Overholser proved to have all the qualities Secretary Ickes had looked for in a superintendent for the oldest and largest Federal mental hospital in the Nation; a psychiatrist of note, a capable hospital administrator, a humanitarian, and a man who could completely disassociate himself from politics and devote all his time and energies to the hospital's mission.

As a keen admirer and supporter of the civil service merit system, Dr. Overholser was glad to be placed under the control of the Civil Service Commission.

St. Elizabeths, under Dr. Overholser's leadership, is now acknowledged to be one of the best mental health treatment centers in the world. Under his guidance, the hospital pioneered in the use of numerous therapeutic agents and techniques—in the use of psychodrama, psychoanalysis, group therapy, and now new tranquilizing drugs. The hospital developed into a highly accomplished training center. Training is received by residents and interns in psychiatry, internal medicine, surgery, dentistry, and psychology. There is training for nurses, social workers, and occupational therapists. Theological students and ministers receive their clinical pastoral training here. Research has expanded to include psychiatry, clinical pathology, and geriatric medicine. Most important, there is a gratifying increase in the patient discharge rate.

The high repute of the hospital, and still higher esteem held by the medical profession for its Superintendent, have brought visitors to the hospital from all over the world. Each year brings an influx of doctors, hospital administrators, and students of the medical sciences to observe St. Elizabeths "in operation" and to take back home with them some new approach, innovation or technique. Last year, 37 countries were represented.

As an internationally recognized authority in the field of psychiatry, Dr. Overholser's advice is sought by Federal agencies and State governments, by public and private organizations, and by foreign countries and institutions.

He served as chairman of the U.S. delegation to the International Congress on Mental Health, London; and as vice president, First International Congress of Psychiatry, Paris. He was named honorary member, Academia Real de Medicina, Barcelona, Spain; honorary member, Sociedad de Psiquiatría Medicin Legal, Lima, Peru; and honorary professor, University of Chile. He was decorated by the French Government as Chevalier of the Legion of Honor and by the Government of Ecuador with the order Al Mérito.

Shortly after his appointment as Superintendent, a report he had written as a member of the Federal Board of Hospitalization came to the attention of the President, and this circumstance led to the introduction of psychiatry into the Armed Forces induction process. He served as a member of the psychiatric advisory committee of selective service throughout the war and was awarded the Selective Service Medal. During the war period he provided hospitalization at St. Elizabeths for 5,000 naval officers and enlisted men; and about 125 naval medical officers and 100 nurses were given instruction in psychiatry, and approximately 800 hospital corpsmen received their training at the hospital. For this service, the Surgeon General of the Navy awarded a Certificate of Achievement to St. Elizabeths; and the Secretaries of War and Navy awarded a Certificate of Appreciation to Dr. Overholser. Also during World War II a very large number of Red Cross workers were trained at St. Elizabeths in recreation activities and as social workers for oversea duty.

With the development of the good neighbor program, Dr. Overholser organized training courses for physicians from South and Central America. Although modern psychiatry was presented to them in an abbreviated form, its effectiveness was indicated by the wide reception and expressions of gratification which he received from Government officials of countries participating.

As part of World Health Organization work, St. Elizabeths gave training in mental health to physicians sent to this country by the Haitian Government. For this assistance the Haitian Government named Dr. Overholser as Officer, Haitian order "Honneur et Mérite."

Other extracurricular assignments were his appointment as a member of the Federal Board of Hospitalization; chairman, Committee on Neuropsychiatry of the National Research Council; and member of the Advisory Committee to the Neuropsychiatric Section of the Veterans' Administration.

Continuing the national agenda, there is included: chairman, National Association for Mental Health Committee on Research in Schizophrenia; member, Advisory Committee on Criminal Law of the American Law Institute for the Formulation of a Model Penal Code; chief consultant, Mental Hospital Service, American Psychiatric Association; chairman, Committee on Certification of Mental Hospital Administrators, American Psychiatric Association; National Board of Medical Examiners; and, chairman, National Medical Advisory Board, American Legion. In 1951, he was awarded the Gold Key of American Congress of Physical Medicine for work in occupational therapy and rehabilitation, and, in 1954, he was given the Distinguished Service Award by the Department of Health, Education, and Welfare; and in 1960, received the President's award for Distinguished Civilian Service.

He has been given three honorary degrees—the degree of doctor of science by Boston University in 1955; honorary doctorate in humane letters from St. Bonaventure University in 1955; and, in 1960, received the honorary degree of doctor of laws from George Washington University.

In medical circles, Dr. Overholser served as president of the American Psychiatric Association, the Massachusetts Psychiatric Society, the New England Society of Psychiatry, the Pan American Medical Society of Washington, and the Academy of Medicine of Washington.

In Washington community life, he was one of the organizers, and first chairman, of the Health Section of United Community Services; he served on the Board of the Washington Institute for Mental Hygiene, and was its president for many years. He is a member of the Unitarian Church, and a former moderator of the American Unitarian Association. He is also a member of the Cosmos Club, of the Literary Society of Washington, D.C., and of the honorary societies of Sigma Xi and Alpha Omega Alpha.

Always a prolific writer, Dr. Overholser has had about 300 articles published in legal and medical journals related to general and forensic psychiatry, criminology, and mental hospital administration. He is the author of "Psychiatry and the Law" (1953), and coauthor with W. V. Richmond of "Handbook of Psychiatry" (1947). Currently, he is on the editorial board of Medical Annals of the District of Columbia and is the editor-in-chief of the Quarterly Review of Psychiatry and Neurology. He was professor of psychiatry at the George Washington University School of Medicine for 21 years, and is now professor emeritus.

The growth of the hospital under Dr. Overholser's administration is indicated, in a degree at least, by the building that has taken place. In 1938, a new tunnel under Nichols Avenue was built to accommodate automobile traffic; the former underpass had been built for horse and buggy traffic. During the 1940's, six continuous treatment buildings were erected—they are known now as CT buildings No. 3, No. 4, No. 5, No. 6, No. 7, No. 8—and a new home for student nurses. In 1951, the new geriatric building was occupied; and in 1952, the new laundry and warehouse building was occupied. Temporary buildings, near gate No. 3, were torn down and a beautiful little chapel, used now by all religions, was built. In 1956, the Dix Pavilion was opened; and, in 1959, the new John Howard Pavilion, the maximum security building was opened.

New ideas, as well as new buildings, came to St. Elizabeths with Dr. Overholser. A clinical pastoral training program was started in 1945. Instruction 5 days a week for children patients was begun in 1956; and the William A. White Clinical Research Center, in collaboration with the National Institute of Mental Health Research Center, was established during 1958.

Two events made 1955 an important year for the hospital. The new and revolutionary drugs, chlorpromazine and reserpine, were administered for the first time; and, in that year, St. Elizabeths celebrated its 100th anniversary as a mental hospital. Dr. Overholser had no money under the hospital appropriations for celebrating the anniversary so he appealed to various foundations, among them the Ford Foundation, and to generous friends. With this grant, centennial papers were published and a motion picture film was made entitled "The Cry of Humanity." Zigmond M. Lebensohn, M.D., associate professor of psychiatry at Georgetown University School of Medicine, said in one of the centennial papers:

> On his arrival here (Washington) Dr. Overholser was so shocked by the antiquated commitment procedures in the District of Columbia that he publicly condemned them as "barbarous" and referred to the District as "benighted" in this respect. Thanks in large to his influence, these procedures have been greatly improved, provisions for voluntary admission were finally made, and cordial relations were established between the hospital and the courts. Dr. Overholser was able to make many important contributions to the medicolegal literature—contributions that have appeared in many of the leading journals of psychiatry, law reviews and specialized journals on criminal law and criminology. Dr. Overholser has contributed much to the medicolegal activities of the American Psychiatric Association. Dr. Overholser's fruitful labors in the vineyard of forensic psychiatry received signal recognition in 1952 when the American Psychiatric Association conferred on him the first Isaac Ray Award for the most worthy contribution to the improvement on the relations of law and psychiatry. The four Isaac Ray lectures at Harvard University were later published in 1953 under the title "The Psychiatrist and the Law." In the opinion of at least one reviewer, publication of this volume firmly established Dr. Overholser as the "Dean of Forensic Psychiatry."

It is not possible to name all of the writing and other activities that have engaged Winfred Overholser recently, but two endeavors should be noted. An article titled "Criminal Responsibility: A Psychiatrist's Viewpoint," published in the American Bar Association Journal in June 1962, is one of the clearest discussions of criminal responsibility ever written. The second endeavor is a nationwide radio program. During Mental Health Week, 1961, the Honorable Abraham Ribicoff, Secretary of the Department of Health, Education, and Welfare, at an institute at the hospital said:

> It is my hope that St. Elizabeths—pioneer of a hundred years' standing—will lead the way in a great national endeavor.

With this in mind, and with the knowledge that educating the public regarding mental health is vitally necessary to rehabilitation of the mentally ill, Dr. Overholser recorded 26 5-minute radio talks directed to the average listener. This was done with the cooperation of the National Institute of Mental Health; and the programs are now being broadcast on more than 450 stations across the Nation. Many State hospitals and mental health associations have asked for the broadcasts for use not only on the air but as training programs.

In May 1962, Winfred Overholser was honored by the Boston University School of Medicine when he was named outstanding alumnus of the year at the 87th anniversary banquet of the Medical School Alumni Association. He was the ninth recipient of this annual award.

St. Elizabeths Hospital today is world famous, and the name Overholser is one of the very few names in psychiatry known to professional and lay people everywhere. It is, therefore, with pride that the U.S. Government and the Civil Service Commission can point to Winfred Overholser, M.D., Sc.D., as a career man in Government who has become world famous and, at the same time, successfully administered a great national institution. Such an example should attract competent ambitious young people to Government service as nothing else can.

RECOLLECTION OF AN ALASKA FRIENDSHIP

Mr. BARTLETT. Mr. President, as is too often the case when we try to mark with thanks assistance given in legislative and other struggles in life to bring about economic and social gains, we neglect to mention the unwavering and warm support given such causes by members of the family. And so it was when I spoke on September 26 about the long fight which brought into being the Alaska Mental Health Act.

Alaskans always considered the late Senator Richard L. Neuberger as a member of the family. His ties with Alaska were knotted more than a quarter of a century ago, when, as a young writer, he turned to the last American frontier for material. That search led to Alaska friendships which grew with the years, and when Dick Neuberger came to the Congress, Alaskans, with voteless congressional status, felt they had another Alaska voice in the U.S. Senate. Dick Neuberger proved that friendship on countless occasions. He was an unceasing advocate of Alaska statehood. His support was effective, unwavering, and stanch. Through his leadership, Alaska, while a territory, was brought into the framework of the Federal Aid Highway Act.

There was continuing evidence of that friendship during his 5 years in the Senate. He proved himself once again a member of the Alaska family but more importantly as a man of great humanity when he sponsored in the Senate legislation to bring the care and treatment procedures of Alaska's mentally ill out of the dark ages into the light of modern techniques. His name is missing from my September 26 speech. In a sense my neglect is a welcome one to me as it gives me a chance to recall publicly, which I do so often privately, the close ties of friendship with a dedicated and great man.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

VOLUNTARY PENSION PLANS BY SELF-EMPLOYED INDIVIDUALS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the

two Houses on the amendment of the Senate to the bill (H.R. 10) to encourage the establishment of voluntary pension plans by self-employed individuals, and for other purposes.

Mr. SMATHERS. Mr. President, the conference report on House bill 10 permits self-employed individuals to participate under qualified retirement plans in much the same manner as employees, except that it imposes upon self-employed persons rigid limitations as to the amount which may be contributed under the plan for themselves and the amount which may be deducted by them on their tax returns.

Before explaining to the Senate the changes made by the conferees in the principal provisions of the bill which relate solely to the retirement plan coverage of self-employed persons, let me state briefly the conference action with respect to three amendments added to the bill by the Senate which did not relate to self-employed retirement plans. Specifically, I refer to the two Gore amendments, the first of which limited the amounts which could be deducted for contributions with respect to employees under any qualified retirement plan to 10 percent of compensation or $5,000, whichever was lesser, and the second of which repealed the capital-gains treatment in the case of lump-sum distributions under qualified retirement plans. I refer also to the McCarthy amendment which would have extended to owner-managers of corporations the same limitations as to coverage, vesting of contributions for employees, excess contributions, and so forth which the principal provisions of the bill impose upon self-employed individuals who own more than 10 percent of their business. The House conferees were adamant in their refusal to accept these amendments or to compromise them. They insisted that matters as important as these should not be hastily enacted without hearings, since they will directly affect the many millions of persons now operating under existing and Treasury-approved plans. The House conferees insisted that the amendments go over, and be considered at a later date after proper discussion and the taking of testimony by those directly involved.

As to the principal provisions of the bill, the Senate conferees were thoroughly successful in urging the House members of the conference committee to accept the more rigid provisions of the Senate version of the bill. The House version of the bill treated self-employed individuals under different rules, depending upon whether they had three or fewer employees or more than three employees. It required a self-employed person with more than three employees to cover under his plan each employee who has 3 years' service. If he had three or fewer employees, the self-employed individual was not required to include employees under the retirement program. The Senate deleted the "more than three employees rule" of the House bill and required self-employed individuals to cover each employee with 3 years' service if he was to provide benefits for himself. The conferees accepted this Senate amendment.

Both the House and Senate bills required covered employees to be given nonforfeitable rights to contributions made for them; however, the House bill applied this rule only if there were more than three employees. The conferees agreed to accept the Senate provision which applies if there are any employees.

Under the House bill, contributions were based upon "self-employment earnings." The Senate bill considerably narrowed the base for computing contributions by adopting a concept of "earned income," as distinguished from investment income. The House conferees agreed to this amendment.

Under the House bill, a self-employed individual with three or fewer employees was permitted to contribute and deduct 10 percent of his self-employment earnings or $2,500, whichever was the lesser. If he had more than three employees, however, these limitations did not apply and he could contribute for himself at the same rate as he contributed for his employees. If the self-employed individual did not own more than 10 percent of his business, the 10 percent—$2,500 limitation did not apply, and the only limitation on the amount that he could contribute under a retirement plan for himself, and deduct, was that his contribution be nondiscriminatory. The Senate bill deleted these various rules and applied a single, simple rule to all self-employed individuals. Under the Senate bill, which the House conferees accepted without change, no self-employed individual may set aside in a retirement plan for himself more than 10 percent of his earned income or $2,500, whichever is lesser. This is true regardless of the number of businesses in which he may be engaged. Not all of the amount contributed, however, may be deducted by a self-employed individual. Under the bill as passed by the Senate and agreed to by the conferees, he may deduct only one-half of the amount he contributes for himself. Thus, the maximum deduction for any self-employed individual will be one-half of $2,500, or $1,250 per year. Of course, if he has employees and makes contributions for them, the entire amount he contributes for them will be deductible, just as under existing law.

Under the Senate bill, a self-employed person who owned more than 10 percent of his business would be covered under a retirement plan only if he gave his consent. There was no comparable provision in the House bill. The House conferees accepted this Senate amendment.

The House also accepted a Senate amendment moving the effective date forward 1 year.

There was another provision of the Senate bill which the House conferees would not accept. This was a minor provision which attributed ownership of one member of a family to another. The House conferees insisted that this provision was unnecessary under the agreed bill because of the strict limitations on deductible amounts. For this reason they refused to accept this amendment. Except for this single provision and the amendments which would have affected corporate retirement plans, the House conferees accepted all the Senate amendments.

By agreeing to the Senate version of the bill, the conference action reduced the revenue loss of the bill from $325 million to somewhere between $50 million and $115 million in a full year of operation.

I think the conferees acted with wisdom. I think they produced a good bill. It is my sincere hope that the Senate will now give effect to the action of the conferees and approve the conference report.

The House of Representatives has already acted and has approved the conference report by a vote of 361 to 0, demonstrating the complete unanimity of both parties, all classes, and all areas in support of this particular legislation.

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

Mr. SMATHERS. I yield.

Mr. JAVITS. Is there any estimate as to the so-called revenue loss attributable to the bill? I intend to vote for the conference report. I am not at all hostile to it. I am merely asking for information.

Mr. SMATHERS. According to the staff, the estimated revenue loss was reduced from $325 million to $115 million. However, we have more recently had reports from a Dr. Murphy, an economist for the thrift organizations, who estimates that the revenue loss will be only $50 million under the provisions of the conference report.

Mr. JAVITS. So, whether $50 million or $115 million, we have a plan which gives the self-employed person a feeling of substance and incentive, which, all considered, marks a new milestone of development in our economic life, on a personal basis. Is that correct?

Mr. SMATHERS. The Senator is correct. As the Senator well knows, the development is long overdue.

Mr. JAVITS. It is long overdue. I compliment the Senator on an excellent piece of work.

Mr. SMATHERS. I thank the able Senator.

Mr. President, I have concluded. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Is the time to be charged to both sides?

Mr. SMATHERS. Yes, the time is to be charged to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

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

Does the Senator yield time?

Mr. SMATHERS. Mr. President, I yield such time as he may desire to the Senator from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. President, I yield to the Senator from Mississippi for an insertion in the RECORD.

The PRESIDING OFFICER (Mr. JORDAN of North Carolina in the chair). The Senator from Mississippi may proceed.

HOW THE COURTS ASSUMED COMMAND OF DESEGREGATION

Mr. STENNIS. Mr. President, the morning issue of the New York Times carries a colum entitled "In the Nation," written by the distinguished columnist Mr. Arthur Krock. The subtitle is "How the Courts Assumed Command of Desegregation."

Mr. Krock gives the chronological history of the developments of the attempted change, beginning with the Supreme Court decision of 1954. That distinguished author, columnist, and newspaperman concludes with this sentence:

> This is [the conclusion] that compulsion is the most frangible of tools for remolding the shape of public education.

I think the column should have wide circulation because it so clearly states the development of the issues and possible cures. I ask unanimous consent that it may be printed in the body of the RECORD at this point.

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

HOW THE COURTS ASSUMED COMMAND OF DESEGREGATION

(By Arthur Krock)

WASHINGTON, September 27.—The fact that racial desegregation in public education is under the compulsion of a new interpretation of the Constitution by the Federal judiciary, instead of a mandatory act of Congress, has its origin in the Supreme Court 1954 decision in *Brown* v. *Board of Education*.

Although enforcement of the 14th amendment guarantee of equality in the "rights, privileges and immunities" of U.S. citizens was assigned to Congress, through "appropriate legislation," and public school racial segregation in 1954 was law in many States—no act of Congress invalidating these laws was on the statute books. Moreover, for more than 60 years the Supreme Court had left unaltered its decision that State regulations of "separate and equal" in public education were not violative of the 14th amendment—adopted in 1868.

COURTS AS ENFORCEMENT ARM

It was in the absence of any applicable Federal statute and in the presence of its previous and long-maintained interpretation of the amendment that the Supreme Court unanimously supplied the one and reversed the other in 1954. The Court based its holding on the sociological conclusion that "separate educational facilities in public education are inherently unequal." But it was not until the Court issued its 1955 decree that the Federal courts, not Congress or the Executive, became the arm of the Federal Government by which the process of enforcement of the 1954 decision was thereafter to be both instituted and directed in detail.

The decree imposed primary responsibility on the local school authorities to see that the 1954 decision was obeyed. It ordered the lower Federal courts, "because of their proximity to local conditions," to appraise the validity of private suits charging that the school boards were not carrying out in "good faith" the responsibility imposed on them. And the lower courts were further ordered to require a "prompt and reasonable start" toward public school racial desegregation, taking as their guide "equitable principles" as set forth by the Supreme Court in 1954.

THE USE OF FORCE

The result is the only possible one when the judiciary makes itself the operating arm of Government: a deluge of private litigation; a conflict between Federal and State court injunctions against or in support of the actions of public officials; the long delays required by due process of law; and finally a constitutional crisis where, as in Mississippi, lower Federal courts and their marshals and the Governor and constabulary of a State (to which a section of the Constitution guarantees "a republican form of government") enlist force for resistance and compliance alike.

Those who are now deploring that the public school desegregation conflict has embroiled the courts actively in a conflict of this nature, with its domestic social and political hazards and its harmful potential to the international stature of the United States, should take note that it was foreshadowed by the Supreme Court's assignment of the lower judiciary to enforce a new interpretation of the Constitution without prior legislative warrant or Executive procedure.

A SENSITIVE PLANT

This may not have been a complete transformation of the constitutional process in the United States. But in many respects it is taking on that character. And perhaps thereby the opportunity that existed in 1954—of bringing about ultimate compliance in *Brown* v. *Board of Education* by the peaceful evolution of a national policy among Congress, the Executive, and the people—was lost.

In the history of the English-speaking nations regulation in the field of education by central force majeure has often been attained at a ruinous cost. Under orders of James II, orders that accelerated the loss of his throne, Lord Chancellor Jeffreys coerced Cambridge and Oxford—the first to confer a degree on a repudiated candidate, the second to install a disreputable favorite of the King as the head of Magdalen College. Since the motives of the coercing power then were base, and now reflect a widespread aspiration for the United States to reach the highest moral level of democracy, there is no analogy save one. This is, that compulsion is the most frangible of tools for remolding the shape of public education.

Mr. STENNIS. I thank my distinguished and fine friend from Virginia.

VOLUNTARY PENSION PLANS BY SELF-EMPLOYED INDIVIDUALS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10) to encourage the establishment of voluntary pension plans by self-employed individuals, and for other purposes.

Mr. ROBERTSON. Mr. President, I welcome this opportunity to publicly express my approval of and support for H.R. 10.

Three years ago, after I had studied what was involved, I wrote to numerous Virginia constituents that I thought it would be eminently fair for our Government to permit self-employed to set up for themselves a retirement fund operated more or less as the social security program is operated. The objection of some to that proposal should be fully eliminated by the provision in the Senate version of the bill, now agreed on in conference, that those who take advantage of this benefit must also give the pension plan to their employees. I believe the Senator from Florida will agree with that statement.

Mr. SMATHERS. The Senator is absolutely correct. If they take it for themselves they must give it to their employees.

Mr. ROBERTSON. There is one phase of the pension plan which I feel becomes pertinent for comment at this time because of what was put in the bill yesterday for Federal employees.

I do not believe that a great many Members of the Senate realize that yesterday the Senate established a precedent which in future years will rise up to plague us. The precedent was that we said to the civil service employees—I think the number who have already retired is 600,000—whose contributions were made on the basis of their previous salaries, and whose pensions were geared to their contributions, "We will, without requiring you to contribute anything more to the pension fund, immediately increase your pension by 5 percent; and, every year hereafter, we will give you an amount to compensate for the increased cost of living."

Yesterday I pointed out that 2 years ago President Eisenhower vetoed the 7½-percent pay raise bill which was geared to the cost of living. He said that the cost of living had gone up only 3 percent. Those who favored the bill said, "But it will continue to rise and before the workers get another increase it will be up to 6, 7, or 8 percent; and therefore the 7½-percent increase is justified."

Yesterday I inserted in the RECORD a letter from the Postmaster General, which indicated that instead of the cost of living having gone up that much, it had gone up only 2.2 percent. But we provided, when it becomes fully effective, what will be an increase of nearly 11 percent, approximately five times the increase in the cost of living.

That will add over a billion dollars a year in cost to the Government, which will be paid for with borrowed money, because we had a $6 billion deficit last fiscal year and we will have more than an $8 billion deficit this fiscal year, without a tax cut, and if there is a tax cut there will be an $18 billion deficit. But again I say that that was not the only dangerous precedent that was established in the bill passed by the Senate yesterday, against which only three Senators were willing to register a protest in behalf of a sound fiscal program.

Except on the ground of political expediency, how can we justify a cost-of-living pension to everyone who retires after having been on the Government payroll, and deny such a pension to railroad men, who have a pension fund supervised by the Government, or to social security workers, who also have a pension fund supervised by the Government? I pointed out that next year we may have a deficit of $18 billion. If we

have such a deficit, it will be by far the largest in the peacetime history of our Government. Such a deficit is bound to be inflationary, because the only way the Government can obtain that much extra money will be by selling Government bonds to commercial banks. Every dollar that the commercial banks receive sets up a potential credit of $6 of new money. Our country would be flooded with new money, which would certainly have an inflationary effect.

As the Senator from Delaware pointed out yesterday, the Civil Service Retirement Fund is insolvent. Make no mistake about it. In recent years the administration has asked us each year to put money into the fund in order to meet our part. We have not done so. This year we received a recommendation for an appropriation of $50 million in relation to one bill. That amount was even included in the House bill. We calmly took it out.

When will that fund be solvent? Never. There will come a time when, in order to pay the pensions of the civil service employees, we shall have to take the money out of the Treasury the year it is paid.

How about the Railroad Retirement Fund? That fund, too, is insolvent.

How about the Social Security Fund? That fund is more insolvent than any of them.

Years ago there was a terrific debate over whether we would go on a pay-as-you-go basis, or whether we would go on a trust fund basis. We never reached any firm conclusion as to which basis we would adopt. We are now on a dual basis. It is partly a trust fund, which is invested in Government bonds. If there is serious inflation, Senators know what will happen to that fund. It is all invested in Government bonds. Then the program in part is on a pay-as-you-go basis.

Fortunately, the system is young. Fortunately the current receipts are more than adequate to meet current pensions. In my opinion, such a condition will not continue more than about 10 more years. Meanwhile, there will be recurring efforts to load the pension plan down with medical care, which will never pay its way and which will leave that much more for the general taxpayers to pay in the end.

Let us return to what is involved in the pension plan. When a man puts in $1,500 a year——

Mr. SMATHERS. $2,500.

Mr. ROBERTSON. We agreed that the amount would be $2,500; $1,500 was provided in the Gore amendment in the Senate bill.

Mr. SMATHERS. He could deduct only $1,250.

Mr. ROBERTSON. That is what I mean. A man could put in $2,500, but he could deduct only half of the amount.

Mr. SMATHERS. The Senator is correct.

Mr. ROBERTSON. If there were inflation, the pension fund would be diluted, as would the pension fund of the civil service workers. Who would make the amount good to these people?

Are we as a Congress going to take the stand that it is the duty of the Government to protect the people of our country against inflation by spending within our income? I believe it is, but many people do not seem to think so.

If we say that it is our duty, does it become our duty to protect the retirement pay of everyone who retires and is affected by future inflation by bolstering their pension with borrowed money? That is what we provided in the bill passed yesterday.

We have told 600,000 classified postal retirees—and it will not be long before the number will be 1,200,000, because the payrolls are continually being built up: "We are going to protect you, and whenever the cost of living goes up, your pension will go up."

Who will pay the pension? The taxpayers, of course.

Then what would we say to the railroad workers? Would we turn them down? Railroad workers represent a considerable voting bloc.

But the biggest bloc of all are the 52 million people who are now listed with numbers in the social security program. Those 52 million people will have pensions that would be picayunish as compared with the retirement pay of the classified civil service Government workers. They would be as seriously affected by inflation as anyone else.

Mr. President, in the future, when our country will be hard put as to what to use for money, and we underwrite all the pension funds in our country and say that we will recklessly spend what we have not got, that we will increase our $300 billion debt until perhaps it is $400 billion, and if we have 1, 2, or 3 percent of inflation every year, the time will come when we will be required to double every pension in the entire United States.

That is the principle that was established in the postal pay raise and Government pay raise bill passed by the Senate yesterday.

In addition, in this morning's newspapers we read reports that a local organization will be unceasing in its efforts to desegregate all housing projects in the District of Columbia. We know that already some 80 percent of the pupils in the District schools are nonwhites. We know that the whites in the District have been gradually moving out, and it is anticipated that in a few more years some 70 percent of the total population of the District of Columbia will be nonwhite. The program to desegregate housing in the District will be merely a prelude to the national order. The proponents wish to start it here now. They wish it to have a national effect immediately after the election. What will be the result? Homebuilders inform me that in their opinion the minimum effect of such an order on a national basis would be to reduce new housing starts by 50 percent. Some of them estimate that the reduction would be as high as 75 percent. There are $175 billion of deposits in savings, mutual banks, savings and loan associations, and commercial banks invested in home mortgages, that is, nonfarm home mortgages on property in the first areas to be desegregated. No one can tell what effect a nationwide desegregation order would have upon such mortgages. But it would be terrific. The Government has underwritten a large percentage of them.

What is already happening in the mortgage field? The increase in foreclosures in the last 20 years has been 200 percent.

The increase in foreclosures of mortgages taken over by the Government between 1959 and 1961 was 75 percent. Suppose action is taken which will immeasurably decrease the value of mortgages which the Government has underwritten. No one can tell the extent to which the Government will then be committed to redeem its 90-percent guarantee of such mortgages.

In my opinion, the bill which passed the Senate yesterday with only three votes against it carried serious implications as to where we are going in what the President who was elected in 1932 described as running the ship of state against the rocks of fiscal irresponsibility.

There is no doubt that the rocks lie ahead. Yesterday we committed ourselves to a program of supplementing pensions with funds to which individuals had not directly contributed, and which may run into very large sums of money in future years if we do not control the inflationary trends.

Mr. GORE. Mr. President——

The PRESIDING OFFICER (Mr. HRUSKA in the chair). How much time does the Senator yield to himself?

Mr. GORE. Such time as I may desire.

Mr. President, is it the will of the U.S. Senate to grant to a relatively small percentage of our people, who can financially afford to make the investment, the special privilege of deducting from their taxable income $1,250 a year for an investment in a retirement plan or policy peculiarly and solely for his or her own benefit?

A statement of a question in these terms, if based upon a hypothesis, might well bring a chorus of "no" answers, if any answers were forthcoming.

Mr. President, the case is not hypothetical. That is exactly the purpose and the terms and the effect of the bill, H.R. 10, with respect to which the Senate is now considering a final conference report.

Mr. President, one of the hallmarks of modern economic democracy is the graduated income tax. This is the one mechanism which, more than any other, places the burden of financing the country's defense and carrying out necessary services which the modern industrial state must render its citizens squarely on the shoulders of those most able to bear that burden. Without some such mechanism as this, it seems to me that economic democracy will not long endure. And, without economic democracy, political democracy as we know it is doomed.

Our tax laws are riddled already with provisions which constitute open attacks against our system of graduated income taxes. Many of the provisions relating to pension, profit sharing, stock option,

stock purchase, and deferred compensation plans constitute just such an attack.

H.R. 10, if a majority in Congress is to have its way, is now to be added to the arsenal of those who would batter down the walls which seek to guard economic and political democracy.

This is not to say that pension and profit-sharing plans have no place in our economy, no place in our society, no place in our political system, no place in our tax laws. On the contrary, they definitely have a place. Let me make it perfectly plain that I favor adequate and proper encouragement, even through tax laws, of legitimate and reasonable pension plans to supplement the social security system.

However, this whole area needs a close reexamination. On the basis of the plans of the President for extensive tax reform next year, today is surely not the time to act to widen the gap of special privilege. Today is not the time to create another loophole of special favoritism in our tax laws. Today is not the time to set the precedent of giving tax deduction to the few who are able to make the financial investment, even to the extent of $1,250 per year, for the peculiar benefit of the taxpayer making such an investment.

The personal exemption in the present law for all taxpayers is $600 for the taxpayer and for each of his dependents. This, it seems to me, is wholly unrealistic. Even in 1940, when the cost-of-living index stood at about 60, the personal exemption for each taxpayer and for each dependent was $800. Now that the cost-of-living index stands at about 130, more than twice what it was in 1940, the personal exemption is $600.

Yet the pending bill, H.R. 10, proposes to grant an exemption of $1,850, the $600 exemption to which all are entitled plus the extra $1,250 provided for the few in the pending bill, to a relatively few persons, provided those people invest $2,500 a year in a retirement plan or policy for their own peculiar benefit. This is favoritism.

The enactment of the pending bill would open another loophole in the tax law. Almost the sole argument in support of the passage of the pending bill is based upon the premise this course of action is justified or excused on the basis that other favoritism, for the corporate officer and employees, is already in the law.

Tax reform is direly needed. We are promised a tax reform recommendation next year. Surely correction of the abuse of pension funds should be a part of that reform. I refer not to pensions as the average American understands pensions. I refer not to annuities received during a taxpayer's retired and aging years. I refer to pension funds and the manipulation of pension funds, sometimes in multiple quantity, to lump-sum payments, and to lump-sum distributions of so-called pension funds, some of which make a mockery of the very concept of pensions for security in old age.

The country needs to take a hard look at the whole area of pension funds, profit-sharing, and deferred compensation, including restricted stock options, in order to see what changes are in order in the public interest. It is my feeling that many changes are in order and, in fact, are badly needed to restore to the tax laws and our system of taxation the essential element of fairness, if our system of graduated income tax is to continue to have the support of the majority of the people.

Under present circumstances, which H.R. 10 would but make worse, it is the bulk of the citizens, whose income is derived from wages and salaries, who suffer the grossest discrimination. Tax favoritism, tax avoidance, and abuses of the tax laws are widespread among many, but these advantages are not available in the case of the average citizen, whose income is received in the form of wages and salaries. The average citizen pays his taxes, and they are heavy; they are burdensome; and they are withheld from his wages or salary.

In a complex economic order it seems impossible to avoid having complex tax laws. The definition of property taxable income in any and all circumstances is not an easy matter. Therefore, we have exceptions, and exceptions to the exceptions when we come to define just how much and what kind of income is subject to tax at certain specified rates. Perhaps this is something which we must accept. But, in my opinion, we do not need to make matters worse every time some change is proposed.

The use of existing inequity as an excuse for creating another; the excusing of the writing of a new loophole into the tax law, on the basis that loopholes already exist must stop. Instead of improving tax laws, this process can only make them worse. Instead of promoting fairness, the end result of this regrettable process is to practice further discrimination against the average American citizen, who pays his taxes in the form of withholding on wages and salary.

I know of no Member of Congress who is not in favor of encouraging, through proper means, the setting up of pension plans by employers for the benefit of employees. These plans now cover a great many employees—wage earners, ordinary salaried employees, and higher salaried executives—and this is, in my opinion, all to the good, provided proper restrictions are observed. In many instances, it is only through a pension and profit-sharing plan that a worker can gain a rightful share of the earnings of his employer, and have security and decent living standards for his old age. But there must be restrictions.

Today we are faced, not with the examination of a restriction which might correct some abuses, but with a new device which is to be brought in under the tent. This is pretty near the whole camel, because we are, if this bill becomes law, to allow the self-employed taxpayer, who already owns all of the profits of whatever business or profession he happens to operate, to remove some of the profit from current taxation, not for the purpose of seeing to it that his employees share adequately in the profits of the business, but for the sole purpose of reducing his own current taxes and adding to his own benefits from tax-free funds.

It must be said in defense of the pending bill, as it has been amended, that it has been held down to fairly low limits by amendments added by the Senate.

At this point I should say, in all fairness, that this measure would not, in my opinion, receive participation in nearly so widespread a manner as would be the case if the original provisions of House bill 10, as first passed by the other body, were enacted. Some supporters of the bill profess to believe that House bill 10, even in its present form, will be an aid to small businessmen. But, Mr. President, I submit that the participation of a small businessman with a considerable number of employees and a narrow profit margin is not likely to occur under the measure as it now stands. In my view, the benefits will be largely confined to those whose income is largely from fees for personal services—income which, although it may be large, does not require very many auxiliary and supplementary employees.

It has been claimed by proponents of this measure that existing laws relating to pensions, pension funds, and profit-sharing plans are inequitable, in that the self-employed are excluded from participating, and therefore are discriminated against. It is proposed by this bill to remove an alleged inequity by allowing the self-employed to operate somewhat in the way the owner-managers of corporations now operate in setting up pension plans for themselves. An alleged inequity is thus sought to be cured by the creation of another loophole, rather than by closing off existing areas of favoritism. It never seems to occur to many that provisions of law can be equalized by taking away some special benefits to which the recipients have no legitimate or fair claim.

As a reminder to those who had never thought of this, the distinguished junior Senator from Minnesota [Mr. McCARTHY], offered an amendment which was adopted by the Senate, but which was, of course, lost without severe skirmish in conference, which would have placed on the owner-managers of corporations the same limitations which this measure places on the self-employed. The rejection of this amendment can but serve notice to all concerned that the relatively tight limits which this bill places on the self-employed are not intended to be permanent, but almost certainly will be broadened at the very first opportunity.

It is quite understandable that some self-employed citizens and many others look with envy at the tax advantages of their friends and neighbors who particularly happen to be officers, or, in some cases, employees of certain corporations.

A quick glance at some of the tax advantages provided by law for corporate pension and profit-sharing plans will explain why this is true.

The law permits corporations fully to deduct from taxable income their contributions to qualified pension plans. Some corporations have pension plans only for their salaried employees.

Others have plans for all employees, but many of these have separate and less generous plans for hourly wage employees.

Moreover, the corporate contribution to the pension plan of which an employee is, or may become, a beneficiary, is not currently taxable as income to the employee-beneficiary. Such benefits only become taxable income to the employee when an actual distribution is made to him. So long as these benefits are within reasonable limits, they serve a useful social purpose, and it is proper for the Government to encourage employers to assist in providing reasonable security for their employees during retirement, and for their participating more equitably in the profits of the business.

The proponents of H.R. 10 claim a discrimination against the self-employed exists because the self-employed are unable to receive a tax benefit for accumulating and setting aside their own retirement funds for their own particular and peculiar benefit. It is conveniently overlooked that existing laws relating to pension and profit-sharing plans permit a tax deduction by the employer for setting aside funds for the benefit of his employees, a different matter altogether.

Provisions of existing law certainly do allow abuses in the field of pensions, pension plans, and profit sharing. The correct solution to the alleged inequity, however, lies neither in the creation of yet additional inequities, which the pending bill proposes, nor in the wholesale condemnation of a proper pension plan philosophy with appropriate implementing laws and regulations.

Many questions are involved. The basic question is whether government, particularly the Federal Government, should encourage employers to assist in the provision of economic security and decent living standards for their employees for the years in which these employees are no longer productive. This question has been answered affirmatively by the Congress. There are opportunities for abuse, however, and corrective legislation is needed. On the other hand, should the Federal Government reward a taxpayer for setting aside some of his own funds for his own use at some later date? So far as I am concerned, the answer to this question is an unqualified "No."

So far as I am concerned, this negative answer should apply also to the owner-managers of closely held corporations. But the conferees have knocked out even the restrictions which the McCarthy amendment placed on these plans.

As an adjunct to social security, and in recognition of the fact that the corporate employee did not always receive in current compensation his fair share of the earnings of his corporate employer, the Federal Government quite properly began to encourage corporations to establish pension funds for the benefit of their employees. Unfortunately, the laws and regulations were not sufficiently detailed to prevent many abuses by corporation owners and managers, while at the same time they did not require sufficient coverage for the lower salaried or hourly workers employed by corporations.

Although private pension plans of one kind or another have been in existence in this country since 1875, they did not reach significant proportions until after the enactment of the 1942 tax code. Since that time private pension and profit-sharing plans have grown rapidly both in numbers of individuals participating in such plans and in the assets represented by the accumulated reserves of such plans.

At the present time, some 25 million employees are covered in some degree by private pension and profit-sharing plans with assets of more than $52.6 billion. These pension plans are for the most part established by employer contributions, although employee contributions account for approximately 15 percent of current contributions. There are some 48,000 qualified plans in existence and the Treasury is now receiving requests for rulings on about 7,000 new plans annually.

These figures are certainly sizable and indicate to some extent the significance of pension plans today. And yet there is a great deal which at first glance these figures do not tell.

Our total civilian labor force amounts to about 73 million people. The 25 million individuals participating in pension and profit-sharing plans thus represent only a little more than one-third of the working men and women of America. Coverage is, therefore, nowhere near complete.

Even though there are about 25 million employees participating in these plans, the participation of more than half this number is more apparent than real. A majority of employees ostensibly covered by pension plans have no vested rights whatsoever in the assets of their plans and may never receive one dollar in benefits from the plan in which they are now supposedly participating.

One of the real inequities or shortcomings now existing in the pension field is, therefore, a lack of coverage for several million employees of corporate and other types of enterprises, plus a lack of definite and early vesting of rights in the assets of the various plans in which covered employees are participating. This is the real inequity in the pension field, and only by expanding and broadening coverage for the ordinary employees can such employees participate fully and equitably in the profits of the corporations and other enterprises for which they labor and produce. Only in this way can the ordinary employee be guaranteed decent living standards in his nonproductive years, unless Government programs are to be extended, broadened, and amplified.

The proposition that the Federal Government should give reasonable tax deductions to business enterprises for setting aside funds for reasonable benefits for the bona fide employees of those enterprises is well established, and quite properly so. This principle should continue to be followed, and a greatly expanded social security program is needed as well.

Rewarding the individual by reducing his own taxes merely because he sets aside funds out of his own current income for his own benefit during later years, however, is an altogether different matter. This involves a different principle. I think it is an inadvisable principle. Under no philosophy of taxation except a taxation based on consumption rather than income could such a proposition be acceptable. The sales tax is based on this philosophy. To date, the Federal Government has not seen fit to adopt such a tax except to a limited degree in certain excises. Many of us would like to eliminate or reduce many of these excise taxes.

We should be dealing, in the bill, if we are to enact a bill at all, with four different types of individual taxpayers. These are: First, the ordinary salaried or hourly employee of a corporation or of an enterprise otherwise organized; second, the employee-managers, who constitute the effective management of the large corporations; third, the owner-manager of the closely held corporation; and, fourth, the self-employed individual.

The pending bill deals only with the self-employed and, to a limited extent, with their employees.

The ordinary employee of the corporation or other type of enterprise needs additional pension plan protection. The bill does very little toward that end.

(At this point Mr. JORDAN of North Carolina assumed the chair as Presiding Officer.)

Mr. GORE. Mr. President, the very philosophy and practice of private pension plans is endangered by the extent to which abuses are practiced under present law; and the abuses, too, should be dealt with, but would not be dealt with, in the pending bill.

The individual taxpayers who comprise the effective management of the large corporations are not dealt with in this bill. Limits should be placed on the tax deductions which corporations can receive for benefits to these employee-managers. I shall have more to say in a few minutes about my efforts in this regard.

Existing law permits perhaps the greatest abuses in the case of the owner-manager of the closely held corporation. The Treasury has made recommendations to correct some of the abuses now being practiced, but I do not find these recommendations dealt with in the pending bill. As I have already noted, the McCarthy amendment was eliminated in conference.

The self-employed are dealt with in this bill by allowing the self-employed to set aside for their own benefit savings out of current, untaxed income. Within the limits imposed, the self-employed will, should this bill become law, be taxed not on income but on income less certain current savings. This approaches a tax on consumption. This will set a precedent. It is a move in that direction. It is a move which is contrary to the principle of the graduated income tax, contrary to the philosophy which underlies our system of personal taxation according to ability to pay. This will set

a precedent, as I said—a far-reaching and potentially dangerous precedent.

The self-employed, if they have sufficient income to be able to take full advantage of these provisions, are able, without benefit of the provisions of this bill, to provide for their own disability and retirement. The lawyer and doctor, for example, enjoy high compensation, and a part of their current income, after taxes, can be set aside for future needs. Furthermore, they build up a practice which will bring them an income in later years. There is no enforced retirement for professional people. The farmer, retailer, or other small businessman can build up an investment in his farm or business which will provide for himself and his family in his later, less productive, years. This is the traditional way of building up an investment in this country and is still possible, despite the competition from large enterprises, so long as we have an expanding and growing economy.

Of course, there are several million self-employed individuals who are unable to set aside substantial sums of money out of current earnings. These people must spend all of their current earnings to maintain themselves and their families. These are the self-employed who are most in need of assistance in providing for their nonproductive years but this bill is of no assistance whatsoever to this large group. A tax deduction for setting aside $2,500 per year out of current income is worse than meaningless to the head of a family earning $3,500 per year. It is meaningful, of course, to the lawyer or doctor earning upwards of $25,000 per year. It is helpful to those who are least in need of help.

That is why I said earlier that the pending bill provides tax favoritism to the relatively few who can afford to make an investment for their own particular benefit.

H.R. 10 has a long history, but I do not propose to detail it here. In 1960 spokesmen for the Treasury Department objected to the enactment of the bill in the form in which it had passed the House of Representatives. The Treasury made a counterproposal. In effect, this counterproposal stated, "We will go along with the creation of a loophole in the tax laws which will reduce our revenues at a time when we cannot afford such a reduction, and which will benefit certain of the well-to-do self-employed, if, in exchange, the Congress will give us some tools with which we can fight abuses which are rampant in the corporate owner-employee field."

This counterproposal of the Treasury, insofar as it relates to correcting abuses in present law, was, in some respects, admirable. It certainly deserves consideration by the Congress. Certainly there are abuses in the pension and profit-sharing fields, particularly when one individual is the owner of all or most of the stock of a corporation of which he is also the manager and the only highly compensated employee.

The abuse would be multiplied if one individual occupied the same position with respect to many corporations, and thereby became eligible under existing law to become the beneficiary of several pension funds built up from tax-free income and later distributed at capital gains rates, which could be passed into one's estate, thus avoiding normal income tax at any time upon such income and, in some cases, avoiding not only the income tax, but both gift and estate taxes as well.

But the Congress appears indisposed this year to take a look at these abuses. Can we hope for any different attitude next year? Though the experience in the present Congress does not lend very much encouragement, I do not despair because though the processes of democracy work slowly; in the end they work well.

I believe it was Mr. Churchill who said that democracy was the worst form of government except any other form that anyone had ever suggested. Therefore, I shall look forward to the tax reform bill to be presented. I hope that a part of the tax reform recommendation by the President will deal with a correction of the widespread abuses in the pension fund accumulation and distribution field and also with restricted stock options which likewise benefit the insiders of our corporations.

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

Mr. GORE. Mr. President, will the Senator yield an additional 10 minutes?

Mr. SMATHERS. Mr. President, I am happy to yield to the Senator from Tennessee an additional 10 minutes.

Mr. GORE. I thank my distinguished friend the junior Senator from Florida, who has long been an advocate of the principles contained in the pending bill. The statements I have made are in no way intended as criticism of him or any other Senator.

I am sure that the distinguished junior Senator from Florida acknowledges that the pending bill would set a precedent. Some may think it would be a wise precedent. For reasons which I have already stated, I think it would be quite an unsound principle and an unwise precedent. I am sure that the distinguished junior Senator from Florida recognizes that there are abuses in existing law, particularly in the owner-manager field, and that he joins the junior Senator from Tennessee in the belief that this whole area should be carefully examined by the Congress. I make that statement because of my respect for the ability, dedication, and patriotism of the distinguished junior Senator from Florida. I thank him for his generosity in yielding to me from his own time in order that I may complete my address on the subject.

Mr. SMATHERS. Mr. President, will the Senator yield so that I may respond?

Mr. GORE. I yield.

Mr. SMATHERS. As the junior Senator from Tennessee has said, the bill has long been one in which I and others have been greatly interested. It would set a precedent of sorts, in removing a tax inequity against some 7 million self-employed which has existed for over 20 years. However, I believe it is a long overdue precedent, if that is what we wish to call it. For many years there have been pension programs under which roughly 20 million people have been operating in the corporate field, and certain tax advantages have inured to those who are the beneficiaries of such pension programs. Those same advantages have not been given to the self-employed. The 7 million self-employed, together with their 11 million employees, have been discriminated against as compared with those who enjoy pension benefits in the corporate field.

I thank the able Senator from Tennessee for his remarks about me. I can certainly reciprocate. He has long been an advocate of the principle that we should extend into other areas some of the benefits not now being received.

As the Senator has said, there is no question that there are some abuses in the owner-manager pension programs and in the corporate retirement programs. I have stated, along with him, on previous occasions—and I repeat now—that the Congress should give attention to the elimination of abuses. The only thing we ask is that we do not eliminate the whole pension program in an effort to eliminate the abuses.

I know that the purposes of the able Senator from Tennessee are highly meritorious and worthy. He is always a most worthy advocate in this as in other things, and it is always a pleasure to be with him. It is not quite so much of a pleasure to be against him. But it is never anything other than a happy, informing, and beneficial experience for those who are against him. I thank him for that which he had to say about me.

Mr. GORE. I am very grateful for the generous remarks of the distinguished and able junior Senator from Florida. It is my hope that the entire field of pension fund accumulations, so-called profit-sharing, genuine pension annuities, restricted stock option privileges, and other areas in which widespread abuses are occurring, will not only be examined, but be dealt with effectively in the tax reform bill which is anticipated in the next Congress.

As I have earlier stated, I earnestly favor the encouragement of legitimate private pension plans. The area of abuse which I have been trying to reach is not that of annuities of sufficient amounts amply to provide security in one's less productive years, but, rather, the abuses, the manipulations of pension funds, and restricted stock option privileges, by which enormous fortunes are built out of tax-free funds. This, as I have insisted, is contrary to a truly democratic system of taxation, and, if permitted to continue, along with many other abuses that we find, which amount to tax avoidance, will mean that our whole system of taxation, which in essence is based upon voluntary compliance by the mass of our people, may be brought into disrepute.

The net effect of this bill is further to erode the tax base, thereby necessitating higher and higher tax rates if the necessary total revenues are to be raised. The increased burden must be borne by the salaried taxpayer for whom there is no way of escape, or by the small enterprise, whether a corporation or not, of insufficient affluence to enable its owners and managers to take advantage

of the many opportunities for tax avoidance now afforded by the tax laws.

Many abuses allowed, and even encouraged, by existing law have been brought to the attention of the Finance Committee. Among these abuses are:

First. Existing law provides for capital gains treatment under certain circumstances for lump sum distributions of the proceeds from pension and profit-sharing plans. Instances have been brought to the attention of the Finance Committee in which lump sum payments in excess of $800,000 have been made to corporate executives and accorded the 25 percent capital gains tax rate. This type of income bears no relationship whatsoever to capital gains but is, instead, accumulated and deferred ordinary income. There is no equity involved in according such income the favorable capital gains treatment.

In a letter to the chairman of the Finance Committee on April 1, 1960, concerning the House bill in the 86th Congress, Under Secretary of the Treasury Fred C. Scribner, Jr., stated:

> The present long-term capital gains treatment accorded to lump sum distributions by qualified plans at termination of the employee's service or at his death should be removed.

The Senate adopted an amendment I proposed which would have corrected this abuse. It is no longer a part of the bill. Strangely enough, the bill does close off this loophole as to the self-employed. Are we discriminating against the self-employed?

Second. One individual who is the owner-employee of several corporations can participate in pension and profit-sharing plans in each of his corporations, thereby converting much of the income of these corporations, which should be taxed at corporate rates, into tax-exempt or tax-deferred income for himself or his family.

The same letter of Under Secretary Scribner, from which I quoted above, states:

> Individuals should not be permitted to arrange to increase the allowable amounts that can be contributed on their behalf to qualified pension plans merely because they split their activities into several businesses, each with a different pension plan.

This bill is of no help here.

Third. Large estates are being built up out of untaxed income and passed on to members of the beneficiary's family, escaping any tax whatsoever, either current income tax, deferred income tax, or estate tax.

Again, Under Secretary Scribner's letter states:

> The exemption from estate and gift taxes of pension rights attributable to employer contributions under qualified plans should also be reexamined.

I see nothing in this bill which would make any correction.

Fourth. Existing law places no limits on the amounts which a corporation can deduct for contributions to pension and profit-sharing plans for the benefit of the high salaried executive of the large corporation. Many corporations have pension plans which provide for pensions amounting to 50 percent or more of the employee's salary during his peak earning years. Although the bill sets limits on the amount which the self-employed individual can set aside untaxed for himself during his earning years, it does not place any limits whatsoever on the benefits which can accrue to the high salaried corporate executive. I shall have more to say shortly about my efforts in this regard.

Fifth. By means of the restricted stock option the managers of large corporations can and do provide risk-proof, almost tax-free bonuses for themselves. Such manipulations not only deny needed revenues to the Government, they also reduce the proportionate share of ownership in the assets of the corporation held by the ordinary stockholder.

An actual case is reported by U.S. News & World Report in its issue of May 11, 1959.

I ask unanimous consent that this article be printed in the RECORD at this point in my remarks.

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

> In January 1953, this company offered key executives a large amount of stock at a price of $315 per share, the market value of the stock at that time. One vice president received the right to buy 4,000 shares at this price at intervals until 1963. In the first 3 years, he bought 1,200 shares.
>
> Then, in January 1956, the stock was split 15 to 1, and the option price was adjusted accordingly to $21 per share. By this time, the split stock commanded a price of more than $60 per share.
>
> In the next 2 years, the vice president bought 6,000 shares of split stock at $21. Then, when stocks were depressed in the summer of 1958 he sold 6,000 for $42 per share. His profit on these stocks came to $126,000. On this, he paid a capital-gains tax of 25 percent, leaving a profit after tax of $94,500. He still had 18,000 shares purchased at $21.
>
> In February 1959, the market price of the stock had moved back up to $54. The vice president again became a buyer to the tune of 12,000 shares at $21.
>
> At last report, this official held 30,000 shares for which he had paid $630,000. Their value on today's market, where the company stock has gone still higher, is nearly $2 million. If the vice president sells his holdings 4 months from now and if the market price of the stock does not change in the meantime, he will have a profit, after taxes, of nearly $1.1 million, counting the $94,500 cleared earlier.

Mr. GORE. I would invite the attention of my colleagues to transactions of corporate executives as reported from time to time in accordance with SEC regulations. The number of shares bought under options would, I think, be revealing.

I have been unable to gain sufficient support to curb stock option abuses.

This same type of operations is repeated almost daily. In 1958, when stock prices went down, many companies such as the Aluminum Company of America even went out so far as to cancel existing options and issue new ones to corporate executives at prices in line with the then reduced market level.

The Finance Committee held 2 days of hearings on restricted stock options in 1961. These hearings should be reviewed by every Member of this body.

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

Mr. SMATHERS. I yield 5 additional minutes to the Senator from Tennessee.

Mr. GORE. I thank my distinguished friend. I should point out that one of the ways by which pension funds accumulate is through the forfeiture of hypothetical or potential rights of employees in plans which do not vest for a long period of time. This is certainly one of the areas that needs attention. This, admittedly, is a very difficult and complicated subject. That, in some respects, is all the more reason for careful reexamination.

H.R. 10 is a thoroughly unjustifiable piece of legislation. It would establish a new and dangerous precedent in our tax laws and reduce revenues at a time when such a reduction can hardly be viewed with equanimity, and it would do nothing whatsoever to correct flagrant tax avoidance abuses.

The bill, H.R. 10, in the form in which it was reported by the Finance Committee in 1960 did take some steps, though short and feeble ones, in the direction of correcting some of the more obvious shortcomings in the law relating to pension and profit-sharing plans of owner-employees of corporations. This bill overlooks the work of the Finance Committee altogether in that regard.

Now, Mr. President, I want to speak more specifically, and in somewhat more detail, about the two amendments which I offered to this bill and which the Senate adopted, but which were, quite predictably, lost in conference.

Mr. President, Members of Congress have been subjected to a deluge of letters and telegrams from all over the country protesting the adoption by the Senate of these two amendments. These amendments were designed to correct two of the many abuses which have crept into our taxation of pension and profit-sharing programs and to which I have referred. As these programs are now being administered and taxed, too many highly compensated corporate executives have been converting ordinary income into deferred income, thus spreading the income earned in their peak years over their entire lifetime, reducing their top rates and thereby reducing their total tax.

Such abuses serve to distort the tax system and destroy the concept and purpose of a graduated income tax program. Many do not, of course, believe in the graduated income tax. If the majority do not believe in it, let us change the system. But as long as we have the system, let us enforce it. Many highly compensated corporate executives, exercising effective control over large corporations, have managed to abuse the pension system to such an extent that they have been able to accumulate large sums of money during a relatively short time, draw it down in a lump sum, and have it classified for tax purposes as a capital gain. This type of abuse must be stopped if we are to preserve the pension and profit-sharing system now es-

tablished in the law for the benefit of the ordinary corporate employee.

The Congress has adopted a policy of encouraging corporations to help provide pensions for employees to supplement social security benefits in those employees' nonproductive years after retirement or disability. This policy should not extend to the ridiculous. It should not be implemented in such a way that both the corporation and the employee escape proper taxation both when the funds are accumulated and when they are drawn out and expended or reinvested.

The first amendment I offered was aimed at stopping the accumulation of overly large funds in pension accounts at the expense of the general taxpayer. The limitations laid down in the amendment are generous, amounting to 10 percent of the employee's salary or $5,000 per year, whichever is the lesser, with a lifetime limit of $250,000. Technically, these limits apply to the deduction which the employer may take for funds set aside for the benefit of any one employee. It is not likely that a corporation would set aside funds out of current earnings for the benefit of an employee without getting a tax deduction for it. This, then, puts effective limits on the amount which can be built up in the retirement fund for a corporate executive from amounts contributed by the corporation. Any funds put into the pension plan by the employee, of course, would be in addition to these amounts.

I can hardly conceive of a corporation putting aside funds out of current earnings for the benefit of an ordinary employee in excess of these limits. Only in the case of an executive who is a part of the effective management of the corporation would one expect the corporation to contribute amounts in excess of these limits.

These limits would pinch the corporate executive who is attempting to shift part of his income, on which he should be taxed currently at a rate of perhaps 50 percent or more, to a pension fund so he can collect the money at a later date and pay a tax of 25 percent, or let the funds go into his estate free of any income tax whatsoever.

I submit that the limits in this amendment are sufficiently generous to allow a fund to be built up from which an annuity can be paid to a retired employee which will adequately supplement his social security and other income.

The other amendment which I introduced and which was adopted by the Senate concerns the taxation of lump-sum distributions from pension fund accumulations. Here again, abuses have grown up and it is necessary to step in and restore fiscal order in a situation where considerable disarray is already apparent.

Existing law allows a lump-sum distribution from a pension fund to be taxed as a capital gain. There are already abuses here, and they are likely to spread. The Treasury has turned up at least one taxpayer, a corporate executive, who accumulated more than $800,000 in a pension fund, drew it all out in 1 year, paid a tax of 25 percent on this fortune, and was then free to invest it in tax-exempt securities or otherwise as he saw fit. The size of this fund would suggest that this executive should have been close to the 90-percent bracket during his earning years—certainly well above the 25-percent bracket.

This type of operation has few, if any, of the attributes of a capital transaction. The bulk of the fund has come from money set aside, untaxed, by the employer, with interest and dividend accretions, also untaxed as earned, being added. For the most part, this fund really represents deferred, ordinary, compensation. My amendment would not allow this type of transaction to be given capital gain treatment, but would subject it to a modified ordinary income tax treatment. The modification consists of computing the additional tax the beneficiary of the fund would have to pay on account of one-fifth of the amount he draws out, and then multiplying this amount of tax by five. This would put the taxpayer in about the same tax bracket, in the ordinary case, as he would have been in when the money was earned.

It is not customary, of course, for the ordinary employee to draw out the capital fund accumulated in the pension account for his benefit. The purpose of accumulating the fund in the first place is to give the employee an annuity to supplement social security and other income he may receive after retirement. Indeed, the ordinary employee often does not even have the option of drawing out the capital fund from his account. As long as the normal method of annuity payments is followed, my amendment does not come into play and existing law is not changed as to the taxation of this annuity.

Now, let me say that I am not firmly wedded to any one formula for this modified ordinary income treatment of pension and profit sharing lump-sum distributions. It is possible to devise a formula which will subject the ordinary worker to a smaller tax than he now pays under existing law but which will, at the same time, bear quite heavily on the recipients of large lump-sum payments from so-called pension funds. Indeed, the first of the two alternative formulas in this bill does just that. Perhaps this formula should be used, rather than taxing the retiree on the basis of the higher tax of the two computed under the two formulas now used in the bill.

But if the formulas used in the bill now for the self-employed are equitable as to them, why are not the same formulas equitable when applied to the same sort of transaction for the employees of corporations? We are still not approaching equality of treatment between the self-employed and the employees of corporations.

There is another question involved here which is, perhaps, more basic than the details of a specific formula for taxing lump-sum distributions, and that is this: Should the tax laws be weighted so as to favor annuities or lump-sum distributions?

This is surely a basic question and one which I hope the Congress will get into next year. I would like to spend just 1 brief minute on it now.

The idea behind the very favorable taxation of income set aside for pension funds for employees is a good one. This is a good illustration of the use of the tax laws for the encouragement of a socially desirable objective. It is good to have as many as possible of our work force covered by a plan which will provide an annuity to supplement social security during retirement. But is it good to have our tax laws weighted in favor of the worker taking a large cash sum over taking an annuity? I think not.

The average worker has little experience in making investments and often does not have access to expert and reliable advice. Should he find himself suddenly in possession and control of a large sum of money, would he invest it wisely—as wisely as would those who manage his corporation's retirement funds? I doubt it.

How often have we seen those unaccustomed to handling investments bilked and defrauded? How often have we seen them bow to importunities and pressures of friends and relatives to put their money into some "wildcat" scheme where it is quickly lost?

I am not sure that the Congress is doing the average employee any favor by inducing him, through favorable tax treatment, to draw out all of his pension and profit-sharing funds in one lump sum rather than in the form of an annuity for himself and surviving spouse.

Mr. President, this is just one of the many questions which the Congress has put off facing for far too many years. I hope we can try to clean up this pension and profit-sharing field next year.

For the present, it seems to me that the Senate ought to delay action on the bill now before it. The bill is not a good bill in any respect. Even those who claim that they wish only to equalize the tax treatment of doctors and lawyers on the one hand with the treatment of corporation officers on the other must admit that, in the absence of some tightening up in the corporate field, the treatment of these two groups simply cannot be equalized. Certainly this bill places restrictions on the self-employed which do not now exist in the corporate area. If the Senate sustains the action of the conference committee in killing the amendments to this bill which would have placed some restrictions on corporate officials, the corporations will be left without effective controls.

I hope the Senate will reject this bill and the conference report. Should the bill obtain approval by the Congress, I would hope that the President will veto it. As I said in the beginning, this bill represents an attack on the graduated income tax—on the principle of ability to pay.

But, whatever the fate of this bill as it now stands, the Congress must soon take a big fork into the Augean stables and clean up pension tax laws. The longer we wait the more difficult will be the task and the more adjustments must there be for more and more taxpayers.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The question is on agreeing to the conference report.

Mr. SMATHERS. On this question, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the role.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote, I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. If the Senator from Illinois were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Alabama [Mr. HILL], the Senator from Washington [Mr. MAGNUSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from Missouri [Mr. LONG] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Indiana [Mr. HARTKE], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], the Senator from Missouri [Mr. LONG], and the Senator from Arkansas [Mr. FULBRIGHT] would each vote "yea."

Mr. HRUSKA. I announce that the Senator from Utah [Mr. BENNETT], the Senator from South Dakota [Mr. BOTTUM], the Senator from Indiana [Mr. CAPEHART], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. GOLDWATER], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], and the Senator from Kansas [Mr. PEARSON] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from South Dakota [Mr. BOTTUM], the Senator from Indiana [Mr. CAPEHART], the Senator from Arizona [Mr. GOLDWATER], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], and the Senator from Kansas [Mr. PEARSON] would each vote "yea."

The pair of the Senator from Illinois [Mr. DIRKSEN] has previously been announced.

The result was announced—yeas 70, nays 8, as follows:

[No. 288 Leg.]

YEAS—70

Aiken	Fong	Muskie
Allott	Hayden	Pastore
Bartlett	Hickenlooper	Pell
Beall	Holland	Prouty
Bible	Hruska	Proxmire
Boggs	Humphrey	Randolph
Burdick	Jackson	Robertson
Bush	Javits	Saltonstall
Butler	Johnston	Scott
Byrd, Va.	Jordan, N.C.	Smathers
Byrd, W. Va.	Jordan, Idaho	Smith, Mass.
Cannon	Keating	Smith, Maine
Carlson	Kefauver	Stennis
Carroll	Kerr	Symington
Case	Long, Hawaii	Talmadge
Chavez	Long, La.	Thurmond
Church	McCarthy	Tower
Cooper	McClellan	Wiley
Curtis	McGee	Williams, N.J.
Dodd	Metcalf	Williams, Del.
Eastland	Monroney	Yarborough
Ellender	Moss	Young, N. Dak.
Engle	Mundt	
Ervin	Murphy	

NAYS—8

Douglas	McNamara	Neuberger
Gore	Miller	Young, Ohio
Lausche	Morse	

NOT VOTING—22

Anderson	Goldwater	Magnuson
Bennett	Gruening	Mansfield
Bottum	Hart	Morton
Capehart	Hartke	Pearson
Clark	Hickey	Russell
Cotton	Hill	Sparkman
Dirksen	Kuchel	
Fulbright	Long, Mo.	

So the conference report on H.R. 10 was agreed to.

Mr. SMATHERS. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Chair lays before the Senate House Concurrent Resolution 569, which will be stated by the clerk.

The Chief Clerk read the concurrent resolution (H. Con. Res. 569), as follows:

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 10) to encourage the establishment of voluntary pension plans by self-employed individuals, is authorized and directed in section 8 to strike out "1961" and insert in lieu thereof "1962".

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SMATHERS. Mr. President, I move that the Senate agree to House Concurrent Resolution 569, which authorizes certain technical corrections in the enrollment of H.R. 10.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the District of Columbia and the Subcommittee on Business and Commerce of the Committee on the District of Columbia be permitted to sit during the session of the Senate today.

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

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

The PRESIDING OFFICER (Mr. ERVIN in the chair). Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1963

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2134, H.R. 12276, and that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A 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.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President——

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

Mr. MANSFIELD. I yield.

Mr. HRUSKA. I should like to inquire, for the benefit of the Members of the Senate, what the program will be for the rest of the day and perhaps tomorrow, and even Monday, if the Senator has the program for that far in advance.

Mr. MANSFIELD. Mr. President, in response to the questions raised by the distinguished acting minority leader, the Senator from Nebraska [Mr. HRUSKA], the pending business now is the District of Columbia appropriation bill.

It is anticipated that the Senate will proceed to consider some other bills later in the afternoon, which are noncontroversial or relatively so.

It is possible, though I am not absolutely certain yet, that the Senate will consider the "fishy back bill."

With the concurrence of the Senate, I would hope it would be possible to bring

up the civil functions appropriation bill tomorrow. This is an unusual request, because it is not expected that the bill will be reported until later in the day, but if we want to get home by the end of next week I think we must adopt some unusual procedures.

If there is no vehement objection to taking up the civil functions appropriation bill, I would like to have permission to do that tomorrow.

Mr. SMATHERS. Mr. President, will the Senator yield at that point?

Mr. MANSFIELD. I yield.

Mr. SMATHERS. Mr. President, I would like to make a statement.

I am not at all certain what the fate of H.R. 10 will be when it gets to the White House. I have neither asked for advice nor have I been advised as to what action the President will take on the bill. It is apparent, however, that in the closing days of this session the President is in a position, if he should decide so to do, to pocket veto H.R. 10. Mr. President, there is too much support for this proposal to allow this to happen, without the Congress having an opportunity to either override or sustain a veto.

I have endeavored to cooperate in every possible way with the leadership with respect to this and other matters of legislation. This particular bill was reported by the Senate Finance Committee last year. It was approved by the policy committee for floor action early this year in March, I believe.

On several occasions I endeavored to have the bill considered. Each time I was told it would be taken up later, when there would be plenty of time to debate it, and when there would be an opportunity for it to be considered on its merits here and elsewhere. That has not been done.

A motion was made by the eminent and able minority leader [Mr. DIRKSEN] to attach H.R. 10 to the tax bill. I was one of those, along with the able chairman of the Committee on Finance [Mr. BYRD], who asked that it not be attached to the tax bill, but that it stand on its own merits. We were asked to take this position by the majority leader. We now have remaining only a short space of time. I did not believe that we should jeopardize the passage of the tax bill by attaching this measure, but I did ask whether, if I voted not to attach H.R. 10 to the tax bill, there would be time to have it considered on its merits. I did not mean, of course, for it to be considered only in the Senate on its merits and then to be strangled somewhere else.

So, Mr. President, finding ourselves in this position, those of us who have long supported H.R. 10, and remembering that the conference report passed the House of Representatives this week by a vote of 361 to 0; that it recently passed this body by a vote of 75 to 4, and that the conference report was agreed to today by a vote of 70 to 8 know there is obviously a great deal of support for the measure. I do not think it is right and proper that now, after we have given this demonstration in support of this long-needed legislation, we should let it be taken out behind the barn and slowly drowned.

For that reason, Mr. President, it is my intention to object to the taking up of an appropriation bill.

Mr. MANSFIELD. Oh, Mr. President—I hope the Senator will not do that.

Mr. SMATHERS. It is my intention to object to taking up any appropriation bill until the appropriation bill has fulfilled the requirement of section 139 of the Reorganization Act, which is that appropriation bills lie on the table 3 days.

As I say, I do not like these delaying tactics. It will obviously be a delaying tactic, because we will have to continue for 10 days to see what action we are going to get from the White House.

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

Mr. SMATHERS. May I finish, please?

If the White House gives some indication it will veto the bill, that is fine with me. That will give us the opportunity either to override the veto or not to override it. If the White House gives an indication that it will support the bill, this will all be over.

Possibly, in an effort to expedite things, in a few days I may make a motion to suspend the rules and add H.R. 10 as agreed to by both Houses to one of the appropriation bills, in order to help us all get away.

Mr. MANSFIELD. Now will the Senator yield?

Mr. SMATHERS. I do not like to stay longer, any more than any other Senator. I am a candidate this year. It is important that I go home. But, after having stated many times that I would vigorously support the legislation, knowing that we have enough support to pass it, I cannot be a party now, after the bill is passed and the matter has been discharged satisfactorily in the Senate and in the House, to getting caught in this sort of trap at the end of the session. I do not propose to do it.

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

Mr. SMATHERS. I am happy to yield.

Mr. MANSFIELD. I hope the Senator will reconsider the use of a dilatory tactic such as the holding up of all this legislation, when we are seeking to arrive at a reasonably good adjournment date.

I do not believe that this stiletto should be held at the throat of the President of the United States and the Congress. After all, there is such a thing as the separation of powers in this Government of ours. We have exercised our responsibility. I think we ought to trust the President to exercise his responsibility as he sees fit.

I have no idea what the President is going to do. I have not discussed this situation with him. However, the President has a responsibility and an authority which he should exercise on the basis of his own judgment.

Mr. SMATHERS. Mr. President, I highly resent——

Mr. MANSFIELD. I hope the Senator will change his mind.

Mr. SMATHERS. I do not like to have the Senator from Montana say that I am holding a stiletto at the President's throat. No Senator has more affection and regard for the President than has the junior Senator from Florida.

The reason we face this problem today is that this measure was not brought up and considered in time so that we could proceed in an orderly manner, even though the policy committee gave to the majority leader an opportunity to bring the bill before the Senate prior to the time he brought it before the Senate.

I cooperated with the majority leader in voting not to attach it to the tax bill.

Mr. MANSFIELD. Of course, the Senator did. By the same token——

Mr. SMATHERS. I was glad to do it.

I agree that the President has his responsibility. The majority leader has his responsibility. I, as a Senator, have my responsibility, and that includes not getting caught in some trap of this nature, whereby a bill of which is long overdue and passage long needed and long awaited and long expected by the self-employed people of this country, can be held back, so as to finally disillusion those people and to cause them to say: "Once again they have been outmaneuvered, and our leader in this effort, the poor old junior Senator from Florida, was taken down the primrose path. They told him, 'Oh, don't worry; you are a good fellow—you are a nice fellow. We can count on your cooperation and agreement.' And then they finally stuck it to him." [Laughter.]

The Senator talks about a stiletto. The majority leader should not talk about the Senator from Florida using a stiletto. The Senator from Montana is looking at the one who is about to have it used on him.

Mr. MANSFIELD. The Senator is placing us in a very embarrassing and untenable position, because of the threat which he has laid before this body, to the effect that he would exercise the rules to the fullest possible extent to keep any appropriation bill from coming before the Senate prior to the expiration of the 3 days' grace period.

Mr. SMATHERS. That is right. Those are the rules.

Mr. MANSFIELD. They are the rules, and the Senator has every right to exercise them, but I think, in view of the circumstances, the implication as to the application of the rules in this instance, or in these instances, is very plain and apparent for all to see.

Mr. SMATHERS. There is no threat. All we ask is action on this bill, H.R. 10.

Mr. MANSFIELD. I do not know anything about that problem. I hope the Senator from Florida will exercise his usual good judgment and not hold up consideration of the appropriation bills, because other Senators, in addition to

the Senator from Florida, want to get home, visit with their constituents, and rapair a few fences.

Mr. SMATHERS. Mr. President, the Senator from Florida is going to exercise good judgment. Probably this will be one of two or three times he has exercised it lately. I expect to object to appropriation bills being brought up prior to their having met the requirements under the rules of the Senate, which means that they must lie on the table 3 days.

Mr. MORSE. Mr. President——

Mr. SMATHERS. That is the only way I can protect those who want to see H.R. 10 finally adopted into law.

Mr. LONG of Louisiana, Mr. MORSE, and Mr. AIKEN addressed the Chair.

Mr. SMATHERS. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, it occurs to this Senator, quite frankly, as one who originally opposed H.R. 10, that with the amendment to it there is no basis for further opposition. If the Senator from Florida is to be denied the right to have action, on a possible veto—and there is some rumor to the effect that the President has indicated he might veto the bill—then the Senator from Florida, in my judgment, would be victimized—perhaps inadvertently, but nevertheless victimized—by those who led the matter along, until it might be possible for the President to exercise a pocket veto on the bill, even though there are all the necessary votes in both Houses to override a possible veto.

I suggested to the Senator that he consider giving notice of a motion to suspend the rules to put his proposal on an appropriation bill in the event the Senate wishes to go home before the matter can finally be settled.

If the President wishes to veto the bill and will do so immediately, I think the Senator would be perfectly content to abide by the judgment of Congress.

Mr. SMATHERS. The Senator is absolutely correct. If we could have action on the measure, I would be delighted. But, at the moment, action does not appear to be a part of the plan.

Mr. MANSFIELD. I do not know what will happen. Meanwhile we would lose a full day if we could not bring up the civil functions appropriation bill tomorrow.

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

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. Our colleagues should recognize that if a delay is forced upon us because of the rule—and I say again that the rules are here to be used if Senators wish to use them—there is only one alternative, and that is to have night session.

Mr. MANSFIELD. No.

Mr. HUMPHREY. I say that is the only alternative except to continue the Congress for another week.

Mr. MANSFIELD. The Senator is correct.

Mr. HUMPHREY. We ought to face the fact that the other body will not remain here another week. They are having a most difficult time getting a quorum now.

I appeal to my friend from Florida. I am with him on his bill. The Senator is right when he says that he has no way of knowing what the President will do, except rumors we have heard. There has been no decision arrived at.

I hope the Senator from Florida will permit the leader to obtain unanimous consent for the consideration of the civil functions bill on Saturday. Other appropriation bills are coming up.

Mr. SMATHERS. Mr. President, will the Senator yield on that point?

Mr. MANSFIELD. I yield.

Mr. SMATHERS. It may be that the majority leader and the assistant majority leader could at least go to the White House and obtain some kind of expression that some action will be taken, either up or down, on Monday or Tuesday.

Mr. HUMPHREY. The Senator will be there Tuesday morning. I would be willing to discuss the subject. We could have a discussion in which the Senator from Florida could take part. Then if the Senator obtains no satisfaction, and wishes to exercise his rights under the rule next week, I do not think we can complain.

Mr. SMATHERS. Mr. President, if I can receive similar assurance from the able majority leader that he and the assistant majority leader would use their best efforts to obtain some kind of expression as to what will happen with respect to the bill by Tuesday of next week, I shall be glad not to object, and to assume my position of cooperation once again.

Mr. MANSFIELD. The Senator is fair. I shall be glad to discuss the subject at the same table with the Senator from Florida. The Senator from Minnesota will be sitting there, too, I hope, next Tuesday morning. But so far as telling the President what to do is concerned, that is not my job.

Mr. HUMPHREY. That is not a commitment.

Mr. SMATHERS. I have not asked the President, and I would not try to tell the President what to do. I am merely trying to protect the rights which I and all other Senators who voted for the bill have. We would like to see the bill become law. We have so demonstrated, and would like to have an opportunity to demonstrate our desire again if we must. That is all we ask.

Mr. HUMPHREY. Let us speak with the President about the matter on Tuesday morning. I am not going to say that I shall make a statement one way or the other in reference to what should happen in relation to the bill.

Mr. SMATHERS. The Senator is correct.

Mr. HUMPHREY. I voted for the bill three times. I think it is pretty obvious where I stand on it. But I think the Senator is correct. He ought to have an opportunity at least to obtain some expression on the bill.

Mr. SMATHERS. I thank the able Senator.

Mr. President, I withdraw my objection.

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

Mr. MORSE. Mr. President, I merely wish to say in reply to the interesting colloquy that has taken place in the last few minutes that the President of the United States is most affectionately known as Jack Kennedy. I hope he will not permit his name to be changed to "Blackjacked" Kennedy. I hope he will choke this bill to death. I think the best way to choke the bill to death is by a pocket veto. I hope he will veto it, for it is the same piece of class legislation it has always been. It was not changed in principle in conference. In my judgment, a great many votes went in favor of the bill with the full expectation that Senate faces would be saved by a veto. When I made clear that I was opposed to the bill several Senators advised me not to come out against the bill because they were sure it would eventually be defeated by a veto. However, I do not vote in the Senate on any such basis as that. I certainly hope that the President of the United States will veto the proposed legislation. By so doing he will support the principle set forth by those of us who have opposed the measure, namely, that when it comes to the question of providing for retirement, a program should be evolved on the basis of a uniform national legislative policy and not on the basis of special legislation which would give to certain people in our country—interestingly enough, those in the higher pay brackets—benefits by way of tax advantages. I think that class legislation is the most unsound kind of legislation. This bill is nothing else but class legislation.

I have no objection to the rules being applied. They can be applied by all of us. If we enter into a little contest of applying the rules as a result of the issue over this bill now raised by the Senator from Florida [Mr. SMATHERS] we will start to apply the rules generally. I think most of the damage that could possibly be done to those of us who are running for office has already been done as a result of the length of the present session. I have no objection to eating Thanksgiving turkey here, if that is what the Senator from Florida and others want to do. But we must not forget that the application of the rules is a two-way street.

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

Mr. MANSFIELD. I yield.

Mr. SMATHERS. I do not really believe that the Senator from Oregon is justified in making the statement that Senators voted for the measure in the hope that the President would veto it. The voted for it because they believed in it. They have so demonstrated. Members of the House of Representatives, by a vote of 361 to 0, demonstrated that they were overwhelmingly for the program.

If the President wants to veto the bill, that is his right. He may do so. The Senator from Oregon will then see that Senators who voted for the bill did not expect the Preseident to save their faces; they will vote to support the bill even against the veto.

Mr. MANSFIELD. Mr. President, I wish to say, first, so far as the Senator from Florida [Mr. SMATHERS] is concerned, he has been most cooperative. It ought to be stated publicly that if it had not been for his action at the time the tax bill was under discussion, there would have been a tax bill to which an H.R. 10 amendment would have been attached. I think that fact should be brought to the attention of the Senate. The Senator from Florida is entitled to all the credit in the world. As far as I am concerned, whether the President signs or vetoes the bill is immaterial to me. That is his responsibility.

What I do here is my responsibility. That is the responsibility of every Senator. I should be able to act regardless of what happens to the bill in the White House. If the bill is vetoed, I hope we will have an opportunity to vote either to uphold or to override that veto reasonably soon thereafter. If the bill is signed, of course, that will be the end of it.

Continuing my colloquy with the distinguished acting minority leader, the Senator from Nebraska [Mr. HRUSKA], if I may, it is anticipated that on Monday the foreign aid appropriations bill will be taken up.

That measure will be followed by consideration of the bill (H.R. 12580) making appropriations for the Departments of State, Justice, and Commerce.

On Tuesday I anticipate that we will still be on the foreign aid appropriation bill.

Consideration of the public works authorization bill should come following consideration of the State, Justice, and Commerce Departments appropriation bill and the foreign aid appropriation bill.

Those, in turn, should be followed by consideration of the highway bill, which is on the calendar.

On Wednesday it is anticipated that the conference report on the tax bill will be brought to the Senate. Various other conference reports will follow that, including the conference report on the trade bill.

On Thursday it is anticipated that the supplemental appropriation bill will be brought up.

I have stated a very optimistic summary of what we may expect to do next week.

In general, that is the hope of the leadership. What will be done will be decided by the action of the Senate as a whole and the conferees.

Mr. HRUSKA. I should like to call attention to the fact that the omnibus public works authorization bill is expected to be acted upon by the other body on Monday or Tuesday of next week. I understand that it is the plan of the leadership of that committee to bring it up at a time after the House has acted upon it first, which would presumably bring it up on Wednesday or Thursday.

Mr. MANSFIELD. That may well be, but it would be some time next week.

AGRICULTURAL LAND DEVELOPMENT IN ALASKA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar 1975, S. 2805.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2805) to provide for a program of agricultural land development in the State of Alaska.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Tennessee, who has been waiting for some time, and then I will yield to the Senator from Colorado [Mr. CARROLL].

Mr. GORE. Mr. President, it is an odd situation when one Member of the Democratic leadership of the Senate appears to be quite impatient to vote to override a possible Presidential veto in the closing days of a Congress. What kind of unity is that? What kind of Presidential support is that?

The President of the United States has not exercised his constitutional responsibility with respect to H.R. 10. Perhaps it would not be amiss to point out that former President Eisenhower was opposed to the bill, and that the distinguished minority leader then opposed H.R. 10 on the basis of Presidential objections to it.

Whenever the President exercises his constitutional responsibility, it will then be ample time for Members of the Senate to react thereto. Should the President determine that it is not in the national interest to give this special tax favoritism to the few who can afford the financial investment encompassed in the bill I dare say the cogency of the President's reasons in opposition to the bill would receive the careful attention of the Senate. I respectfully suggest to the junior Senator from Florida that he may rush to hasty conclusions in assuming that a Democratic Congress would override a Presidential veto of a special privilege bill just before going to the people seeking reelection.

Mr. SMATHERS. Mr. President, I was hopeful that the able Senator from Tennessee would not seek to make this a personal discussion. I regret that he has done so. It is regrettable to me that from time to time the Senator from Tennessee does this. On each occasion when he has done it I have endeavored to control myself and have tried not to respond in kind.

It seems a little inappropriate for the Senator from Tennessee to talk about Presidential support. I remember that on the satellite bill, the Senator from Tennessee stood on the floor and screamed to the whole world and to the heavens beyond that the President was indulging in a great giveaway program.

I recall that when the investment credit provision of the tax bill was under consideration the Senator from Tennessee stood on the floor and asked, "What has become of him—the President? Has he lost his Irish fight?" Those rhetorical questions did not seem to me to indicate very strong support of the President or his position.

I could go on and name a number of other examples. Specifically, I remember when the trade bill was in the Committee on Finance, and when section 3 of it, which is a vital and important part of that bill, providing adjustment assistance for workers adversely affected, was under discussion, the Senator from Tennessee voted against that particular provision, and finally was talked out of recording his vote. He knew, as everyone else did, that if that particular provision were not contained in the bill, no trade bill would have been enacted.

As a Senator from Florida I have a duty to represent the people of Florida. I have tried to do that above everything else.

I love, admire, and respect the President of the United States. I nominated him for Vice President in 1956, against the Senator from Tennessee. I was asked to manage his campaign in 1960 in 13 Southern States, and I was delighted to do so. At no time did the President ask me to give up any of my convictions, or to stop representing my people. I do not propose to ever give up those convictions and it is a credit to his intelligence and understanding that he never asked me to do it. I am no "Charlie McCarthy." I am no rubber-stamp. When I can in good conscience support the President, I do so, because, as I say, I love him and want him to make a great President. I do not like the inference of the Senator from Tennessee, to the effect that I am somehow or other running out on some obligation. My obligation, as I see it, is to represent the people of Florida and the people of this Nation.

The President has his responsibility. He has not asked me at any time to give up my conviction on this bill, the medicare bill, or on any other bill. I do not propose to do it. If at any time anyone believes that because of some job I hold I have to sacrifice my beliefs, then I would give up instead the job, whatever it is, including that of secretary to the Democratic conference. I went before the policy committee—and the Senator who now occupies the chair [Mr. MUSKIE] is a member of that Democratic policy committee—and there I brought this matter up. I said, "Do I have to go down the line on everything that is recommended by the administration, because I am secretary of the Democratic conference? If so, I will give it up." The policy committee voted unanimously that a Senator did not have to give up his convictions.

Therefore I highly resent the pointed and unfair remarks of the Senator from Tennessee. It is disappointing to me that he would do it. I hope he will not indulge in it again. I do not like to indulge in it. I have not indulged in this type of debate until this moment. At any time the Senator from Tennessee seeks to test me on anything, whether it is loyalty to the President, loyalty to the country, vigor, or dedication to anything, or anything else, all he has to do is lay it down, and he has got a taker.

I yield the floor.

Mr. CARROLL. Mr. President, I have sought recognition to support the majority leader without engaging in personalities. The majority leader has put his finger on the problem. The Senate has a constitutional duty; so does the President. As the President exercises his constitutional function, I hope that we shall have an equal opportunity to exercise our duty under the Constitution.

When I was a Member of the other body during the 80th Congress, time after time President Truman, when he knew or believed that Congress would override his veto, was not concerned with anything except what he believed to be the national interest.

Acting in the national interest, Harry S. Truman, a courageous President, vetoed several controversial legislative enactments, although they had received majority support of the Congress—in some cases overwhelming support.

As I look back over the years I believe the President knew that Congress was going to override his veto but this did not interfere with his courageous exercise of his constitutional function as President of the United States. On several occasions the 80th Congress overrode his veto. In almost every instance I voted to sustain the President's veto and—after reflection—I am proud to have done so.

No one really knows for certain that President Kennedy will veto this bill either by outright action or by using the pocket veto.

I commend the Senator from Florida. The position that he might have taken would have created a curious paradox. If the Senator from Florida had persisted in his expressed intention to enforce the full rules of the Senate, we might have been faced with a filibuster to prevent the President from exercising a pocket veto.

I am glad that this will not be the case. Wisely he has acceded to the earnest request of the majority leader not to do so.

To achieve this sensible objective the majority leader has said, in essence, that if he were President and did not favor the present bill, he would not use the pocket veto method but would instead issue a forthright veto. If he were President he would present strong and cogent reasons to the Congress and the country indicating his reasons for the veto. I wish to make it clear, however, that I have no reason to believe the President is contemplating such a veto and I hope he does not do so.

But in the event he does not approve the action of the Congress it is my hope that he would veto this measure in a forthright manner.

To keep the record straight, the junior Senator from Colorado has been studying legislation similar to H.R. 10 for a number of years. In the past I have felt this type of legislation was too rigid and extreme. On other occasions I have so expressed myself by my vote.

However, as I listened to the debate and read the report and considered the amendments offered to H.R. 10, I think the bill as it passed the U.S. Senate is a step in the right direction. And if it is not to costly to the Government, there is always the possibility that this may be extended to other groups—in short, this is a reasonable beginning.

Therefore, I want the RECORD to show clearly that if the President vetoes this bill, I intend to vote to override the veto. In view of the previous statements of the Senator from Oregon [Mr. MORSE], I desire to have my statement in the RECORD clear on this important point.

Mr. MANSFIELD. Mr. President, I wish to apologize to the Senator from Florida for stating that, in effect, he was pointing a stiletto at the Chief Executive. I would strike out that reference, because I know it is not true. If anything, figuratively speaking, was being pointed at anybody or at anything, it was at the Senate. So I hope the Senator from Florida will accept my apology. I ask that my statement be deleted from the RECORD.

Mr. SMATHERS. I am delighted to do so. The majority leader's statement is typical of him.

Mr. MANSFIELD. The Senator from Florida has occupied a very responsible position in the leadership of the Senate. He has done so with the knowledge and consent of the Democrats in caucus who voted for him, as they did for the distinguished Senator from Minnesota [Mr. HUMPHREY] and the Senator from Montana in January a year ago.

The Senator from Florida has been subjected to unwarranted criticism at times, not on the floor of the Senate, but in various segments of the press of the country, criticism which has almost bordered on abuse. I suggest that those persons, not Members of this body, but of the press, who so easily find fault with the Senator from Florida—and they include certain of the weekly magazines—check the Senator's record to see just how much of a supporter he has been of the Kennedy program. I think the statistics will surprise them somewhat and will prove that, by and large, the Senator from Florida has been a far better supporter of the President's programs than he has been given credit for.

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

Mr. MANSFIELD. I yield.

Mr GORE. I am at a loss to understand by what means the junior Senator from Florida understood me to make a personal attack upon him. I merely called attention to the odd situation which the distinguished Senator had himself stated, and suggested to the junior Senator from Florida that he may have rushed to a hasty conclusion that the Senate would readily override a Presidential veto, should the President choose that course in the exercise of his constitutional responsibility. I did not and do not now understand that my statement constituted a personal attack upon the junior Senator from Florida; it was certainly not intended as such. On the contrary, I think my statement was a reasonable one. I daresay that many Members of the Senate would pause and think twice before overriding a Presidential veto, not only of this bill, should such a course of action be chosen by the President, but of any bill.

Presidents do not lightly exercise the constitutional power of veto; and when they do so, whether Democrat or Republican, Congress thinks a second time before voting to override the veto.

It did not occur to me that a suggestion to the junior Senator from Florida that he not rush to a conclusion that the Senate would hastily do so in this case would constitute a personal attack upon the junior Senator from Florida. It certainly was not intended as a personal attack.

A SIGNIFICANT CALL FOR AN EXECUTIVE ORDER AGAINST HOUSING DISCRIMINATION

Mr. JAVITS. Mr. President, I have repeatedly called upon the President of the United States to make the "stroke of the pen" and issue without delay the Executive order desegregating housing supported by Federal funds or credit, and it should be of the broadest possible scope, including all such housing. I have deplored the possibility that the President would wait to issue this as part of the congressional campaign—though even then I want to see it issued—and had asked that he proclaim it as a fitting concomitant of the celebration last week of the centennial of the Emancipation Proclamation. I am very glad to note the highly significant support for this order from a leader of the great savings banking industry. I ask unanimous consent to have printed at this point in the RECORD a copy of a letter to President Kennedy from Mr. Earl B. Schwulst, chairman of the board, the Bowery Savings Bank, New York City, dated September 19, 1962, in which he urges early issuance of an Executive order on housing having the broadest possible scope. I would like also to include in the RECORD at this point a speech delivered by Mr. Schwulst at the Governor's Conference on Equal Housing Opportunity in Philadelphia, Pa., on the subject "Race and Housing." Mr. Schwulst, I might add, was chairman of the commission on race and housing which issued a report in 1958 calling for an end to desegregation in housing. The Bowery Savings Bank, which he heads, is the largest mutual savings bank in the United States. Its assets exceed $1.8 billion and its investment portfolio includes almost 100,000 home mortgages totaling about $1.4 billion.

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

THE BOWERY SAVINGS BANK,
September 19, 1962.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I write this letter both as head of a leading financial institution vitally concerned with our Nation's economic health and as a private citizen concerned with the moral and social health of our Nation. These concerns are mutually reinforcing, for the denial of full economic opportunity to racial and other minorities is not only immoral but also uneconomic in depriving our society of the best use of the brain power, energy and talent of at least one-sixth of our population.

The price of discrimination has always been too high. It is a price that we can afford less today than ever before as we continue our international struggle to promote the economic development and political freedom of mankind in all parts of the world.

The commission on race and housing, of which I was chairman, concluded in its report of 1958 that discrimination in housing provides the basic support for all other forms of racial discrimination. The drive for equality of economic opportunity in our own country will not be successful, therefore, until discrimination in housing is eliminated. As one step in this direction, there is widespread speculation that you will soon issue an Executive order prohibiting racial discrimination in housing. A major question centers on the breadth and scope of such an order.

The burden of this letter is to urge that the order be made as broad as possible. To limit its application only to that segment of private housing financed with FHA and VA insured and guaranteed loans; for example, would be both economically and morally incomplete. Such an order would apply to a relatively small sector of the Nation's housing supply and, of course, only to those groups producing, financing, and living in the types of housing affected. This in itself is unfair discrimination, and would, moreover, leave a wide market area to which those seeking to circumvent the order, could retreat. More important, perhaps, limiting desegregation to the FHA and VA sectors of the private market, would fall considerably short of equalizing housing opportunities for minority groups.

To achieve the fullest and most desirable effect on both economic and moral grounds, therefore, an Executive order with respect to equal opportunity in housing should be broadly applicable to all types of housing and to all lender groups, especially those whose deposits or share accounts are insured by agencies of the Federal Government. Such broad application would conform to a basic recommendation of the U.S. Commission on Civil Rights, fall with equal weight on all segments of the housing industry, and be most meaningful in terms of implementing the basic principles of our American democracy.

I am taking the liberty of enclosing a copy of the talk I am making at the Governor's Conference on Equal Housing Opportunity in Philadelphia on September 27. My views on the importance of housing desegregation are set forth therein. While the removal of racial barriers in housing will obviously involve important economic and social adjustments, desegregation is as inevitable in housing as in education. Accordingly, the leadership of the housing and allied industries would be well advised to develop now positive programs to facilitate these adjustments. A negative approach on the theory that the "time is not yet ripe" for housing desegregation succeeds only in making more difficult the ultimate adjustment process.

Thank you for the opportunity to express my views on this critical issue. I hope that you will find them of some value in determining your course of action.

Respectfully yours,

EARL B. SCHWULST,
Chairman of the Board.

RACE AND HOUSING

(Remarks of Earl B. Schwulst, Chairman of the Board, the Bowery Savings Bank, Delivered at the Governor's Conference on Equal Housing Opportunity, Hotel Sheraton, Philadelphia, Pa., Thursday, September 27, 1962)

We are at a juncture in history where we must develop and use every ounce of brainpower and talent available in our Nation. At the same time, we must be constantly concerned with the strength and effectiveness of the image we project as a Nation, lest the emerging underdeveloped nations of the world (and particularly those in Africa, Asia, and South America) cast their lots with a society which is vigorously seeking to undermine throughout the world the principles on which this country was created.

The talents we have mustered to fight wars, develop atomic energy, explore space, and create a superb industrial machine are impressive. But have we done all we can to develop all our available talents? I submit we have not.

More than one-tenth of our population is nonwhite—mostly Negro. Can anyone who reads the daily newspapers doubt we have a second-class citizenship in this country, to which we have relegated most Negroes, Puerto Ricans and other minority racial and ethnic groups? And can anyone doubt that the existence of such a system (quite apart from its inherent unfairness and immorality) has serious adverse consequences for this country?

To me, one of the cardinal findings of the commission on race and housing, of which I had the honor of being chairman, is that segregation of all types seriously handicaps the racial and ethnic minority groups involved in their progress—economic, educational, and social. As we stated in our report, "When individuals are denied opportunity or stimulus to develop their potentialities, it is not they alone who suffer, but the community as a whole as well, because it is deprived of contributions which the disadvantaged persons might otherwise make." If this is true, such a denial to more than 1 out of every 10 persons in our population clearly involves a price for discriminatory practices which we can ill afford to pay. The commission also found that underlying and supporting all forms of racial and ethnic prejudice in our society is discrimination in housing. Consequently, the removal of residential discrimination is of the utmost importance to the solution of the overall problem.

Parenthetically, I should make it clear that in speaking principally of the consequences to the Nation as a whole of racial discrimination, I am not unmindful of the basic wrong suffered by the minority groups themselves. I do not dwell on that because to me it is so self-evident that discrimination in any form is a clear violation of the fundamental principles of American democracy and Judaeo-Christian ethics that the subject needs no elaboration before such a distinguished and intelligent audience.

How then to solve this basic problem of residential segregation?

I have never advocated any single measure to eliminate racial inequality in our society. The people living in this country must be assured of their rights to vote, to a job, to a place of public accommodation, to an education, and to a place to live, without regard to race, color or national origin. It is the responsibility of the Federal executive department, of the Federal Congress, of the Federal judiciary to assure these rights to all Americans. Likewise, the State and local counterparts of the Federal Government have similar responsibilities. And in housing, especially, you will recall that our commission called upon the President to determine as quickly as possible the best means of putting an end to racial discrimination in housing and to take steps to make those means effective, at least with respect to all housing enjoying direct or indirect benefits at the hands of our National Government. The State and city governments of the North have taken the leadership to date in this respect. Some 17 States and 50 cities have passed laws, ordinances and resolutions banning discrimination in public and publicly assisted housing. Of these, 11 States and 3 cities have, in addition, enacted antibias laws applicable to the private housing market.

I am happy to note that when Governor Lawrence was the mayor of the city of Pittsburgh, his city became the second city in the country to enact enforcible legislation barring discrimination in most private housing, real estate and lending activities. And when he became Governor, again under his leadership, the Commonwealth of Pennsylvania enacted some of the most far-reaching legislation affecting discrimination in private housing. What is more, I have been informed that the several rights agencies in this State, both on a State level and city level, have excellent enforcement and educational programs. It may be too soon to judge the effect of your State law in Pennsylvania, since it only went into effect September 1, 1961. If progress under your law so far has not been dramatic, there is no cause to be discouraged. Human habits change but slowly. We need only recall that slavery was abolished less than 100 years ago. As late as the early 1940's, the Federal Housing Administration stressed the importance of protecting neighborhoods against invasion by "incompatible racial and social groups," and recommended use of race restrictive covenants in developments insured by FHA. You will recall that the famous "equal but separate" doctrine was not abandoned by the Supreme Court until 1954. The first State law against discrimination affecting FHA and VA housing was not enacted until 1955. Thus, until recent years, government itself, to which we must look for the formulation of public policy, has condoned and, to some extent, even encouraged discrimination. Against such a background, the wonder is not how little, but how much progress has been made in very recent years. Slowly, and in some cases quite painfully, our schools are being integrated. We have made significant gains in the elimination of employment bias. How are we doing with respect to residential bias?

In 1959, a study made by the New York State commission estimated that more than 3,000 Negro families had moved into approximately 55 middle-income rental and cooperative developments, most of which were located in predominantly white or all-white neighborhoods. This fact is of especial interest to me because when the commission on race and housing made its survey of interracial projects throughout the country several years before, it could only identify 50 such projects for the entire nation. I have been informed that a new study is being conducted by the New York State Commission for Human Rights, determining progress made since 1959. This study is not yet available, but estimates we have secured from various sources indicate that the number of Negro and Puerto Rican families living in integrated middle-income projects in New York City has more than doubled since 1959, and that perhaps as many as 7,000 or 8,000 Negro or Puerto Rican

families are living in as many as 90 to 100 developments throughout the city, with only 3 or 4 such developments predominantly Negro. Furthermore, in New York State the State division of housing has taken the position that it will not approve any new urban renewal program in any community in the State of New York unless there can be evidence established that residential integration will be fostered by such a program.

Information with respect to one-family developments in the suburbs is meager, but progress toward the goal of integration seems to be slower than in the multifamily projects. On the whole, it seems to me, experience in New York is telling us that qualified nonwhite families in New York are taking advantage of our law and moving into a significant number of middle-income rental and cooperative housing developments in accordance with their economic status. Predictions of chaos, "inundation" and indeed "riots in the street" made some years ago by vocal opponents of New York State and New York City antidiscrimination legislation have not materialized. Home construction prospers in New York and, in fact, exceeds construction in many States that have no residential discrimination laws. Only last month the New York State Department of Commerce reported that in the first 5 months of 1962 construction of all kinds in New York State rose 43.8 percent over last year—residential construction alone rose 61.6 percent. The president of the National Committee Against Discrimination in Housing in a letter to President Kennedy, dated July 16, 1962, concerning the proposed residential Executive order, pointed out (as I noted previously) that there are 11 States and 3 cities with fair housing laws applicable to the private housing market. He further pointed out that "these statutes are broader in scope than any of the proposed Executive orders. A check shows that in not one of these jurisdictions were building starts or real estate activity reduced. Increases or decreases in building have conformed to general business conditions as they have elsewhere." In New York City, where bias has been banned in most private housing since December 30, 1957, 70 percent of the real estate operators, responding to a questionnaire distributed by the city commission on human rights in 1961, replied that the law has had no adverse effect on their operations. Following the passage of that law there has been a record building boom, with 1951 the only post-World War II year with a construction rate higher than the years 1959, 1960 and 1961.

Thus, progress is being made. But we have a long way to go.

With the rapid increase in State and municipal laws—and the apparent imminence of an Executive order—it seems probable that before long residential discrimination will, in most areas where it is a problem, be legally prohibited.

However, legal prohibition of discrimination, in and of itself, will not create integrated housing. Much educational and conciliatory work by the State and city commissions remains to be done.

Here again progress is being made.

In New York City, the fair housing practices law has been in effect about 4 years. In that time, a total of 939 sworn complaints have been filed with the commission, alleging discrimination. Eight hundred and sixty-seven (or 93.6 percent) of these cases have been disposed of by the commission, leaving only 72 cases pending. About half of the cases were dismissed by the commission for lack of jurisdiction or failure to establish grounds for complaint. The remaining 50 percent of cases were settled in a manner satisfactory to the complainant. Indeed, in over 200 cases the complainant was offered the apartment at issue or an alternate apartment. This type of conciliation by regulatory commission was urged by the commission on race and housing. Apparently it works well in practice.

The commission on race and housing also recognized that many builders are reluctant to build open-occupancy developments, believing that such action will put them at a disadvantage with competitors catering to the all-white market. Accordingly, the commission recommended that builders in a given market area act in concert to open all developments to qualified buyers without regard to race. The practicality of this suggestion has been demonstrated in New York State. Recently, 3 builders constructed 4 large rental apartment houses in a single market area containing an aggregate of about 2,000 units. As a result of the efforts of the State commission, the builders ultimately agreed to follow an open-occupancy policy. The nonwhite demand for these relatively expensive accommodations has not been great, but qualified Negro tenants have successfully applied for and obtained apartments. There are now one or two Negro families in each apartment house. All have maintained normal occupancy rates.

And, lastly, the commission on race and housing recommended that private organizations—builders, real estate associations, intergroup relations organizations and others—can do much, in their own and the public interest, to achieve the goals now being set by public policy.

The commission on race and housing, recognizing that the magnitude of the problem requires widespread action in both the public and private segments, directed 16 of its recommendations to citizen groups concerned with the goal of equal opportunity regardless of race. In the first of these recommendations, the commission urged "that such associations develop effective programs for permitting equality of opportunity in housing and seek ways of carrying out those programs." Recognizing further that such programs to be effective must be adequately financed, the commission also recommended "that philanthropic foundations and interested persons give financial support to voluntary agencies, national and local, that have soundly conceived programs of action and demonstrate confidence in their execution." The National Association of Intergroup Relations Officials breathed life into these recommendations. It has received a $24,000 Ford Foundation grant to call a national conference of the leading builders, lenders, real estate brokers, government officials and planners to discuss the findings on segregation and discrimination in housing and to consult with one another on programs that could achieve equal opportunity in housing. This landmark conference—cosponsored by NAIRO and the national housing center—will be held next month.

To summarize—

1. With the enactment of laws—State and municipal—throughout the country, a universal public policy against discrimination in housing is being slowly but surely established.

2. As a result of intelligent action by regulatory commissions and some builders, there is an everincreasing number of demonstrations that integrated housing is not only morally but economically sound. Fears of catastrophe are being dissipated.

3. Encouraged by public and private action, nonwhite families with sufficient incomes are applying for and in an increasing number of instances obtaining housing of their choice.

4. Continuation of this trend should result in greater social and cultural contacts between racial groups—greater understanding—and greater use of the developing talents of our nonwhite citizens.

5. Federal action will help make this trend nationwide.

6. The cooperative action of such agencies as NAIRO and the national housing center will help establish the climate of opinion essential to progress in this field.

With the dissipation of residential bias, we may expect other forms of discriminatory action to weaken and ultimately disappear. If we are successful in this aim, the nonwhite will truly become a first-class citizen—his talents will be more fully available to meet the growing demands of our times—and we shall have repaired an international image which is now somewhat tarnished by present practices.

Mr. JAVITS. Mr. President, I think this speech is extremely important. I hope it has the great influence with the President which it deserves to have.

MILESTONES IN THE NATION'S CULTURAL HISTORY

Mr. SALTONSTALL. Mr. President, during the past week we have passed several important milestones in our country's cultural history.

We in Boston are especially proud of our fine symphony orchestra which has served as an excellent cultural ambassador. Happenings in Boston are often pinpointed as occurring while Koussevitzky or Munch was serving as conductor.

We now have a new director in Boston. His premiere concerts have met with critical acclaim as well as immediate acceptance by our very reserved and discerning Boston audiences. Erich Leinsdorf has also led the orchestra in the second concert celebrating the completion of Philharmonic Hall in the Lincoln Center for Performing Arts in New York City.

The New York Philharmonic which will make its home in the new center is cognizant of its debt to Massachusetts, for its conductor, Mr. Bernstein, is a Harvard graduate. So Harvard is contributing to our cultural as well as our "new" frontier. Another Harvard student has recently completed the designs for a National Cultural Center to be located here in the Capital. Earlier this month at Newport and more recently at Gettysburg, Mrs. John F. Kennedy and Mrs. Dwight D. Eisenhower, the honorary cochairmen of the Cultural Center, unveiled the model for the revised Cultural Center project. When completed along the bank of the Potomac, the Center will provide much-needed facilities for the performing arts here in Washington.

No world capital is as ill prepared as Washington to display its national cultural attributes. Tonight in Washington, if we decide to attend the theater, we have but one choice. At the same time in Boston we might select from among two musicals, two serious plays, and a new comedy. Boston is planning a new opera house and has one of the finest concert halls in the world.

Under the Eisenhower administration, the cultural center concept began to take more concrete form, and under the guidance of the present first family, it has taken on added vitality.

As a trustee of the National Cultural Center, and as a member of the Senate Appropriations Committee, I am pleased

that we are not asking Congress for funds to build this Center. Congress has supplied one of the most appealing sites in the District of Columbia for the location of the Center. Many evenings on my way home from the sessions on Capitol Hill, I have paused to admire the sunset along that stretch of the Potomac. I look forward to doing so from the lovely terraces which Architect Stone proposes for the Center. I visualize it as one of the chief attractions of Washington.

In the past few years, I have been very much interested in preserving the historic areas in Massachusetts connected with the American Revolution and with the natural beauty of Cape Cod's Great Outer Beach. As Erich Leinsdorf has so well said, it is now time to establish reservations for the soul.

Several Massachusetts communities—Boston, Springfield, Pittsfield, New Bedford-Fall River—have already taken up the challenge to help to bring the National Cultural Center closer to reality. On November 29, a closed-circuit television broadcast will be the focal center for meetings and dinners across the country designed to assist in raising funds for the Center. Leonard Bernstein will serve as master of ceremonies on this occasion.

The arts in our country have traditionally been allowed to develop without governmental assistance or interference. I hope that every individual who is interested in projecting a clearer image of the United States to those numerous countries comparing the advantages of the free world with the enticements offered by the Communist bloc will want to support this long-needed and finally to be realized project.

PROGRAM OF AGRICULTURAL LAND DEVELOPMENT IN THE STATE OF ALASKA

The Senate resumed the consideration of the bill (S. 2805) to provide for a program of agricultural land development in the State of Alaska.

Mr. BARTLETT. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, in line 2, after the period, it is proposed to insert a new sentence, as follows:

The Secretary shall not enter into any such agreement or agreements the effect of which would be to grant to any single producer more than one-fifth of the total amount of funds appropriated for the Alaska land development program for the year in which the agreement is made.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska.

The amendment was agreed to.

Mr. JORDAN of North Carolina. Mr. President, I ask that Senate bill 2805, providing for a program of agricultural land development in the State of Alaska, be acted on favorably. It has the full backing of the Department of Agriculture, and was unanimously reported from the full Committee on Agriculture and Forestry.

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 (S. 2805) 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 this Act may be cited as the "Alaska Farmland Development Act of 1962".

SEC. 2. DEVELOPMENT OF POLICY AND PURPOSE.—In order to provide more adequately for the sound, efficient, and orderly development and utilization of agricultural land resources of the State of Alaska; to facilitate and assure the establishment of family-type farms as economic units of production and to encourage, promote, and strengthen this form of farm enterprise; to provide for Alaska's future economic growth by promoting a sound and stable agriculture, thereby insuring a more adequate and dependable food supply for the present and future population of the State; and in recognition of the strategic position of the State of Alaska in relation to national security and defense, it is hereby declared to be the policy of Congress, and the purpose of this Act shall be, to provide for a program of agricultural land development in the State of Alaska which will assist agricultural producers to develop and utilize more effectively the productive capacity of the State's land resources for agricultural purposes.

SEC. 3. The Secretary of Agriculture is hereby authorized to formulate and carry out a land development program, which, subject to such terms and conditions as the Secretary determines will best effectuate the policy and purpose expressed in section 2 of this Act, shall provide for the making of payments or grants to agricultural producers in the State of Alaska for carrying out specified farmland development or treatment measures including, but not limited to, clearing, draining, shaping, and otherwise conditioning land for the production of crops or for pasture.

SEC. 4. In carrying out the provisions of this Act, the Secretary is authorized, within the amounts of such appropriations as may be provided therefor, to enter into agreements or other arrangements extending for a period of years with producers determined by him to have control of the farms and ranches covered thereby. The Secretary shall not enter into any such agreement or agreements the effect of which would be to grant to any single producer more than one-fifth of the total amount of funds appropriated for the Alaska land development program for the year in which the agreement is made.

SEC. 5. The Secretary is authorized and directed to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 6. In carrying out the provisions of this Act, the Secretary may utilize the committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended.

SEC. 7. There is hereby authorized to be appropriated, without fiscal year limitations, such sums as may be necessary to carry out this Act: *Provided,* That the total cost of the program (excluding administrative costs) shall not exceed $1,250,000 and for any program year payments shall not exceed $125,000. The program authorized by this Act shall be in addition to, and not in substitution of, other programs in the State of Alaska authorized by any other Act.

Mr. BARTLETT. Mr. President, I ask unanimous consent to have a statement in connection with the bill printed at this point in the RECORD.

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

STATEMENT BY SENATOR BARTLETT

S. 2805 is a bill to provide for a program of land development in Alaska. It authorizes the Secretary of Agriculture to enter into cost-sharing agreements with Alaska farmers for the purpose of carrying out certain land development practices including, but not limited to, clearing, draining, shaping or otherwise conditioning land for the production of crops or for pasture. It establishes a fund of $1,250,000 without fiscal year limitation, but provides that no more than $125,000 may be spent in any one year.

When I introduced S. 2805 for myself and Senator GRUENING, I called this a modest program. It is, indeed, modest—so modest that if compared with any of the current programs under the direction of the Department of Agriculture, it seems impossible that much could be accomplished with so little.

However, with this program and even with the small sum authorized—not more than $125,000 in any one year—great progress in the development of Alaska agriculture can be made. This program will be a stabilizing force within the agricultural economy of Alaska, allowing Alaska farmers to plan, to coordinate development with marketing facilities and with the growth and development of communication facilities.

One of the major reasons for my concern for Alaska agriculture at this particular time is that with the coming of statehood, most transportation laws applicable to all of the 48 contiguous States have become applicable to Alaska. We now have competition in our transportation facilities with a consequent reduction in freight rates and a betterment of service. All of this places the Alaska farmer in the position of competing with farmers in the southern 48 States to a far larger degree, and the farmers in those 48 States have been eligible for many years for the benefits of our present agricultural programs. For example, Alaska farmers face stiff competition from milk producers who are eligible for price supports on milk and who feed their cows on price-supported grains. Alaska farmers face competition from grain growers who are eligible for price supports. Alaskans do not have such advantages.

S. 2805 was proposed to try to bring to Alaska a measure of equality with the agricultural economies of the other States. I believe it will, and I believe it is imperative to act now to preserve the present agricultural economy in Alaska and to improve it for the benefit of Alaskans as well as the Nation.

FINANCING OF CONSTRUCTION OF BRIDGE AT CAPE HATTERAS NATIONAL SEASHORE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 2122, House bill 8983, to authorize the Secretary of the Interior to participate in financing the construction of a bridge at Cape Hatteras National Seashore.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H.R. 8983) to authorize the Secretary of the Interior to participate in financing the construction of a bridge at Cape Hatteras National Seashore, in the State of North Carolina, and for other purposes, was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed

in the RECORD an excerpt from the report (No. 2158), 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 H.R. 8983 is to authorize the Secretary of the Interior to contribute toward the cost of a 2½-mile bridge across Oregon Inlet in the Cape Hatteras National Seashore Recreational Area, N.C. As amended by the House of Representatives, the bill calls for payment of $500,000 toward the cost of constructing this bridge, which will be maintained by the State as part of its public road system.

NEED

Oregon Inlet separates Bodie and Hatteras Islands, both of which are within the national recreation area. The State of North Carolina currently provides free ferry service across the inlet and, in order to do so, maintains a fleet of six ferries there. An average of over 400 vehicles a day used the ferries throughout the year 1961, a sixteenfold increase over the traffic handled in 1950. During the 1961 tourist season, the average was 760 vehicles and on peak days it was nearly 1,500, with traffic waiting as much as 4 hours for service. Traffic counts indicate that over 65 percent of the vehicles carried during the tourist season come from outside of North Carolina and that the comparable figures for the entire year is 55 percent. Much of the remainder, even though it bears North Carolina license tags, is also tourist traffic visiting the national recreation area.

The need for a bridge across Oregon Inlet has been attested at Public Lands Subcommittee hearings. The reasonableness of the request for a National Park Service contribution toward its construction cost (somewhat over $4 million) is indicated not only by the traffic count figure but also by the facts that, contrary to the practice in many other national park system areas, the road system within the Cape Hatteras National Recreation Area was constructed and is maintained at the sole expense of the State and that all the land now owned by the United States within the recreation area was donated by citizens of the State and others.

The House of Representatives has reduced the sum requested as a Park Service contribution from $1 million to $500,000. The Department of Commerce recommended the bill be revised to provide, in effect, that the State's share of the cost of the bridge would be 37½ percent, Public Roads Administration share 37½ percent, and the Park Service share 25 percent The House bill will maintain the normal 50–50 formula in regard to the Public Roads Administration share, reduce the share to 37½ percent, and provide a contribution by the National Park Service of approximately 12½ percent. This involves approximately the same dollar cost to the Federal Government as suggested by the Department of Commerce but divides the contribution of the two Federal agencies differently.

The House of Representatives adopted an amendment suggested by the Department of the Interior to preclude the expenditure of funds appropriated for park road construction from use for the purpose of the Cape Hatteras bridge and limit payments for the construction of the bridge by the Park Service to funds specifically appropriated for that purpose.

COST

H.R. 8983 involves a $500,000 additional cost to the Federal Government.

PROHIBITION OF TRANSPORTATION OF GAMBLING DEVICES IN INTERSTATE AND FOREIGN COMMERCE—CONFERENCE REPORT

Mr. EASTLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1658) to amend the act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 5, 1962, pp. 22614–22616, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

THE MISSISSIPPI SITUATION—PERSONAL STATEMENT BY SENATOR HOLLAND

Mr. HOLLAND. Mr. President, first let me say that I appreciate very greatly the presence on the floor of the two distinguished Senators from Mississippi [Mr. EASTLAND and Mr. STENNIS]. They know, and I think the Senate knows, that I have for each of them the utmost of respect and affection, and that I feel the same way toward their great State.

Mr. President, I have seen in the press this morning, and likewise heard over the radio last night and this morning, a news report quoting only a small part of a statement which I made, not to the press, but on a recording of the CBS panel broadcast, "Capitol Cloakroom," yesterday afternoon. Some of these news reports were so partial as to create the impression that I was alined with other Senators whose philosophy toward the school integration question is fundamentally different from my own. In order that the complete discussion scheduled to be made in the panel broadcast, and recorded yesterday, on the subject of school integration and the current difficult situation in the State of Mississippi may be available to all who are interested, I shall now read into the RECORD the entire portion of the panel interview which dealt with the school integration question, both in general and as it now applies to the current tense situation in Mississippi. CBS has furnished me with an accurate transcript of the broadcast from which I quote:

GEORGE HERMAN. In view of the legal problems posed in Mississippi these days for all the Southern States and, in fact, for the entire Nation, we recall now, with respect, your service as a prosecuting attorney and as a judge in Florida and your 4 years as Governor of that State. And we note that you are today a trustee of two universities. Senator, I think we are particularly anxious to hear what a man with this background thinks about the problems arising from the court's order to the University of Mississippi to admit a Negro student. I'd like to start, if I may, with the question: Should the Federal Government use force, if that should turn out to be unavoidable, to carry out the rulings of the courts?

Senator HOLLAND. That's a hard question for the executive to have to decide, but it will have to decide it. Of course, I think the court orders should be obeyed even though they're highly distasteful, and they are to me. I think this dates back to the very unfortunate decision of 1954 and to the attempted use of legal coercion to settle a problem that I think cannot be settled by coercion. The very idea of disturbing a university over a hundred years old, with the thousands of students there, and the parents and all that are involved, by the effort of an organization to force in one additional student contrary to the laws and traditions of that university and of that State, to me is a very distasteful thing. At the same time I would have to say that under a similar situation, I think our Florida people would obey that mandate, much as we disliked it. I just want to say that I don't think through such use of litigation you're going to have created an environment in which education can go ahead nicely.

NANCY DICKERSON. Senator HOLLAND, as the situation is now, the Federal Government either lets the Mississippi Governor get away with this defiance or they send troops. That seems to be the picture right now. Can you think of any alternative to this—is there anything else the Federal Government could have done, should do?

Senator HOLLAND. Well, you have asked two questions. They could have done very differently. They could have laid off of this question beginning in 1954 and continuing up to now. They could have remembered that the Congress, every time it has had the request to adopt the part III of the Civil Rights Act, has turned it down very effectively. And they could have remembered that, in spite of the fact that part III, in effect, was included in the Democratic platform, there hadn't been any serious effort to legislate it at all under the new administration or under the old. And that's what they could have done. Now, as to what they can do now: Forced by the dilemma that they're confronted with, I suspect they will have to see it through one way or another, and I hope with all my heart that they will try every other device, the use of marshals, the use of persuasion, the use of delay, and any other thing that may occur before they even think about using force because, so far as the use of force is concerned, that is completely distasteful to the whole southern people, and I know from having talked to a good many of my colleagues here, it is distasteful to many that don't come from the South.

GEORGE CHEELY. Senator, what do you think of the theory of interposition by which the State interposes its sovereignty between the Federal Government and its actions?

Senator HOLLAND. I do not think highly of that as a legal proposal at all.

GEORGE HERMAN. I'd like to return briefly to this very unpleasant question of the use of force. Do you think it is likely that in this country, in this century, there would be actual fighting between Americans or would it be more in the lines of force on paper or some legal force, rather than actual disturbance?

Senator HOLLAND. I can't predict on that at all. As to the situation in Little Rock, you

saw that it did not ever come down to the use of force by troops of one jurisdiction being confronted with the troops of the other. I doubt if it will come to that in Mississippi. I hope it will not, but I can't predict.

GEORGE HERMAN. I have one further question. I believe I asked it of you in 1954 or 1955 after the Supreme Court's ruling when we had a similar program of this kind. And that is, what is the outcome, how does the racial situation in the South seem to you today? Is it heading toward worse disaster or is it heading toward improvement?

Senator HOLLAND. It has worsened very greatly since the 1954 decision, there is no question about that at all, and that was what was easily predictable because it is an attempt to use coercion to make people like each other better and associate together on a more cordial basis. Such an objective just can't be obtained by such means.

GEORGE HERMAN. Do you see the tensions, this is what I'm trying to get at, from today forward do you see the tensions from today increasing, or do you see that, perhaps, something of this kind will break the trend and things will begin to smooth down?

Senator HOLLAND. Well, I'm not wise enough to foresee, but my own guess is that the more coercion is used, or attempted to be used, whether in courts or by legislation, the worsened situation will continue to be aggravated.

Mr. President, I wish the record to show clearly what transpired, because of the partial—and in one paragraph, completely inaccurate, report which has appeared in the press and has been transmitted over the radio. An attempt was made to show—whether designed to that end or not—that the Senator from Florida has agreed with some of his colleagues who entertain attitudes toward this disturbing question completely different from those entertained by the Senator from Florida, which he holds with deep conviction, and which he recited in the course of the interview.

THE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the following measures were considered and action taken as indicated:

CONVEYANCE OF CERTAIN LANDS ADJACENT TO SUITLAND PARKWAY IN PRINCE GEORGES COUNTY, MD., TO LOYAL ORDER OF MOOSE

The bill (H.R. 11543) to authorize the Secretary of the Interior to convey certain lands adjacent to the Suitland Parkway in Prince Georges County, Md., to Suitland Lodge No. 1856, Loyal Order of Moose, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2159), 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 H.R. 11543, by Congressman ASPINALL, is to authorize conveyance of a right-of-way across certain Federal lands to Suitland Lodge No. 1856, Loyal Order of Moose, so that the lodge can have permanent access from their building, which overlooks the Suitland Parkway, to James Street, in Prince Georges County, Md. Fair market value will be paid for the land.

NEED

The Suitland lodge is, and for a number of years has been, using the land in question (about seventeen one-thousandths of an acre) under revocable permit from the Department of the Interior. It is its only means of access to a public highway. A permanent arrangement is needed so that the lodge can finance the building of an improved home. The land is not needed by the United States, but the only means of transferring it is by enactment of such a bill as H.R. 11543.

COST

Enactment of H.R. 11543 will entail no cost to the United States other than minor administrative expenses.

CONVEYANCE OF CERTAIN LANDS IN STATE OF MARYLAND TO HOLY CROSS LUTHERAN CHURCH, GREENBELT, MD.

The bill (H.R. 11551) to authorize the Secretary of the Interior to convey certain lands in the State of Maryland to the Holy Cross Lutheran Church, Greenbelt, Md., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2160), 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 H.R. 11551 is to authorize the Secretary of the Interior to convey 12 acres of land in Greenbelt, Md., to Holy Cross Lutheran Church for fair market value.

H.R. 11551 was introduced by Congressman LANKFORD.

NEED

The 12 acres with the transfer of which H.R. 11551 deals is part of Greenbelt Park, a unit of the National Capital parks system. This land has been cut off from the remainder of Greenbelt Park by the construction of the Capital Beltway and can no longer be efficiently administered as part of the park. The officials of Holy Cross Lutheran Church believe that the land will be useful to them for an enlargement of their parish facilities, will enable them to serve a much larger area than they are now able to serve, and will be sufficiently large to accommodate both a church structure and a school.

Only through the enactment of such a bill as H.R. 11551 can the Secretary of the Interior dispose of this property, since "surplus property," as that term is defined in the Surplus Property Act (40 U.S.C. 472(d)), specifically excludes from the coverage of that act lands reserved or dedicated for * * * national park purposes.

COST

Enactment of H.R. 11551 will entail no expense to the United States.

FORT ST. MARKS NATIONAL HISTORICAL SITE

The Senate proceeded to consider the bill (H.R. 12164) to provide for the establishment of the Fort St. Marks National Historical Site which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, after line 19, to insert a new section, as follows:

SEC. 4. There is authorized to be appropriated not to exceed $100,000 for the purposes of this Act.

The amendment was agreed to.

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

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2161), explaining the purposes of the bill.

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

BACKGROUND

The purpose of H.R. 12164, as amended, is to authorize the Secretary of the Interior to accept a donation of the site of Fort St. Marks, Fla., and to provide for the erection of a museum and appropriate markers on the site and for its administration as a unit of the national park system.

H.R. 12164 was introduced by Congressman SIKES and supersedes an earlier bill, H.R. 10926, which he also introduced.

Fort St. Marks (formerly San Marcos de Apalache) is one of a chain of important sites in the southern part of our country dating from the Spanish phase of its history. This chain stretches from Fort Matanzas and the Castillo de San Marcos at St. Augustine, Fla., through Fort San Carlos de Barrancas near Pensacola and the Cabildo at New Orleans, to Los Adaes, La., and the San Jose Mission at San Antonio, Tex.

San Marcos de Apalache is at the junction of the Wakulla and St. Marks Rivers, about 20 miles south of Tallahassee. The area which is guarded was an important source of food supply for St. Augustine. Such Spanish explorers at Narvaez and DeSoto occupied the site from time to time during the first half of the 16th century, and troops were stationed there beginning about 1645. The first fort, which appears to have been constructed in the 1670's, was captured by a mixed French-English-Indian raiding party in 1682. After recapture, a stronger fort was erected and was occupied for 20 years after which it was abandoned for a time. In 1718, a third fort was built and still another (this time of stone rather than wood, as the earlier ones had been) was commenced a few years later, probably about 1748. When this part of the country passed from Spanish to English hands in 1763, St. Marks became the center of a thriving Indian trade, which continued during the second Spanish period, 1783–1821. Andrew Jackson captured St. Marks in 1818 during the Seminole war and there executed Robert Armbruster and Alexander Arbuthnot, British traders who were making this the center of their operations. The fort was abandoned in 1824, 3 years after the cession of the territory from Spain, was partly dismantled in 1833, became a marine hospitals in 1857, and was taken over by Confederate troops during the Civil War as a protection for Tallahassee.

Fort St. Marks has been extensively investigated by Dr. Charles H. Fairbanks and Miss Doris L. Olds, of Florida State University. An outline of its history and present status will be found in the volume of the National Survey of Historic Sites and Buildings

entitled "Spanish Exploration and Settlement" (1859). Its importance in American history is well recognized and is indicated by the outline given above. The committee believes it sufficiently probable that the site will make a worthwhile addition to the national park system to justify the Congress in passing a bill permitting the Secretary of the Interior to accept a donation, as proposed, and thereafter to carry out the other objectives of the bill.

COMMITTEE AMENDMENT

H.R. 12164 has been amended, by the House of Representatives, with the concurrence of the author of the bill, to provide that the site of Fort St. Marks may be acquired only by donation. How extensive an area should be acquired for the purpose of establishing the new national historic site (a map supplied to the committee indicates that the successive forts occupied well on to 50 acres) is a matter which is left to the discretion of the Secretary of the Interior.

COST

Under H.R. 12164, as amended, the Federal Government will incur no cost for land acquisition. No final figures for the cost of a small museum on the site and for other facilities have been developed, but it is estimated that it may run in the neighborhood of $100,000, the limitation on appropriations placed in the bill by the Senate committee amendment.

ADDITION OF CERTAIN PROPERTY IN PHILADELPHIA, PA., TO INDEPENDENCE NATIONAL HISTORICAL PARK

The Senate proceeded to consider the bill (S. 783) to provide for the addition of certain property in Philadelphia, Pa., to Independence National Historical Park, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 8, after the word "with", to strike out "Sound" and insert "Second", and after line 13, to insert a new section, as follows:

SEC. 2. The first sentence of section 6 of the Act of June 28, 1948 (16 U.S.C. 407r), is amended by striking out "$7,950,000" and inserting in lieu thereof "$9,750,000".

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 first section of the Act entitled "An Act to provide for the establishment of the Independence National Historical Park, and for other purposes", approved June 28, 1948 (62 Stat. 1061), is amended by adding at the end thereof the following:

"(e) An area bounded by Chestnut and Walnut Streets, Second Street, and the proposed Delaware Expressway, to be known as 'project F'; except that the following described property at the southwest corner of the block shall not be acquired by the Secretary:

"Beginning at the intersection of the north side of Walnut Street (50 feet wide) and the east side of Second Street (50 feet wide), thence north along the east side of Second Street 86 feet 3 inches to a point, thence east at right angles with Second Street 103 feet to a point, thence south parallel with Second Street 15 feet 3 inches to a point, thence east parallel with Walnut Street 52 feet to a point on the west side of Hancock Street 13 feet wide, narrowing to 10 feet wide at Walnut Street, thence south along same 72 feet, 9 inches to a point on the north side of Walnut Street, thence west along same 155 feet to beginning."

SEC. 2. The first sentence of section 6 of the Act of June 28, 1948 (16 U.S.C. 407r), is amended by striking out "$7,950,000" and inserting in lieu thereof "$9,750,000".

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 2164), explaining the purposes of the bill.

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

BACKGROUND

Independence National Historical Park in the old "center city" section of Philadelphia, Pa., is now attracting nearly 2 million visitors annually. A high percentage of them are schoolchildren, who come in schoolbuses, to see "the cradle of American liberty," the rooms where the Declaration of Independence was signed, Liberty Bell, and the halls where Congress met to deal with the problem of the new Nation.

The national historical park property is now made up of approximately four city blocks and includes the historic Second Bank of the United States, Carpenters Hall, Philadelphia Merchant Exchange, City Tavern, Old Swede's Church, Philosophical Hall, and noted colonial homes.

The city of Philadelphia has spent many millions of dollars developing a three-block mall immediately north of Independence Hall. Areas to the south, in accordance with the city's redevelopment plan, are being restored to their former colonial environment. Historic homes, assured protection as residences by zoning, are being restored and reconstructed. The "cradle of liberty" is almost literally being dug out of a confusion of undistinguished and often shabby commercial buildings—a commercial blight area—and being surrounded, instead, by the mall and a colonial atmosphere.

Presently, visitors to the national historical park property unload in front of Independence Hall on a one-way street. When the curb in front of the hall is fully occupied, schoolbuses often have to pull to the left side of the street and unload their cargo of schoolchildren into the center of the busy street.

The first historic structure entered by the visitors is Independence Hall itself. As a result, the other historic buildings in the park become anticlimactic.

Redevelopment of the "center city" area will accommodate the construction of a great multilane, north-south interstate highway up the Delaware River a few blocks east of the park. An east-west interstate highway will be routed across the Delaware River, a few blocks to the north. Exits from both of these interstate roads will make the park easily accessible. Attendance will unquestionably increase greatly.

There is a real need for parking facilities for visitors adjoining the park. At the same time, National Park Service desires to move the general entrance to the park for visitors to the east end, so tours of the area can start near the old Exchange Building, pass Carpenters Hall, the Second Bank of the United States Building, and be climaxed by Independence Hall. The Park Service feels it will permit a more orderly and impressive interpretation of the area, and make more valuable the experience, not only of adults, but also of the hundreds of thousands of youthful pilgrims to the historic shrine.

THE BILL

S. 783 authorizes the National Park Service to acquire the city block east of Independence Hall National Park, excepting the location of Bookbinders Restaurant, an old, nationally known eating house. The restaurant business is conducted in the original building plus the reconstruction of a colonial house which adjoined it. The structure is compatible with the colonial environment. Its acquisition would materially increase the cost.

It is intended to clear the acquired property and use it for visitor parking and a reception center. The project will clear the only block intervening between the national park and the new interstate highway right-of-way.

DEPARTMENTAL RECOMMENDATIONS

Federal acquisition of the block involved was proposed in 1958 and approval by the Secretary of the Interior following an on-site inspection.

The pending legislation has been approved by the Department of the Interior with two technical amendments which have been adopted.

Hearings were held in Washington on S. 783 in 1961, but action on the measure was held in abeyance until a hearing could be held in Philadelphia. Such hearing was conducted in the old Second Bank of the United States Building on July 16, 1962, and the measure was subsequently reported favorably by the Public Lands Subcommittee.

Opposition to the proposal has been based on the contentions that there is adequate commercial parking space now within a few blocks of the national park and that favoritism is being shown Bookbinders Restaurant.

There can be no question that the restaurant will benefit but its acquisition and demolition would involve a large Federal expenditure to demolish compatible buildings of a business institution which will provide for one of the needs of many park visitors.

The city planning agency and traffic engineers, who base their estimates of parking requirements on the number of houses, apartments, businesses, and other occupancies in the area as it is to be redeveloped, find that parking facilities will be inadequate in the area unless more are provided. The Federal parking facility need not be a competitor with established parking operations.

National Park Service has not determined how the Federal facility will be operated. Both direct Federal operation and contract operation are possible. A parking fee could very well be charged in either instance.

It appears highly unlikely that Congress would ever approve an admission charge to enter Independence National Historical Park. It is a part of the heritage of every American; indeed, of most of the citizens of the free world. Liberty Bell belongs first to Americans, but also to all mankind. Access to the area should be facilitated and not impeded.

Those who desire offstreet parking near the site might, however, justifiably be asked to pay a fee for this service to meet the cost of providing it.

COST

The estimated cost of acquisition of the property involved is $1,800,000. Cost of clearing, grading, surfacing, and preparing the area for use is estimated at $380,000.

ASSISTANCE TO STATES FOR FORESTRY RESEARCH PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1974, House bill 12688.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12688) to authorize the Secretary of Agriculture to encourage and assist the

several States in carrying on a program of forestry research, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments, which amendments were agreed to on September 25, 1962.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The District of Columbia appropriation bill.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which Calendar No. 1974, House bill 12688, was passed.

The motion was agreed to.

Mr. JORDAN of North Carolina. Mr. President, there was an amendment to that bill which was not acted upon.

The PRESIDING OFFICER. The amendments were previously agreed to, on September 25.

Mr. JORDAN of North Carolina. Mr. President, there is an amendment to the bill which the Senator from Mississippi [Mr. STENNIS] is going to offer.

Mr. STENNIS. I am going to oppose it.

Mr. MANSFIELD. Mr. President, I move that the votes by which the amendments were agreed to and ordered to be engrossed and the bill to be read a third time be reconsidered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. STENNIS. Mr. President, what is the parliamentary situation, to be certain that it is clear?

The PRESIDING OFFICER. Consideration of the committee amendments is in order, and the bill is subject to amendment.

Mr. STENNIS. Mr. President, there are two committee amendments, as the Senator from Mississippi understands, and the Senator from Mississippi is appearing in opposition to those two amendments. It would be satisfactory to consider them en bloc, so that one vote could control. If there is no objection, I so request.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. What is pending?

The PRESIDING OFFICER. H.R. 12688.

Is there objection to considering the committee amendments en bloc?

Mr. STENNIS. Mr. President, perhaps, if the Senator from Mississippi is permitted to make a brief statement about the bill and refer to the amendments, the matter will be placed before the Senate in a form in which it can be understood. The Senator from Mississippi is author of a Senate bill which corresponds to the House bill presently pending.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, if I may have the attention of the Senator from Oregon [Mr. MORSE] I wish to say that the basic purpose and idea behind the House bill which is now before the Senate is a program by which Federal funds will be appropriated each year to carry on forestry research at various forestry schools throughout the Nation.

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

Mr. STENNIS. May I just complete a statement of the general purpose first?

The purpose is similar, to a great extent, to the present program in effect with reference to general agricultural research, whereby every year a sum is appropriated under a formula and is distributed among the States according to that formula.

In a large way, the bill before us proposes a program to copy the program I have mentioned. Therefore, to that extent, it is not an innovation. It would apply primarily to colleges and universities that have forestry schools. The idea is to have the program centered largely in graduate work and to deal with some of the problems that may be concerned in the areas represented.

It is impossible—certainly at the start—to lay down a rigid formula under which the money will be distributed.

The bill was introduced in the Senate by my colleague from Mississippi [Mr. EASTLAND] and the Senator from Vermont [Mr. AIKEN], and I was the third author and have been handling the bill. We worked on the matter with Members of the House, which passed the bill. The House bill is now before the Senate.

There are two proposed Senate committee amendments about which I wish to speak. One provides that private institutions be made eligible for these funds. The other is a minor amendment with respect to the way of selecting the advisory group that will advise as to the distribution of the funds.

This is the parliamentary situation, on a broader scale: I am satisfied, after making the most minute inquiry from day to day, that if amendments were adopted to the House bill, they would in effect kill the bill for this session. For that sole reason, I am compelled to oppose the committee amendments as vigorously as I know how.

One of the committee amendments is a minor one with respect to making the funds available to private institutions. I would not oppose the amendments particularly for that reason, but the other body has had that question before it, and the lines are tightly drawn there. If we adopted that amendment it would raise a serious question as to whether the House would consider it in this session. Further, a majority of the committee on that side is difficult to assemble, and one Member could move against the amendment and it would kill the bill for this session.

Mr. President, I ask unanimous consent that a statement which I have prepared on H.R. 12688 be printed at this point in my remarks.

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

COMMENTS ON H.R. 12688

I wish to speak briefly in support of H.R. 12688 as amended which would authorize the Secretary of Agriculture to encourage and assist the States in carrying on a program of forestry research. I had introduced a similar bill for Senator AIKEN, Senator EASTLAND, and myself. The bill here considered is entirely satisfactory to me and I urge its enactment because it would greatly benefit forestry throughout the Nation.

It would accomplish three things: (1) It would open a new avenue to strengthen and stimulate forestry research at State colleges and universities, (2) it would bring the skills of additional scientists to bear on difficult forestry problems, and (3) it would stimulate the training of graduate forestry researchers so badly needed by private and public research institutions and agencies.

As one looks ahead to the needs for new knowledge and an improved basis for producing and utilizing our forest resources, he is impressed by the fact that a scientific endeavor will be needed well beyond what is currently being brought to bear on critical problems. I am told that in spite of some good work being done at colleges and universities, forestry research at these institutions is lagging. In fact only 7 or 8 percent of the total expenditures by all agencies for forestry research is at the universities.

This effort should be greatly expanded and it must be if the answers to perplexing problems are to be forthcoming. The States need encouragement and assistance to build stronger forestry research programs. Enactment of this legislation would authorize and direct the Department of Agriculture, seasoned and experienced in forestry research, to help the colleges and universities move ahead in forestry investigations.

There are many scientists in the universities whose skill as chemists, physicists, botanists, or engineers could greatly benefit progress on difficult research undertakings in forestry. These men need to be stimulated to take an active part in many of the basic phases of research on forestry problems. I have visited many universities, with and without strong forestry schools. I am impressed with the scientific talent in the various disciplines closely related to forestry. This represents a reservoir of skill that could be funneled into forestry research. Stimulation by a program such as would be authorized under H.R. 12688 is needed to attract this talent into forestry research.

Finally, I want to emphasize that enactment of this legislation will have great value in the training of research scientists. Forestry research has been expanding and it is going to expand more in the years ahead as fuller use is made of timber, water, forage, recreation, and fish and wildlife. Increasing numbers of scientists will be needed in the future. The universities can turn out qualified research workers only if they have strong research programs of their own to serve as a training vehicle. This is why the schools must be strengthened in forestry research. Programs of the Federal Government, as well as those of other agencies would benefit from a greater number of trained scientists.

Thus, I strongly endorse H.R. 12688 and urge that it be enacted. Such legislation will go a long way toward developing a research program for the furtherance of forestry in America.

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

Mr. STENNIS. I yield.

Mr. MORSE. I say to the Senator from Mississippi that I know all about the bill. My only disappointment about the bill is that it was introduced before I could become a cosponsor of it.

Mr. STENNIS. I thank the Senator.

Mr. MORSE. I have not only supported and expressed appreciation for the capable job the Senator from Mississippi has done in connection with supporting forestry research, but aside from that, I have thanked him all over the State of Oregon, before audience after audience, for the great debt we owe the Senator from Mississippi in regard to forestry development.

Previously he had introduced a bill that provided for the establishment of a forest research center in Redmond, Oreg. Last year he got the bill through. I expressed my appreciation to him then. I express my appreciation to him now.

I am sure the Senator from Mississippi knows that I have been one of the strongest advocates in the Senate of the Senator's bill. I have urged its support. I urge its support again.

I want to join the Senator from Mississippi now in the position he has taken on the amendments. I have followed this bill very closely. I have talked with my House colleagues, and they also tell me, as the Senator from Mississippi has pointed out, that if we amend the House bill on the floor of the Senate today we are going to lose it in the House. We are going to lose it in the House because of inaction, if for no other reason. Even if members of the House committee could be assembled—which is doubtful—the chances are good that the two amendments would be lost. That would only set the bill back further.

So my plea is, as I join the Senator from Mississippi, not to amend the bill on the floor of the Senate today if the Senate wants a bill.

The subject matter of the bill is vital to the economies of those States which are dependent on the forest industry. Not only am I pleading for the Pacific Northwest and for Alaska, but also I am pleading for every Southern State in which lumber plays an important part.

We need all the research in forestry that we can get.

I close by saying again to the Senator from Mississippi, in behalf of the people of my State and in behalf of the forest industry of my State, that I thank the Senator most sincerely for what I consider to be the great service he has rendered.

Mr. STENNIS. I thank the Senator from Oregon very much for his support of the bill and for his practical explanation of the situation we face. If we are to have a law at all, we must pass the bill in the present form, without amendments.

Mr. President, I should like to give a further word of explanation. This proposal really would not embark Congress upon any kind of a new program or new system of aid. It would only bring into forest research in a modest way what we have been doing all the time in general agricultural research. It would adopt the ability, the techniques, and the know-how of State institutions and forestry schools throughout the Nation.

As to the amount involved, there is to be a ceiling as to how much can be appropriated. The amount could never be more than half the sum appropriated for the preceding year for our own Federal forestry research program. Last year that was $21 million. So there is a ceiling of 50 percent which, as a practical matter, would be about $10 million.

As a personal opinion, I think to start the program the cost would be perhaps $5 million, $6 million, or $7 million for the first year.

The money provided by the Federal Government would have to be matched by the States on a 50–50 basis. Whatever amount in dollars is provided to a given State, that State will have to provide an equal amount.

There is a provision in the bill that the Department of Agriculture would accept the certificate of the head of the institution involved. I point out that the language may not spell it out, but it is certainly the intent that this provision would not permit the inclusion of a great deal of administrative cost, or of the cost of administration of the university or college. The certificate is supposed to be limited to the actual dollars spent directly upon various experiments which are included in the program.

I hope I have made it clear to Senators that the Senate amendments, even though they have strength and merit—I would oppose one of them, anyway—as a practical matter, for the time being, must be dropped if we are to pass the bill and have a law, for it is necessary to pass the bill as it was passed by the House. Other matters can be considered later, at a proper time.

Mr. President, before I yield the floor, I believe I am correct in stating that the amendments are now pending, and that it will require an affirmative vote for the amendments to be adopted.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi that the amendments be considered en bloc?

Mr. PROXMIRE. Mr. President, I should like to speak briefly on this bill.

Mr. STENNIS. I have not yielded the floor.

Mr. PROXMIRE. Mr. President, reserving the right to object, I think the amendments are quite distinct and different. I earnestly hope that both of the amendments will be considered.

I favor both amendments strongly. The first amendment, the adoption of which I secured in committee relates to membership on the advisory committee. It would permit the university in my State of Wisconsin to be represented on that board. As the bill is drafted without that amendment Wisconsin would be excluded although there is an excellent forestry course at our State university.

I venture to say that the majority of Senators will find that, if the amendment is rejected, their own State universities will be barred from membership on this advisory board. The bill would limit the selection of the advisory board in a most unfortunate manner, and in a way which I think perhaps the authors of the bill originally did not intend.

I would regret it very much if at least the first amendment were not given consideration. I know there is a problem with respect to the House of Representatives and action there, but I shall regret it very much if there is to be no possibility for the Senate to consider bills and amendments on their merits, and if we are to be told we cannot pass bills if we amend them as we would like to amend them.

The Senate Committee on Agriculture and Foresty gave this question careful consideration. We discussed it at considerable length. As I recall, the advisory committee amendment had virtually no opposition. The Senate Committee on Agriculture and Forestry agreed to it after careful discussion.

The second amendment was a little more controversial.

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

Mr. PROXMIRE. I am merely reserving the right to object. I do not wish to kill the bill. I know it is an important bill. I should like to cooperate with the Senator from Mississippi, but I think all Senators should be aware of what we are asked to do.

As a Senator from the State of Wisconsin, representing my State and our university, I feel that my people should be given very thoughtful consideration, and at least there should be some expression, by Senators interested in the bill, that when the Senate considers legislation of this kind next year thorough consideration will be given to this question by the Senator from Mississippi, who is a powerful leader in this area.

Mr. MANSFIELD. Mr. President, I think that is an excellent suggestion made by the Senator from Wisconsin, who has brought up a real problem.

Mr. STENNIS. I assure the Senator from Wisconsin again that I will help in every way I can to have an amendment along that line agreed to. I had already given the Senator assurance. Perhaps he was busy at the time.

Mr. PROXMIRE. I know the Senator did, but I was anxious to make a clear public record on this.

Mr. STENNIS. This is not a question of the House trying to dictate to the Senate, "Take it or leave it." We face a very practical situation whereby there would be great difficulty in having the amendments and the bill considered by the House of Representatives. I do not think it would be possible to get the measure before the House of Representatives if either of the committee amendments were attached to it.

I have lived with the bill for 2 years, at every step of the way.

Certainly no Senator wants to discriminate against the State of Wisconsin. The State of Wisconsin has the largest, finest, and the most costly research laboratory in the entire world. Both Senators from Wisconsin urged new funds, and rebuilding there. The item was left out of the bill for 1 year. The Senator from Mississippi was delighted to help in every way he possibly could

in that regard. This year money was made available for it. I believe more than $4 million was provided. While other States were getting $200,000 or $300,000, and were glad to get those amounts, the State of Wisconsin was provided more than $4 million for a forestry research program.

I think the Senator could wait at least 1 year to get the amendment to the law, and let the bill as a whole move along. I hope the Senator will do so.

Mr. PROXMIRE. Mr. President, reserving the right to object, again I tell the Senator from Mississippi that I wish to see the bill passed. It is an important bill, and it should be passed.

I think it is necessary and desirable to make this a matter of record.

Mr. STENNIS. I agree.

Mr. PROXMIRE. We have an understanding then that this amendment will be given sympathetic consideration next year. My people in Wisconsin feel strongly in this regard.

Mr. STENNIS. Yes.

Mr. PROXMIRE. A number of people feel quite strongly in regard to the other amendment, which would provide that two fine forestry schools, two of the very best in America, one at Duke and one at Yale, be made a part of the program. That is another issue, and I do not raise that issue at this time.

Many States have strong forestry programs and should be permitted to have members on the advisory board. I earnestly hope that next year that question can be given thorough consideration.

The Senator from Mississippi has been a leader in the Senate in this field, and I hope he will give us his support.

Mr. STENNIS. The Senator from Mississippi wants to see that done, and hopes that such a provision can be included in some bill. I wish it could be attached to the bill we are considering today. I would strongly support it, if the road ahead were not blocked.

Mr. PROXMIRE. With that in mind, I do not object. I shall vote in favor of the amendments, when the voice vote is taken.

Mr. STENNIS. I thank the Senator from Wisconsin.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. What is the parliamentary situation?

The PRESIDING OFFICER. The question is on agreeing to the request by the Senator from Mississippi that the committee amendments be considered en bloc.

Mr. MANSFIELD. I thought the Senator from Mississippi had made a request with respect to the amendments.

Mr. STENNIS. I have appeared in opposition to the amendments. If Senators would prefer to have separate votes on the amendments, that is satisfactory to me.

The PRESIDING OFFICER. The question is on agreeing to the request by the Senator from Mississippi that the committee amendments be considered en bloc.

Mr. MORSE. Does that request include the two amendments about which we have been talking?

Mr. STENNIS. Yes. It includes the two amendments.

The PRESIDING OFFICER. The request relates to all the committee amendments, as the Chair understands it.

Mr. MORSE. Did the Senator include all the amendments in his request?

Mr. STENNIS. There are only two involved.

Mr. MORSE. I thought there were others.

The PRESIDING OFFICER. The Chair will state that there appear to be six amendments.

Mr. STENNIS. Mr. President, I point out that the Senator from North Carolina [Mr. JORDAN] has done well-defined work in connection with the bill. He has fathered it all along, in the committee and elsewhere, and has guided it and brought it to the Senate. I know the Senator is interested in one of the amendments. I wish that circumstances were more favorable in that regard.

The PRESIDING OFFICER. The question is on agreeing to the request by the Senator from Mississippi that the committee amendments be considered en bloc. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the committee amendments.

Mr. STENNIS. Mr. President, I have already spoken in opposition to the amendments. For the reasons I have given, I hope the Senate will reject the amendments.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were rejected.

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, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 12688) was passed.

Mr. STENNIS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

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

The motion to lay on the table was agreed to.

WISCONSIN INVITES ALL AMERICA TO ENJOY BADGERLAND VACATION

Mr. WILEY. Mr. President, within a few days Congress will adjourn.

For Senators, this will mean either hitting the campaign trail or a vacation.

To all Senators, and their constituents, I want to take this opportunity to extend an "open arms" invitation to enjoy a fall vacation in Wisconsin.

During the autumn, the countrysides of Wisconsin become a colorful, beautiful, wonderland of cool, brisk air whispering through the tall pines; of sparkling waterfalls; of spring-fed rivers and mirror-clear lakes; and other exciting, awe-inspiring landscapes and scenes of natural and man-created beauty.

In visiting Wisconsin one will find an opportunity, in addition, to enjoy good fishing in our lakes and streams; boating; spirit-revitalizing walks through our woodlands; and a variety of other indoor and outdoor activities to refresh the mind, relax the body, and renew the spirit.

In Wisconsin, too, you will enjoy varied cultures—mirroring ancestral homelands around the world; homelike accommodations; mouthwatering foods; and the wonderful hospitality and heartwarming handclasps of friendship of a great people.

In these high-tension times of global crises, of national problems, of personal cares, a visit to Wisconsin offers a chance to shed for a moment these burdens of life, enjoy a happy time in the pleasureland of Wisconsin, and then re-emerge to the world better able to cope with the great challenges yet ahead.

To all America, the welcome mat is always out.

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

Mr. WILEY. I am very happy to yield to a former son of Wisconsin. I do not know why he left our State, but he will tell the Senate.

Mr. MORSE. Mr. President, I am always deeply moved by the annual plea of my good friend from Wisconsin for tourist interest. His plea fills me with nostalgia. So much of what he says is true, except for the fact that the State of Oregon produces its superior Tillamook cheese. Also I forgot to add that Wisconsin produces the second best cheese in the country.

Mr. WILEY. Mr. President, of course, I cannot get into an argument such as the one we heard earlier today on the part of the distinguished Senator from Florida. But when a Senator from Wisconsin goes into another land and obtains good cheese, it is probably cheese imported from Wisconsin or made by imported cheesemakers. When he does not give recognition to that fact, he must be very tired, worn out, and needing to return to Wisconsin and recharge his batteries. He would also obtain a few other things that would make him physically as well as mentally alert.

Mr. MORSE. I shall be there.

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

Mr. WILEY. I yield.

Mr. RANDOLPH. It would be ill-advised for the Senator from West Virginia to allow a discussion of this kind to go unnoted, for the reason that the very finest of cheese is made at Helvetia, W. Va.

Helvetia is a small community in my home county in which people from Switzerland originally settled and where their descendants now continue, after several generations, to carry on the skill of creating a very superb Swiss cheese.

I do not believe I am prejudiced, but I do acknowledge that my wife's forebears came to West Virginia from lovely

Switzerland and settled in equally beautiful West Virginia.

Helvetia is one of several sections in our mountains where sturdy Swiss folk continue to practice the customs of their motherland. They are patriotic citizens of America, but at fair time in the autumn wonderlands of our State, they do observe and recreate the lore of their ancestors.

Next week at the annual Mountain State Forest Festival, centered in my home city of Elkins, we shall be honored with a visit from the Ambassador from Switzerland to the United States.

Mr. WILEY. Mr. President, Wisconsin produces 19 billion pounds of milk. Yesterday, as long as the supply lasted, I distributed to Senators a new and yet an old blue cheese which is better than anything manufactured abroad. We make all varieties of cheese. In Oregon only one kind is made. We have heard that one kind is produced in West Virginia. So notwithstanding all the fervor of expressions we have heard from Senators from States in which those two cheeses are produced, I point out that any cheese made anywhere in the world can also be made and is made in Wisconsin, because we have the milk, and water, and the best cheesemakers. We also have whatever else it takes to produce not only good cheeses but good fish and, best of all, good men and women.

So come to Wisconsin, not only for the best Cheddar cheese, best swiss cheese, best blue cheese, but as I said before, you are to get health and rest and enjoyment. We will welcome you with open arms and when you depart rested, we will say, "auf wiedersehen" next year.

DECLARATION OF PURPOSE OF THE JUNIOR ORDER OF UNITED AMERICAN MECHANICS

Mr. ERVIN. Mr. President, at its meeting in Morehead City, N.C., on August 10, 1962, the North Carolina State Council, Junior Order of United American Mechanics, adopted a declaration of purpose setting out in eloquent fashion the fundamental objectives of this great patriotic fraternity. I ask unanimous consent that a copy of such declaration of purpose be printed at this point in the body of the RECORD as a part of my remarks.

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

DECLARATION OF PURPOSE

Whereas the year 1962 marks the 109th anniversary of the founding of our beloved order, and it is appropriate that our patriotic purposes be reiterated for the information of the people and legislators of our State and Nation, the substance of which is:

1. To become truer men, better citizens, and stronger patriots.

2. To give true allegiance to our Government, its institutions, Constitution, and laws.

3. To maintain and promote the interest of Americans, shield them from the depressing penalties of unrestricted immigration, and to assist them in obtaining employment.

4. To uphold the American public school system, to prevent interference therewith, and to encourage the reading of the Bible in our schools thereof; and

Whereas with these concepts in mind, the order fosters love of country and recognizes the necessity for the maintenance of high moral and spiritual values and the preservation of freedom; it favors those legislative measures which will insure our individual and national freedom and the welfare of the Nation and cause swift and utter defeat of all subversive forces and ideologies that threaten them; and

Whereas the order for decades has held the premise that in America church and state should always be separate, it therefore again registers its opposition to the granting of Federal or State aid to parochial educational institutions; and

Whereas heretofore the order has by resolution declared its opposition to the recognition of Red China, the admission of Red China to the United Nations, and all forms of world government, in the belief that a strong free America is our best moral force for hope and peace; and

Whereas resolutions have been passed asserting the order's stand for national care and pride in free enterprises, fiscal solvency and strong defense, in order that our Nation may survive; that the curricula of American schools include more thorough teaching of American history; and the Constitution of the United States; that the Connolly reservation be retained as a necessary safeguard to our national security; that the order combat communism, support vigorously all efforts to forestall domination, control and colonization by international communism in this land and other areas in the Western Hemisphere; that the order is opposed to movies, plays, and TV programs which reflect preoccupation with sex and violence and its aberrations; that the order is unalterably opposed to any liberalizing amendments to the McCarran-Walter Immigration and Naturalization Act; that the American flag should be displayed on or near diplomatic establishments abroad and flown more frequently at home, particularly on holidays of historic significance; that the Committee on Un-American Activities merits our support and should be continued: Now, therefore, be it

Resolved, by the State Council of North Carolina, Junior Order United American Mechanics, in session assembled this 10th day of August 1962, in Morehead City, That it declares, reaffirms, and pledges anew to diligently labor for the order's patriotic purpose and takes the stand on legislative measures as enumerated herein; and, be it further

Resolved, That each member rededicate himself to a more active citizenship and to become a dynamic member; and be it further

Resolved, That the State Secretary be and hereby is, directed to send a copy of this resolution to the Members of Congress representing this State and the local press.

J. L. WHITE.
W. G. SUGG.
K. C. LONG.

Approved by the good of the order committee.

J. A. PRITCHETT.
J. E. MOSTELLER.
W. G. SUGG.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1963

The Senate resumed 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.

The PRESIDING OFFICER. The Chair suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to meet at 10 o'clock tomorrow morning.

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

Mr. MANSFIELD. I express the hope and prayer that at least 51 Senators will be present then.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1963

The Senate resumed 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.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the committee amendments may be agreed to en bloc, and that the bill as thus amended be regarded as original text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The committee amendments, agreed to en bloc, are as follows:

On page 3, line 20, after the word "Commissioners", to strike out "$16,005,000" and insert "$15,992,600", and in line 23, after the word "and", to strike out "$161,000" and insert "$179,350".

On page 5, line 4, after the word "purposes", to strike ot "$57,560,000" and insert "$57,676,400".

On page 5, line 22, after the word "including", to insert "$3,000 for membership in the Research Council of Great Cities Program and"; on page 6, at the beginning of line 2, to strike out "$56,817,000" and insert "$57,284,600"; in the same line, after the word "which", to strike out "$576,700" and insert "$574,200"; and in line 5, after the word "amended", to insert a comma and "and the limitation of $6,000 included under the heading 'Public Schools' in the District of Columbia Appropriation Act, 1961, for services of experts and consultants is hereby increased to $7,600".

On page 6, line 19, after the word "Park", to strike out "$8,377,000" and insert "$8,361,800".

On page 6, line 22, after the word "including", to insert "$3,000 for membership in the Metropolitan Area Hospital Council; purchase of four additional vehicles and allowances for privately owned automobiles used for the performance of official duties in controlling venereal diseases at the rate of 8 cents per mile but not more than $600 per annum for each automobile;"; on page 7, line 4, after the word "Hospital", to insert "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;"; in line 7, after the amendment just above stated, to strike out "$66,528,000" and insert "$65,508,100"; and in the same line, after the amendment just above stated, to insert a colon and *"Provided,* That the inpatient rate and outpatient rate under such contracts and for services rendered by Freedmen's Hospital shall not exceed $32 per diem and the outpatient rate shall not exceed $5 per visit:".

On page 8, line 5, after the word "only", to strike out "$11,470,000" and insert "$11,418,000"; in line 6, after the word "which", to strike out "$7,700,476" and insert "$7,652,126"; and in line 7, after the word "including", to strike out "$1,644,000" and insert "$1,642,100".

On page 8, line 13, after the word "only", to strike out "$20,789,000" and insert "$20,760,800"; in line 15, after the word "account", to strike out "$6,872,975" and insert "$6,861,375"; and at the beginning of line 17, to strike out "$3,948,600" and insert "$3,936,650".

On page 10, line 2, after the word "addition", to insert "and three children's cottages"; in line 4, after the word "School", to strike out "$223,000" and insert "$162,000"; in line 6, after the word "expended", to strike out "$49,713,000" and insert "$49,451,000"; in the same line, after the word "which", to strike out "$13,500,000" and insert "$14,500,000"; in line 8, after the numerals "1963", to strike out "$10,631,142" and insert "$9,871,142"; in line 12, after the word "and", to strike out "$1,158,700" and insert "$1,193,700"; and in line 19, after the word "Grounds", to insert a colon and *"Provided,* That not to exceed $300,000 of funds heretofore appropriated under the heading 'Capital Outlay' shall be available for purchase of furniture and equipment for new dormitories at the District of Columbia Village".

On page 12, line 4, after the word "that", to strike out "seventy-five" and insert "one hundred and twenty-five (fifty for investigators in the Department of Public Welfare)".

On page 15, after line 4, to insert a new section, as follows:

"SEC. 16. The salary of the Controller for the Department of Public Welfare shall be at the rate of grade GS-16 and the Commissioners are authorized to appoint supervisors of investigators for the Department of Public Welfare at grade GS-11 and investigators at grade GS-9."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BYRD of West Virginia. Mr. President, the Subcommittee on Appropriations for the District of Columbia held 24 days of hearings on the pending bill. The hearings are in two volumes, totaling 2,490 pages.

The Appropriations Committee recommends the appropriation of $289,253,300.

This is $805,700 under the House appropriation of $290,059,000. It is $10,908,178, under the budget estimates, the budget estimates having totaled $300,161,478.

It is $19,185,403 over the appropriations for last year, the appropriations for last year having amounted to $270,067,897.

The estimated revenues total $300,871,000, broken down in this manner.

The overall surpluses in all funds as of June 30, 1962, amounted to $6,240,000. The total of Federal payments to all funds would be $33,199,000, of which $30 million would be to the general fund.

This is the same amount as the Federal payment to the general fund appropriated last year, and it is $2 million under the authorization.

The total in Treasury loans to all funds would be $26,042,000, of which $18.7 million would be to the general fund.

The estimated revenue collections are $235,390,000.

That makes the total, as I have already indicated, of $300,871,000 in estimated revenues available.

The net fund requirements amount to $283,616,000. Consequently, there is an anticipated surplus in all funds, for the forthcoming year, of $17,255,000, of which $8,454,000 would be surplus in the general fund. This, in a nutshell, is the revenue picture.

The bill appropriates $26,901,900 for the Police Department. This would provide 56 additional police positions, bringing the total strength of 2,844 up to 2,900 positions.

The bill provides for the annualization of 120 police positions added during fiscal year 1962. It also provides for the replacement of 44 automobiles and for an additional 25 man-dog teams, making an overall total of 75 teams in the K-9 corps to help cope with the District's serious crimewave.

The House appropriated $26,999,800 for the Metropolitan Police Department. The Senate appropriation of $26,901,900 is the full amount, taking into account the late passage of the bill. Consequently, this Department is getting every cent it requested.

As to the Department of Education, we are providing $57,284,600 and are adding 57 positions. The House had allowed 90 elementary school teachers, 89 junior high school teachers, and 14 senior high school teachers. The Senate committee was asked to add 43 elementary school teachers and 52 junior high school teachers. The Senate committee has added 22 elementary school teachers, 19 junior high school teachers, 2 counselors for senior high schools, 3 counselors for junior high schools, and 9 counselors for elementary schools.

The Senate committee has also added 2 librarians for the elementary schools.

As to the replacement of obsolescent books, a matter regarding which the distinguished senior Senator from Minnesota, the majority whip [Mr. HUMPHREY], has expressed great interest upon many occasions, and concerning which he was very active in the subcommittee and full committee deliberations, the committee takes great pleasure in announcing that we have added $135,400, which, when added to the $379,000 appropriated by the House, makes the full amount of $514,400, which is the total necessary to replace obsolescent books. We have also added $25,000 for library books in the elementary schools.

The committee has recommended the appropriation of $63,100 for the improvement of the educational program for culturally deprived children, previously financed from Ford Foundation funds.

The student-teacher ratio in the elementary schools in 1955 was 35.9 to 1. The desired ratio is 30 to 1. Last year the ratio in the elementary schools was 31.6 to 1. The House allowance of 90 teachers left the ratio at last year's figure. The Senate allowance will reduce the student-teacher ratio below the figure of last year and therefore bring the Department closer to the desired ratio of 30 to 1.

The desired student-teacher ratio in junior high schools is 25 to 1. Last year the student-teacher ratio was 27.2 to 1. The House allowance of 89 additional teachers permitted the ratio to stand at that figure—27.2 to 1. The additional teachers allowed by the Senate Committee on Appropriations will reduce that figure again, so as to make progress toward the desired ratio of 25 to 1.

The appropriation for the Department of Education is $467,600 over the House allowance.

The committee believes the bill presents a very good package, so far as the Department of Education is concerned.

Following the Black Muslim riots, the Department of Corrections presented to the Senate Committee on Appropriations a request for 65 additional correctional officers. That request, of course, was made subsequent to House action on the bill.

The Senate subcommittee recommended 40 additional correctional officers. The Senate Committee on Appropriations accepted this recommendation; therefore, the bill which is presented to the Senate provides $103,400 for these additional 40 positions for the Department of Corrections.

The appointment of 2 additional juvenile court judges necessitated an increase of 12 positions in the juvenile court section, and an addition, in the Office of Corporation Counsel, of 4 attorneys and 2 stenographers. Money is also included in the amount of $2,300 for an improved telephone system for the juvenile court. The committee has noted with concern the backlog of juvenile court cases and the decrease in collections involving public welfare clients, and feels that the addition of two more judges in the court should help alleviate the backlog and result in increased collections.

We have also included funds for four additional positions in the municipal court section.

Funds are appropriated in the amount of $48,750 for the temporary home for veterans of all wars. This item was not included in the bill when it came to the Senate from the House.

The subcommittee held many days of hearings on the budget request for the Department of Public Welfare. The House had allowed $21,856,000, a $10,000 reduction in the total appropriations of last year. Subsequent to action by the House on the bill, the Comptroller General of the United States submitted to the chairman of the House Subcommittee on District of Columbia Appropriations and to the chairman of the Senate Subcommittee on District of Columbia Appropriations a report on the special investigation of the ADC category.

Mr. President, I ask unanimous consent that the report be printed at this point in the RECORD.

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

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., July 26, 1962.

To the Chairmen, Subcommittees on District of Columbia and Senate and House Committees on Appropriations:

Herewith is our report on the investigation of selected cases under the aid to dependent children (ADC) program, administered by the Public Assistance Division (PAD), Department of Public Welfare, District of Columbia government, June 1962. We participated in the investigation pursuant to your request of March 6, 1962.

The investigation of 236 ADC cases disclosed that the recipients in 133, or 57 percent, of the cases were ineligible for financial assistance under the eligibility requirements and need standards as prescribed by the Board of Commissioners. The ineligibility of the recipients in 69 of the cases was directly related to the so-called man-in-the-house rule, although in 32 of the cases other ineligibility findings also existed.

The high incidence of ineligibility of the recipients in the 236 cases investigated leads to the conclusion (1) that the PAD, in its determinations and redeterminations of the recipients' eligibility, either had not completely verified facts represented by the recipients as entitling them to financial assistance or had not maintained sufficiently close contact with the recipients to be aware of changes in their conditions or circumstances affecting their continued entitlement to financial assistance, (2) that reliance cannot be placed on the caretaker-relatives (parents or other relatives of specified relationship) to inform the PAD of the actual conditions or circumstances which have a bearing on the recipients' eligibility for financial assistance, and (3) that the ADC cases not covered in the current investigation should be investigated to determine whether or not the recipients are eligible for the financial assistance they are receiving.

We believe that a continuing field investigation should be instituted with the objective of investigating ADC cases for the purpose of determining the eligibility of the recipients for financial assistance and the effectiveness of the PAD's prior verification of representations by the recipients. We believe also that such a continuing field investigation program should be conducted by an investigative unit organizationally placed outside the Public Assistance Division with a reporting responsibility not only to the PAD, but also to the Director, Department of Public Welfare. We believe further that procedures should be adopted to insure that the investigative findings are given adequate and proper consideration by the PAD in making its eligibility determinations.

JOSEPH CAMPBELL.

REPORT ON INVESTIGATION OF SELECTED CASES UNDER THE AID TO DEPENDENT CHILDREN PROGRAM, DEPARTMENT OF PUBLIC WELFARE DISTRICT OF COLUMBIA GOVERNMENT, JUNE 1962

(By the Comptroller General of the United States, July 1962)

The General Accounting Office has participated with the Department of Public Welfare (DPW), District of Columbia government, in an investigation of selected cases administered by its Public Assistance Division (PAD) under the aid to dependent children (ADC) program. The purpose of the investigation was to determine the facts having a bearing on the eligibility of the recipients for financial assistance under the eligibility factors and need standards, as prescribed by the Board of Commissioners, and to establish whether, on the basis of the facts, the recipients are eligible for such assistance.

The Department of Public Welfare started its investigation of the ADC cases on November 13, 1961. The General Accounting Office participated in the factfinding phase of the investigation beginning on March 14, 1962, pursuant to a request on March 6, 1962, of the chairmen of the Subcommittees on District of Columbia, Senate and House Committees on Appropriations.

SUMMARY OF INVESTIGATION FINDINGS AND ACTIONS TAKEN

The PAD office of research and statistics selected 280 ADC cases—about 5 percent of the caseload—for investigation. Subsequently, it was determined that 42 cases had been closed by the PAD prior to review by the investigative unit established to ascertain the factual information, that the caretaker-mother in 1 case was not investigated because she was in residence at the Residential Training Center, and that the proper record had not been furnished to the investigative unit in another case. Therefore the investigation actually pertained to only 236 cases. The investigation of these cases resulted in eligibility determinations by the PAD, as follows:

	Number of cases	Percent of total cases
Recipients ineligible for financial assistance	141	59.8
Recipients eligible for continued financial assistance	95	40.2
Total	236	100.0

Upon the PAD's notifying the recipients in the 141 cases of their ineligibility for financial assistance, a number of the recipients gave notice of their intention to appeal the discontinuance of the assistance. By June 25, 1962, the PAD had informed us that the status of the 236 cases was as follows:

	Number of cases	Percent of total cases
Action based on investigative findings:		
Financial payments discontinued	127	
Financial payments continued based on appeal findings	3	
Appeals pending	3	
Total	133	56.3
Financial payments continued:		
No infractions of eligibility requirements or need standards	23	
Adjustments in payments based on existing need	20	
Miscellaneous administrative adjustments	52	
Total	95	40.3
Action based on events occurring subsequent to investigation:		
Financial payments discontinued	7	
Appeals pending	1	
Total	8	3.4
Grand total	236	100.0

PURPOSE OF THE AID TO DEPENDENT CHILDREN PROGRAM

The purpose of the aid to dependent children program, as stated in the PAD Manual, is "to encourage the care of dependent children in their own homes or in the homes of relatives through financial assistance and other social services to the needy dependent children, and to the parents or relatives with whom they are living, to help maintain and strengthen family life and to help parents or relatives to attain the maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection." In aid to dependent children cases, the child is the recipient and payment is made to the parent or relative in his behalf.

The District of Columbia Aid to Dependent Children Act defines "dependent child" as a child who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent. However, the PAD manual requires that both "need" and "deprivation of parental support or care" exist in each case without regard to whether one condition results from the other.

The PAD manual provides that a needy child to be eligible for financial assistance (1) must be under the age of 16 or, if between the ages of 16 and 18, must be in regular attendance at school or be prevented therefrom by physical or mental disability, (2) must be living with a caretaker-relative—father, mother, or other relative of a specified degree of relationship—in a place of residence maintained by the relative as his own home and in which the relative exercises the primary responsibility for the care of the child, and (3) must meet the District of Columbia residence requirements.

The manual sets forth definitions of what constitutes deprivation of parental support by reason of death of a parent, incapacity of a parent to work, a mother's unavailability to work, and a parent's continued absence from the home.

The PAD manual defines "need" as that part of the subsistence requirements of an assistance unit (caretaker-relative and children) which cannot be met by available income and other resources. The manual provides that the requirements of an assistance unit shall be based on budget standards prescribed by the Board of Commissioners. The budget standards are stated to have been developed on the basis of the cost, obtained from studies made by the Department of Agriculture, of the subsistence requirements recognized as constituting the essentials of living. These requirements include basic personal requirements—food, clothing, and housekeeping necessities—and shelter requirements. The budget allowances prescribed for the items constituting the subsistence requirements vary according to the number of persons making up the "assistance unit" and their living and eating arrangements. The budget allowances for shelter requirements are the actual costs incurred but not in excess of prescribed maximum amounts which vary according to the number of persons in the assistance unit.

The manual contains detailed procedures, criteria, and instructions for (1) determining the eligibility of a child for financial assistance under many varying conditions, (2) applying the budget standards in determining the amount of an assistance unit's subsistence requirements under varying situations, and (3) determining the income and resources of any and all members of the assistance unit.

REASON FOR CONDUCTING THE INVESTIGATION

The Department of Public Welfare's investigation of the ADC cases was undertaken pursuant to a request of the Senate Committee on Appropriations in its report on House bill 8072,[1] a bill to provide appropriations for the District of Columbia for 1962. The committee stated, in part:

"Public assistance in the District of Columbia has been continually increasing over the past several years, particularly in the aid to dependent children and general public assistance categories. The committee is concerned over this upsurge in grants and recommends that the Department establish, within available funds, a pilot project com-

[1] S. Rept. No. 993, 87th Cong.

posed of at least five investigators to ferret out any so-called freeloaders who may be benefiting under the public assistance program."

PLANNING AND DIRECTION OF THE INVESTIGATION

The Board of Commissioners, on October 5, 1961, approved the establishment of an investigative committee to plan and direct the investigation. The committee was made up of seven representatives of the District of Columbia government—four from the Department of Public Welfare, two from the Internal Audit Office, and one from the Office of the Corporation Counsel—and a representative of the Public Welfare Advisory Council. The committee, in a meeting on November 6, 1961, decided that:

1. The investigation of the public welfare cases would be conducted by an independent investigative unit to be established in an office apart from the Public Assistance Division which has the responsibility for the administration of the various public welfare programs.

2. The investigative unit would be headed by the Chief, Resources and Investigation Division,[2] Department of Public Welfare, who would conduct the investigation under the supervision of the committee and the operational direction of the Deputy Director, Department of Public Welfare.

3. The investigation would be conducted in a manner that would avoid all possible implications that it was not entirely and completely objective both in its approach and its findings.

The investigative committee adopted procedures for the conduct of the investigation. Generally they provided for:

1. The Office of Research and Statistics to make a scientific selection of ADC cases for investigation.

2. The investigative unit to:

(a) Analyze each case and record on a case schedule the essential information and eligibility factors involved in the case.

(b) Make a field investigation of each case to determine the validity of the information and the eligibility factors.

(c) Submit a comprehensive report on the field investigation to the PAD for determining the eligibility of the recipient on the basis of the reported investigative findings.

3. The PAD to (a) review the field investigative report on each case and determine the eligibility or ineligibility of the recipient on the basis of the facts disclosed in the report and (b) notify the chief of the investigative unit of the determination and the action taken, if any.

4. The chief of the investigative unit to refer each case in which he does not concur in the PAD's determination of eligibility to the chairman of the investigative committee for consideration.

5. The investigative committee to review, summarize, and analyze investigative findings and to make recommendations for further avenues of investigation, depending on the nature of the findings.

CONDUCT OF THE INVESTIGATION

On November 13, 1961, the DPW established an investigative unit in the Bell School Building, Second Street and Virginia Avenue SW.,—with a staff of five investigators under the direct supervision of the Chief, Resources and Investigation Division—to undertake the investigation of the ADC cases that had been selected. Five more investigators were added to the staff in the early part of January 1962.

The General Accounting Office, on March 12, 1962, assigned 10 representatives to work with the DPW investigators, pursuant to the request of the chairmen, Senate and House Subcommittees on District of Columbia, in a joint letter dated March 6, 1962, that we participate in the investigation in order to accelerate its completion and to insure its independence.

At March 14, 1962, the investigative unit had completed its investigation of 115 of the 236 ADC cases. Also, the PAD had determined the eligibility status of the recipients for financial assistance in 82 of the 115 cases. Therefore, our direct participation in all phases of the field investigation was limited to 121 of the ADC cases.

The following comments pertain to the conduct of the investigation of the cases in which we participated. However, our review of the reports on the investigation of the cases that had been completed prior to our participation indicates that the same approach had been followed in respect to those cases.

The investigation generally was conducted in accordance with the adopted procedures as previously described. A minimum of four home visits were made in all cases except in those cases where ineligibility findings were disclosed by fewer visits. The initial visit was usually made at night or early Saturday or Sunday morning, at which time all members of the families would most likely be at home and available for interview. The initial home visit was made by two investigative teams, one to conduct the interview and the other to assure that no person left the home to avoid the disclosure of his presence. Each investigative team conducting a home visit comprised a DPW investigator and a GAO representative.

The initial home visit was made for the purpose of (1) verifying the facts related to the assistance unit; (2) determining the identity and relationship to the household of any person present who was not a part of the assistance unit; (3) inspecting the living areas to ascertain whether they indicated that a male other than one included in the assistance unit actually was part of the household; an (4) inspecting the household facilities to ascertain whether they were indicative of unreported resources. Additional home visits and home surveillances were made at night and early Saturday and Sunday mornings to verify all information obtained during the initial home visit and to determine whether any unreported male actually resided in the home or had access thereto.

Collateral inquiries were also made which included (1) the checking of (a) vital statistics records to determine the identity and age of the children of the household and (b) school records to determine children's attendance, and (2) various other checks to determine (a) in the case of a person constituting part of the assistance unit, whether facts had been correctly reported relating to his relationship to the household, resources, and employability or whether he had been involved in any transaction or circumstances inconsistent with the case record information, (b) in the case of any other person residing in the home, his relation to the household and the extent of his contribution to the maintenance of the household, and (c) in the case of a male found in the home, but not a resident thereof, his relationship to the household, his regular place of abode, and his employment status. These latter checks involved contacting employers, utility companies, real estate companies, the Police Department, and the Department of Motor Vehicles, as well as other persons and organizations.

INVESTIGATIVE FINDINGS

A summary of PAD's determinations of eligibility of the recipients for financial assistance in the 236 cases investigated and the actions taken or pending are presented beginning on page 2 of this report. Comments relating to the cases in which the recipients were considered to be either eligible or ineligible for financial assistance are contained in the following sections.

Recipients eligible for financial assistance

The investigation disclosed information indicating that the recipients in 95, or 40 percent, of the 236 cases investigated were eligible for continued financial assistance (see p. 2) but that an adjustment was necessary in the amount of the assistance payments in 20 cases and that some administrative action was necessary in 52 cases to bring them into conformity with manual requirements (see p. 3).

Recipients ineligible for financial assistance

As shown on page 3, the recipients in 141, or 60 percent, of the ADC cases investigated were determined by the PAD to be ineligible for financial assistance—in 133 cases, on the basis of ineligibility findings disclosed by the field investigation and, in 8 cases, on the basis of events that occurred subsequent to the completion of the field investigation.

In the following table the 133 cases are classified according to the investigative finding which, in our opinion, had the most significant bearing on the recipients' eligibility status. Only 1 ineligibility finding was disclosed in each of 72 cases, and an average of 2.2 ineligibility findings was disclosed in 61 cases. In appendix II, a further classification of the cases is presented to show the nature of the additional ineligibility findings that existed in the 61 cases.

Ineligibility finding	Number of cases			Number of ineligibility findings
	Considered to be ineligible	Having a single ineligibility finding	Having additional ineligibility findings	
Man-in-the-house rule:				
Mother living in continuing relationship with a man who is her husband and/or father of her ADC children	31	21	10	44
Mother living in home with man other than her husband or father of her ADC children, in relationship similar to that of husband and wife	20	9	11	33
Man constituting an undeterminable resource	10	7	3	13
Total	61	37	24	90
Other ineligibility findings:				
Resources undeterminable for other reasons	11	9	[1] 2	13
Living arrangements not clarified	11	4	[2] 7	22
Parent employed	3	1	2	5
Parent employable	29	13	[3] 16	49
No eligible child in home	4	3	1	5
Refusal to cooperate	8	2	[1] 6	16
Miscellaneous	6	3	3	9
Total	133	72	61	209

[1] Includes 2 cases involving "man constituting an undeterminable resource."

[2] Includes 1 case involving "man constituting an undeterminable resource."

[3] Includes 3 cases involving "man constituting an undeterminable resource."

Man-in-the-house rule: The foregoing table shows that the recipients in 61 of the 133 ADC cases were considered to be ineligible because of the involvement of a man in a situation related to the so-called man-in-the-house rule. We ascertained that in eight additional cases a man was involved but the cases were classified according to other investigative findings deemed to be more significant. Thus, the man-in-the-house rule was a factor in 69, or 51.9 percent, of the 133 cases, or 29.2 percent of the 236 cases investigated. However, in 32 of the 69 cases, other investigative findings were disclosed, any one of which, in our opinion, constituted sufficient reasons for considering the

[2] Subsequently redesignated as the Office of Investigations and Collections.

recipients to be ineligible. It is important to point out that, in the 37 cases where the sole finding related to the man-in-house rule, there is the possibility that other ineligibility factors also may have existed since the cases were not investigated beyond the point where it was definitely established that they were ineligible because of that rule.

Mother living in a continuing relationship with a man who is her husband and/or father of her ADC children: The investigation disclosed 31 ADC cases where the caretaker-mother was associating with her husband and/or the father of one or more of her children in a manner which negated the claim that the children were deprived of parental support by reason of the continued absence of the parent from the home. The PAD manual, in section 243.132, states that:

"A parent is considered to be continually absent from the home * * * if he is known to be residing away from the home under conditions which imply a definite dissociation from the normal marital relationship and from the normal exercise of parental custody and control of the children; this dissociation may exist whether or not the absent parent's whereabouts are known and whether or not he is making a financial contribution. Continued absence does not exist solely because the parent rents or has living quarters available at another address or is supporting by court order. If the parents are engaging in a marital relationship and the man has free access to the home, then that man is not to be considered as 'absent from the home.'

* * * * *

"Only in situations where strong, convincing evidence is submitted that a parent is no longer in the home and has discontinued his relationship, shall the factor of continued absence be established."

The manual, in section 243.134g, states:

"Children are ineligible whose mother associates with a man in a relationship similar to that of husband and wife and the man continues a relationship with the children similar to that of father and children regardless of whether such man lives in the home."

In each of the 31 cases there was no clear dissociation of relationship between the mother and her husband and/or the father of her children. In eight cases the relationship was between the mother and her husband, and in 23 cases the relationship was between the mother and the father of one or more of her children.

Mother living in home with a man other than her husband or father of her ADC children in relationship similar to that of husband and wife: the investigation disclosed 20 ADC cases where the caretaker-mother was living with a man other than her husband or the father of any of her children in a relationship similar to that of husband and wife.

The PAD Manual, in section 243.134, states that: "Children are ineligible whose mother associates with a man in a relationship similar to that of husband and wife and the mother, her children, and such man live in a family setting regardless of whether such man is the father of the children."

The recipients were considered to be ineligible in 9 cases solely on the basis of the finding related to the foregoing regulation and in 11 cases on the basis of that finding and various other investigative findings.

Man constituting an undeterminable resource: The investigation disclosed 10 ADC cases where the recipients were deemed to be ineligible for financial assistance because of the presence in the home of a man or men whose relationship to the mother and/or the children and the extent of their contribution to the support of the mother and the children could not be determined. A similar situation existed in eight other cases where the recipients were considered to be ineligible because of other more significant investigative findings.

The PAD Manual, in section 243.134h, provides, in respect to the situations disclosed in the 18 cases, that a mother and her children may receive financial assistance even if the mother maintains a conjugal relationship with a man, provided the mother and her children are otherwise eligible and all resources available to the mother and the children are determined or clarified in establishing need.

The investigation disclosed that, in each of these cases, a man or men were present in the home but the nature of their relationship with the mother could not be established. Consequently, in none of these cases could the existence of need be established because the extent of the resources available to the mother and children that resulted from the presence of the man or men in the home could not be determined or clarified.

Other ineligibility findings

Resources undeterminable: The investigation disclosed that in 11 ADC cases there was evidence of resources available to the recipients but the extent of such resources could not be determined. The finding of undeterminable resources also was present in 39 additional cases which were classified as ineligible on the basis of more significant findings.

The existence of undisclosed resources was determined by admissions of the caretaker-relatives (parents or other relatives of a specified relationship) or by evidence that the family was living on a scale beyond that possible under the financial assistance being provided. In each case, the caretaker-relative was either unwilling or unable to satisfactorily explain the existing situation. Therefore, it was impossible to definitely establish that a need for financial assistance existed.

Living arrangements not clarified: The investigation disclosed that in 11 ADC cases the relationships between the parents of the children and various other persons living together in the same dwelling could not be determined. The same situation existed in 13 additional cases where the recipients were considered to be ineligible because of other investigative findings deemed to be more significant.

The questionable relationships which the parents of the children were unwilling to clarify were with landlords, relatives, and purported visitors. This failure to clarify the living arrangements made it impossible to determine either the extent of the available resources or that need for financial assistance existed.

Parents employed: The investigation disclosed three ADC cases in which the parents of the ADC children were employed full time. In two of these cases other findings were also present, and in two additional cases the parent was found to be employed but the cases were considered ineligible because of the existence of more significant findings.

The PAD manual, in section 235.100, provides that assistance shall be denied in those cases where a parent is employed full time.

Parents employable: The investigation disclosed 29 ADC cases where the recipients were considered to be ineligible because the ADC parents were employable. Also, in eight additional cases the parents were employable, although the recipients were considered to be ineligible because of other more significant findings.

The PAD manual, in section 243.121, states that it is generally expected that a mother without a husband will work to help support her children if she is not incapacitated and if there are relatives or other reliable persons available to care for her children. It also sets forth criteria for guidance in determining whether a mother is employable.

In 16 of the 29 cases, other investigative findings bearing on eligibility were also present.

No eligible child in home: The investigation disclosed four ADC cases where financial assistance payments were being made although no eligible children were in the homes. In two cases, the only child in the home was over 16 years of age but he did not meet the eligibility requirements for a child over that age because he was not attending school regularly. In one case, the child, in respect to which financial assistance had been granted, had not been living in the home since August 1961. In the remaining case, the only child in the home was not related to the caretaker within the required specified degree of relationship.

Refusal to cooperate: In eight ADC cases the recipients were considered to be ineligible because the caretaker-relatives refused to cooperate with the investigators in their attempt to determine facts substantiating that the children had been deprived of parental support or care, or to determine the extent of any existing need. In six of these cases other ineligibility findings were present. In five additional cases there also was a refusal to cooperate although the recipients were considered to be ineligible because of other reasons.

With respect to determining need, the PAD Manual, in section 350.000, states:

"The agency, therefore, needs factual and authentic information concerning an applicant's and recipient's income and resources in cash and in kind, in order to evaluate and measure them against the Budget standard for the determination of the amount of the person's need.

"(a) The worker must clearly explain to the client why the information is needed, and must help him to understand that he has three choices:

"(1) Having his need determined by providing the required information, or authorizing the worker to obtain it;

"(2) Withdrawing his application; or

"(3) Being denied assistance since his need cannot be determined.

* * * * *

"An applicant or recipient who refuses to supply, obtain, or to authorize the worker to obtain information regarding his income and other resources, thereby makes himself ineligible for assistance because his need cannot be established."

The caretaker-relatives' refusal to cooperate with the investigators generally consisted of a refusal to admit the investigators into the home, a refusal to allow the investigators to inspect the interior of the home in order to determine living arrangements, or a refusal to supply information needed to establish the eligibility of a child or children for financial assistance or the extent of the need.

Miscellaneous: In six ADC cases the recipients were determined to be ineligible for financial assistance for the following reasons:

1. Failure of returned husband to register with U.S. Employment Service (USES)—two cases.
2. Husband's absence only a separation of convenience.
3. Presence of coin-operated machines in home.
4. Absent husband willing but not permitted to return to home (absence not established).
5. Parent's purported incapacity to work not established.

With respect to reason 1, the PAD manual, in section 243.120, states, in effect, that the provisions set forth in sections 244.00 and 245.00, which relate to the general public

assistance program, are applicable to the ADC program. Section 245.310 states that active registration with the USES, as a part of the recipient's effort to find work, is an eligibility requirement. In the two cases where the recipients were deemed ineligible for the reason of failure to register with USES, originally the children had been determined to be eligible on the basis of continued absence of the fathers who were committed to the Occoquan Workhouse. In both cases they had been released and were not employed but had not registered with USES.

With respect to the case under reason 2, the investigation disclosed that although the absent parent had dissociated himself from the normal family relationship the absence was primarily for the purpose of enabling the mother and children to obtain ADC aid. In this connection the PAD manual, section 243.132, states:

"Continued absence is not established when, in the judgment of the agency, a man or woman who have lived together make separate living arrangements for the purpose of establishing eligibility for assistance."

In regard to the case under reason 3, the investigation disclosed the presence in the home of several coin-operated machines constituting business activities. These machines consist of a telephone with a lock on it, two television sets, and a washing machine. In addition, there was evidence that the parent in this case may have been engaged in the illegal distillation of whisky and in other business activities. The PAD manual, in sections 352.470 and 352.500, states, in effect, that under such circumstances financial assistance cannot be granted in the absence of a clarification of resources in order to determine whether any need exists.

In the case under reason 4, the investigation disclosed that the absent husband was willing to return to his family but was prevented from doing so by his wife. The PAD manual, in section 243.138, provides that:

"If the woman bases her need for assistance on the reason of her unwillingness to live with her husband, or to permit him to live in the home, and he is willing to live with and support his family, they are not considered to be in need."

In the final case, an examination of the case record disclosed evidence that the recipients were ineligible because the father, who had been considered unemployable, had not complied with the regulation requiring periodic medical reports to be furnished in support of his claim of unemployability.

Voluntary withdrawals from program

During the investigation, 13 caretaker-mothers voluntarily signed statements expressing their desire to withdraw from the ADC program. In two cases, the ADC mothers refused to cooperate with the investigators by denying them permission to examine or inspect the living arrangements and chose to withdraw from the program instead. In each of the other cases the withdrawal request was made after the investigation had disclosed findings which adversely affected the eligibility of the recipients.

EFFECT OF DISCONTINUANCE OF FINANCIAL ASSISTANCE

As shown in table 2, the PAD discontinued financial assistance payments in 134 cases of the 236 cases investigated. The discontinued monthly payments, aggregating $20,881, had been made on behalf of 511 children.

We have not attempted to estimate the savings that may accrue to the District as a result of the discontinuance of financial assistance in the 134 cases because of the probability that, in some instances, the caretaker-mother may effect changes in her living arrangements that would result in her children's becoming eligible for assistance and, in other instances, actions may be taken to clarify resources or living arrangements or to otherwise comply with the prescribed eligibility requirements and need standards.

PROPOSAL TO LIBERALIZE THE AID TO DEPENDENT CHILDREN PROGRAM

The Director, Department of Public Welfare, in hearings held on May 24, 1962, before the subcommittee of the Committee on Appropriations, House of Representatives, presented for consideration a program for aid to dependent children of unemployed parents (see p. 1257 of the hearings) predicated on congressional passage of House bill 10606, an act providing for an extension through June 30, 1967, of Federal financial participation in aid to dependent children of unemployed parents. The Director, in response to a question by the chairman of the subcommittee as to what percentage of the ADC cases investigated would have been determined to be ineligible if there had been a change in eligibility requirements, stated:

"Assuming the policy on the man in the home were to be changed and if the District were to extend aid to the unemployed, I don't believe there would be a very large percentage, much beyond 17—maybe it would go to 25 percent. But the statistics that have been reported have indicated that most of the reasons given for the closing of the cases, or finding them ineligible has been related to the man-in-the-home policy."

The investigation was not directed toward ascertaining the employment status of the men involved in the 69 cases where the recipients were considered to be ineligible because of the man-in-the-house rule—in 37 cases solely because of that rule and in 32 cases because of that rule and other ineligibility findings. However, the fact that the men involved in 24 of the 37 cases and in 21 of the 32 cases were employed was disclosed through statements made by the mothers of the ADC children or by the men themselves, either to the investigators or to public utility or other companies when seeking service or credit, and verified by the investigators through interviews with the indicated employers. Therefore, since the ineligibility of the recipients was based solely on the man-in-the-house rule in only 37 cases and since the men involved in 24 of the cases were employed, it would appear that in only 13 of the cases would the recipients have been eligible for financial assistance if the proposed program and the man-in-the-house policy, as outlined on page 1254 of the hearings, had been in effect. Thus, instead of 133 ineligible cases, as shown on page 3 of the report, there would have been only 120, or 50.8 percent of the 236 cases investigated, unless the extent of the men's employment in the 24 cases did not meet the criteria set forth in the proposed program.

CONCLUSIONS

The high incidence of ineligibility of the recipients for financial assistance in the 236 ADC cases, as disclosed by the investigation and confirmed by the PAD, leads to the conclusion (1) that the PAD, in its determinations and redeterminations of the recipients' eligibility, either had not completely verified facts represented by the recipients as entitling them to financial assistance or had not maintained sufficiently close contact with the recipients to be aware of changes in their conditions or circumstances affecting their continued entitlement to financial assistance, (2) that reliance cannot be placed on the caretaker-relatives (parents or other relatives of specified relationship) to inform the PAD of the actual conditions or circumstances which have a bearing on the recipients' eligibility for financial assistance, and (3) that the ADC cases not covered in the current investigation should be investigated to determine whether or not the recipients are eligible for the financial assistance they are receiving.

We believe that a continuing field investigation program should be instituted with the objective of investigating ADC cases for the purpose of determining the eligibility of the recipients for financial assistance and the effectiveness of the PAD's prior verification of representations by the recipients. We believe also that such a continuing field investigation program should be conducted by an investigative unit organizationally placed outside the PAD with a reporting responsibility not only to the PAD, but also to the Director, Department of Public Welfare. We believe further that procedures should be adopted to insure that the investigative findings are given adequate and proper consideration by the PAD in making its eligibility determinations.

APPENDIX I

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
March 6, 1962.

Hon. JOSEPH CAMPBELL,
Comptroller General of the United States, Washington, D.C.

DEAR MR. CAMPBELL: This will confirm our verbal request for your office to furnish the investigative personnel that may be required to accelerate completion of the special public assistance investigation now being made by the Welfare Department of the District of Columbia government. As you know, this investigation was urged by our committees during the last session of Congress with a view to ferreting out any cases of violators on the welfare rolls. Since a sizable number of ineligibles have already been disclosed in the 280 selected cases, it is deemed important that all such cases be subjected to an independent review and report by your office.

It is requested that your report include such additional pertinent information on the District welfare program as may be determined of interest to the committees.

Copies of communications with Commissioner Tobriner giving further details on the subject matter are enclosed.

With warm personal regards, we remain,
Sincerely yours,

ROBERT C. BYRD,
Chairman of Subcommittee on District of Columbia Appropriations, Committee on Appropriations, U.S. Senate.

WILLIAM H. NATCHER,
Chairman of Subcommittee on District of Columbia Appropriations, Committee on Appropriations, House of Representatives.

Mr. BYRD of West Virginia. Mr. President, also subsequent to the action by the House, the Comptroller General submitted to the chairman of the Senate Subcommittee on District of Columbia Appropriations a special report on the investigation of the ADC program in the District of Columbia. I ask unanimous consent that the report be printed at this point in the RECORD.

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

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, July 30, 1962.

Hon. ROBERT C. BYRD,
Chairman, Subcommittee on District of Columbia, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: Herewith is our special report on the investigation of selected

cases under the aid to dependent children program administered by the Public Assistance Division of the Department of Public Welfare, District of Columbia government, June 1962.

This report, which is being submitted pursuant to your request of June 18, 1962, contains certain information in respect to the investigated cases in addition to that contained in the report submitted to you on July 26, 1962.

Because of the nature of the investigation, many of the statements contained in the report are necessarily based on conclusions arrived at after a reasonable evaluation of facts disclosed through observations, interviews, and admissions and through examination of public and business records.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

SPECIAL REPORT ON INVESTIGATION OF SELECTED CASES UNDER THE AID TO DEPENDENT CHILDREN PROGRAM, DEPARTMENT OF PUBLIC WELFARE, DISTRICT OF COLUMBIA GOVERNMENT, JUNE 1962

The General Accounting Office submitted a report to the chairmen, Subcommittees on District of Columbia, Senate and House Committees on Appropriations, on the investigation of selected cases under the aid to dependent children (ADC) program, Department of Public Welfare (DPW), District of Columbia government, on July 26, 1962. This report contains certain additional information in respect to the cases investigated, as requested by letter dated June 18, 1962.

CASES INVESTIGATED AND ACTIONS TAKEN

The aforementioned report pointed out that of 280 cases selected by the Public Assistance Division (PAD), Department of Public Welfare, for investigation, 42 cases had been closed prior to review by the investigative unit established by the DPW and that two cases were not investigated. The report showed that for the 236 ADC cases investigated, the PAD had informed us by June 25, 1962, that the status of the cases was as follows:

	Number of cases	Percent of total cases
Action based on investigative findings:		
Financial payments discontinued	127	
Financial payments continued based on appeal findings	3	
Appeal pending	3	
Total	133	56.3
Financial payments continued:		
No infractions of eligibility requirements or need standards	23	
Adjustment in payments based on existing need	20	
Miscellaneous administrative adjustments	52	
Total	95	40.3
Action based on events occurring subsequent to investigation:		
Financial payments discontinued	7	
Appeal pending	1	
Total	8	3.4
Grand total	236	100.0

In appendixes I through VIII of this report the 280 cases selected by the PAD for investigation are listed to show (1) the 42 cases that had been closed prior to review by the investigative unit, (2) the 2 cases not investigated, and (3) the 236 cases that were investigated. Those in the latter group have been classified according to their eligibility or ineligibility status. Comments pertaining to the cases in each of the foregoing categories are contained in the following sections of this report.

CASES CLOSED PRIOR TO INVESTIGATION

Shown as appendix I are the 42 cases in this category. We reviewed 28 of these cases for the purpose of evaluating the propriety of the actions taken. We believe that the actions were proper in view of the circumstances involved in each case.

CASES NOT INVESTIGATED

Listed as appendix II are the two active cases which were not investigated. In one of these cases the mother of the ADC children was a resident of the DPW's Residential Training Center, and an investigation of the case was deemed to be inexpedient. In the other case, the PAD inadvertently furnished the investigators a case record pertaining to a previous award which had been discontinued, and the fact that the assistance payments had been reinstated did not become known until after the field investigation work had been completed.

RECIPIENTS ELIGIBLE FOR CONTINUED ASSISTANCE

No infractions

Listed as appendix III are the 23 cases in which no infractions of PAD Manual requirements were disclosed by the investigation. Of the 23 cases, 10 had been investigated prior to our participation in the investigation. However, our review of the investigation reports on these cases indicated no reason for disagreeing with the PAD's conclusions.

The amount of the assistance payments in the 23 cases ranged from $62 to $292 a month, the number of children receiving aid ranged from 1 to 7, and the commencing date of the payments ranged from January 1953 to September 1961. The cases in which assistance had been granted more recently involved the greatest number of children and the largest monthly payments.

The monthly assistance payment in one case was reduced $33 because of the death of a child which occurred during the period of the investigation.

The fact that the investigation disclosed no irregularities in only 23 cases, or in only 9.7 percent of the cases investigated, is most significant and indicates a very serious weakness in the administration of the ADC program.

Adjustment of assistance payments

Listed as appendix IV are the 20 cases in which the recipients were considered eligible for continued assistance but circumstances existed which required the monthly assistance payments to be adjusted.

In 15 cases, the monthly payments were reduced by amounts ranging from $12 to $72. In four of these cases, the monthly payments for 1, 2, or 3 months were further reduced in varying amounts to compensate for income which had been received in prior months but not reported. In three cases, similar deductions were made although the rate of the regular monthly payment was not changed.

In one case the monthly payment was increased by $6 because the recipients were required to move to more suitable quarters.

We participated in the field investigation of 5 of the 20 cases. While the investigation of the other 15 cases had been completed prior to our participation in the investigation, our review of two of these cases indicated no basis for disagreeing either with the adequacy of the investigation conducted or with the propriety of the actions taken.

Administrative adjustments needed

Appendix V lists the 52 cases in which the recipients were determined to be eligible for continued assistance but which required some administrative action. In some cases, the administrative action to be taken was dependent on actions required to be taken by the caretaker-relatives (parents or other relatives of specified relationship).

Examples of the types of actions required follow:

1. Refer to Office of Investigations and Collections (OIC) for recovery of overpayments.
2. Require unemployable parent to obtain an overdue medical examination report.
3. Require mother to take certain required action to locate missing husband.
4. Correct records to show change of address and recompute rental needs.
5. Consider the feasibility of referring children to the Child Welfare Division (CWD).
6. Correct records relating to birth dates of children.
7. Revise rental needs because of change in number of persons occuying a dwelling with members of an assistance unit (caretaker-relative and children).

We participated in the investigation of 24 of the 52 cases. Also, we reviewed 3 of the 28 cases which had been investigated prior to our participation in the investigation and found no reason for disagreeing either with the investigative findings or with the actions necessary to comply with normal requirements.

In 1 of the 24 cases which we investigated jointly with the PAD, the recipients appeared to be ineligible on the basis of findings indicating that both the ADC mother and father were employable. The PAD subsequently obtained medical information which indicated that the father was capable of part-time work only and made arrangements for him to receive medical treatment. Also, the PAD directed the mother to register with the U.S. Employment Service (USES) and to report weekly on her efforts to find employment.

Although the recipients in each of the 52 cases were determined by the PAD to be eligible for continued assistance, the fact that, in some cases, they were required to take certain actions to completely meet the eligibility requirements and that the failure to do so could result in their becoming ineligible for continued financial assistance is a further illustration of a weakness in the PAD's administration of the program.

RECIPIENTS INELIGIBLE FOR CONTINUED ASSISTANCE

The PAD determined that 141 of the 236 cases investigated were ineligible for financial assistance—133 cases on the basis of the investigative findings and 8 cases on the basis of events occurring subsequent to the investigation. Assistance payments were later reinstated in 3 of the 133 cases on the basis of appeal findings. Appeals are pending in 1 of the 133 cases and in 1 of the 8 cases.

The 133 cases are classified in the following table according to the investigative finding which, in our opinion, had the most significant bearing on the recipients' eligibility status. Only one ineligibility finding was disclosed in each of 72 cases, and an average of 2.1 ineligibility findings was disclosed in 61 cases.

We participated in the investigation of 79 of the 141 cases. We reviewed the investigation reports in the remaining 62 cases to

determine the adequacy of the investigation conducted and the propriety of the PAD's determination of ineligibility in each case. Our review disclosed no reason to disagree with the action taken by the PAD except in one case.

Ineligibility finding	Number of cases			Number of ineligibility findings
	Considered to be ineligible	Having a single ineligibility finding	Having additional ineligibility findings	
Man-in-the-house rule:				
Mother living in continuing relationship with a man who is her husband and/or father of her ADC children	31	21	10	44
Mother living in home with man other than her husband or father of her ADC children in relationship similar to that of husband and wife	20	9	11	33
Man constituting an undeterminable resource	10	7	3	13
Subtotal	61	37	24	90
Other ineligibility findings:				
Resources undeterminable for other reasons	11	9	2	13
Living arrangements not clarified	11	4	7	22
Parent employed	3	1	2	5
Parent employable	29	13	16	49
No eligible child in home	4	3	1	5
Refusal to cooperate	8	2	6	16
Miscellaneous	6	3	3	9
Total	133	72	61	209

A listing of the cases in each of the foregoing classifications is presented as appendixes VI and VII of this report. Comments concerning the cases in each of the classifications follow.

Man-in-the-house rule—Mother living in continuing relationship with a man who is her husband and/or the father of her ADC children

As shown in appendix VI, the investigation disclosed 31 cases where the ADC mother was associating with her husband and/or the father of her ADC children in a manner which negated the claim that the children were deprived of parental support or care by reason of the continued absence of the parent from the home. No distinction is made as to whether the relationship was carried on inside or outside the home.

In 21 of the cases the lack of clear dissociation was the only finding of ineligibility disclosed, but in 10 cases other ineligibility findings existed, any one of which, in our opinion, was a sufficient reason for considering the recipients to be ineligible.

In 8 of the cases the relationship of the mother was with her husband, and in 23 cases the relationship was with a man not her husband, although he was the father of 1 or more of her ADC children. In one of the latter cases the recipient appealed the PAD's determination of ineligibility, and the case remains open pending the outcome of the appeal.

In 18 of the 31 cases the man involved was employed; in 12 cases he was not employed but was apparently employable, since there was no evidence of incapacity, either in the form of obvious physical disability or in the form of medical evidence; and in 1 case he was retired and receiving a pension.

Some of the more flagrant cases of abuses of the right to receive assistance under the ADC program are presented below.

1. A mother of four children, who had been receiving ADC assistance payments for over 4 years, was determined to have been living during the entire period, since September 1957, with a man whom she had represented to the PAD as being her brother but who actually was her paramour and the father of two of her children. The mother admitted to the investigator that the man was employed and earning $85 a week. She was receiving $154 a month in assistance payments at the time the assistance was discontinued.

2. A 36-year-old mother, who was receiving assistance payments on behalf of herself and four of her six children had received such assistance during most of the period since April 1953. The father of three of the four children, although not their mother's husband, was found by the investigators to be in the mother's home at 6:30 a.m. on a Sunday morning, barefoot and naked to the waist, and hiding under a bed. When asked if he was employed, he said that he was a gambler. The mother had been receiving assistance payments continuously since November 1959, and at the time the payments were discontinued they amounted to $143 a month.

3. A married 27-year-old mother of six children told investigators that the man found in her home was her brother-in-law. The investigation disclosed that he was actually her husband and the father of her children, five of whom were included in the assistance unit, and that he was employed and earning about $65 a week. The mother had been receiving assistance payments since December 1960, and at the time they were discontinued they amounted to $191 a month. She subsequently admitted to the investigators that the man was her husband and stated that she wished to withdraw from the ADC program rather than have the investigation continued.

4. A married 35-year-old mother and her four children had been determined to be eligible for assistance on the basis of her claim that her husband had deserted her and that his whereabouts was unknown. The investigators located the husband and obtained his signed statement asserting that his wife had forced him to leave the home by threats and abuse so that she could obtain public assistance, that his wife had always known his whereabouts, that he had given his wife at least $50 a month since January 1962, that he is presently employed, and that he wants to return to the home and support his family. The mother had received assistance payments since September 1961, the latest payments being $169 a month.

5. A 41-year-old mother of six children, all of whom are included in the assistance unit, represented to the PAD that she was living rent free in the attic of her sister's home. She requested the PAD not to probe into the manner in which her sister had obtained her home. She also represented that another woman living in the home, who was a recipient of aid under the aid to the permanently and totally disabled (APTD) program, was only a roomer. The investigation disclosed that the APTD recipient, who was receiving $83 a month and who had been represented as a widow without relatives, was actually the mother of the ADC mother and was the lessee of the dwelling along with a man who was listed in the lease agreement as her husband. This man, who was found in the home, was determined to be employed full time and earning $1.25 an hour. The ADC mother, instead of living in this home as she had represented, was found to be living at another address with her children and her husband who was the father of her children. The father had been continuously employed with one firm since 1954 except for one period of 120 days in the early part of 1961 when he was in jail. He had claimed seven dependents on his tax withholding exemption certificate, which is the same as the number of persons in the assistance unit. The ADC mother had been receiving assistance payments since September 1959, with the latest payments amounting to $149 a month.

6. A 24-year-old mother of four children, fathered by three different men, none of whom were her husband, successfully withheld from the social workers the knowledge of the birth of her youngest child on March 11, 1961. The father of this child and of one of the other children was found hiding in the bathroom of the ADC mother's home at 6:10 a.m. on a Sunday morning. He admitted spending the night with the ADC mother. He admitted also that he was employed. The ADC mother said that this man had been living with her since the birth of her youngest child. The mother had been receiving assistance payments since February 1959, the latest payments amounting to $109 a month.

We believe that some of the facts with respect to these and other cases in this category could have been disclosed with only a reasonable amount of effort on the part of the social workers. In some of these cases it appears that the recipients were never eligible for financial assistance and that such a finding would have become apparent if the eligibility standards had been diligently applied at the time the applications were first received.

Mother living in home with man who is not her husband or the father of her ADC children in a relationship similar to that of husband and wife

This ineligibility finding was disclosed in 20 cases listed in appendix VI. In 11 of the cases, additional ineligibility findings existed.

The men involved in 15 of the cases were employed and in the other 5 cases were unemployed but appeared to be employable. In one of the 15 cases where the men involved was employed, the ADC mother was also employed to the extent that this fact alone would cause the recipients to be ineligible. In three cases, the ADC mother was employable under the prescribed standards for determining employability.

The ADC mothers in 3 of the 20 cases voluntarily withdrew from the program.

Cases illustrating this type of investigative finding follow:

1. A man found in the home of an ADC mother of four children who had received assistance payments since February 1956—the latest payments amounting to $153 a month—was represented to the investigators as being merely a visitor. The address given by this man as his residence proved to be false, and later both he and the ADC mother admitted that they had been living together but neither would state how long the relationship had existed. The man was employed. The ADC mother admitted that she was also employed, but she would not furnish information as to her employer, length of employment, or earnings. She signed a

voluntary statement requesting withdrawal from the program.

2. A 22-year-old mother, who had received assistance payments since September 1961 for herself and three children admitted during the investigation that she had been supported by a man by whom she was again pregnant. It was determined that this man was employed. The mother signed a voluntary statement requesting withdrawal from the program. When contacted by a social worker subsequent to the investigation, she stated that she had signed the statement because she felt "the jig was up." At the time the assistance payments were discontinued they amounted to $148 a month.

3. A 26-year-old mother of six illegitimate children, fathered by three different men, was again pregnant by a man whom she did not identify. Her condition was known to the PAD in November 1961. She had been receiving assistance payments since April 1960, and as of March 1962 these payments were at the rate of $79 a month. The April 1962 assistance payment was suspended pending further inquiry into the matters disclosed by the investigation including (a) birth of a child in February 1962, (b) relationship with a man who, she admitted, spent nights with her "too often to mention" and who provided her with money in excess of $100 a month, (c) presence of another man, his wife, and three children in an apartment in the dwelling, (d) an unidentified sick child in the home, and (e) squalid, overcrowded, and rat-infested premises.

4. A man found in the home of a 27-year-old ADC mother was addressed as "Daddy" by one of the mother's three illegitimate children. The children had been represented to the PAD as having been fathered by two different men, neither of whom was the ADC mother's husband or the man found in the home by the investigators. An informant told the investigators that this man was the ADC mother's current paramour and that a former paramour still frequents the home and creates disturbances. Both of these men are reported to have threatened to kill the other. The man found in the home refused to provide any information concerning his employment status or his relationship to the family. During a visit by a social worker subsequent to the investigation, the ADC mother denied that any serious or intimate relationship existed between her and the man found in the home and said that she would rather be "self-supporting" than to continue to receive public assistance. The monthly assistance payment of $154 was thereupon discontinued. She had been receiving assistance payments since April 1958.

Man constituting a resource the extent of which is undeterminable

Appendix VI lists 10 cases where the recipients were considered ineligible because a man was involved in the family unit, but the extent of his contributions to the support of the assistance unit could not be determined. In each case the man's relationship with the mother was not determined to be similar to that of husband and wife, nor was his relationship with the children determined to be that of a father. While the investigation disclosed that the man in each of these cases provided some assistance to the family unit, neither the mother nor the man would divulge information as to the extent of the contribution. Therefore, the need for assistance could not be established and the recipients were considered to be ineligible for assistance. In 3 of the 10 cases, additional ineligibility findings were found to exist. The involvement of a man in the family unit was disclosed also in eight other cases which have been classified by other ineligibility findings deemed to be more significant.

The men involved in 12 of the 18 cases were employed, in 4 of the cases the men were unemployed, but no evidence was disclosed to indicate that they were not employable, and in 2 of the cases no determinations were made of the men's employment status because of the number of men involved and the undeterminable status of their relationship to the family unit. In one of these latter two cases the recipients appealed PAD's determination of ineligibity and were reinstated for continued assistance after the appeal hearing.

The following examples illustrate the situations found to exist in the cases included in this category:

1. The ADC mother who had three illegitimate children and expected another child in 2 or 3 months, which fact was unknown to the PAD, had been receiving assistance payments since June 1961, the latest payments being $154 a month. Information provided by the mother concerning the father of her last-born child and that of the expected child was unverifiable because of her conflicting statements. This ADC mother formerly lived with her mother in a house leased in the name of a man who was not a member of the assistance unit. She moved from that house upon being informed that assistance payments were to be discontinued since her mother could care for her children and she was considered to be employable. Both this man and the ADC mother separately admitted a conjugal relationship over the past 2 years and that the man contributed to the family support. The man is married and living with his wife, who stated that she has no respect for him because of his promiscuity and that he is the alleged father of many illegitimate children.

2. A 34-year-old mother of seven children fathered by three different men had concealed the birth of the seventh child from the PAD for 3 years through fear of being removed from the ADC program. The father of the seventh child had been living with the ADC mother until the time of the investigators' first visit to the home, although the ADC mother had professed to have terminated the relationship in September 1961 when he got into trouble with the police. The ADC mother stated to the investigators that she realized that she had violated agency regulations. She stated further that the man involved presumably had returned to his wife's home after the investigation of this case had commenced. This ADC mother had been receiving assistance payments since May 1957 for herself and five of her seven children. These payments amounted to $221 a month at the time they were discontinued. One of these five children, who was 16 years old, was not in regular school attendance, having been absent 29 days between January 29 and April 11, 1962.

3. A 28-year-old mother of five children told the investigators that she wished to withdraw from the ADC program, upon being found with a man in her bedroom. The investigators did not accept her offer of withdrawal since it was made during distress occasioned by being found in an embarrassing situation. The investigators, during the next few days after the first home visit, observed different men entering the home. The mother, during a subsequent visit by the investigators, repeated her request to withdraw from the program. Her request was accepted, and the investigation was terminated. She had been receiving assistance payments since January 1960, and at the time of their discontinuance the payments were at the rate of $197 a month.

Cases ineligible for other reasons—Resources undeterminable

Appendix VII to this report lists 11 cases where the recipients were considered to be ineligible because the caretaker-relative either was unable or was unwilling to divulge information relating to income and other resources that apparently were available to the assistance unit. In two of the cases, an additional ineligibility finding was disclosed; namely, the presence of a man in the home whose relationship to the family could not be definitely established but who constituted an available resource. Final determination of eligibility has been withheld in two cases pending the outcome of appeal hearings.

In each of 39 additional cases, the resources available to the assistance unit also could not be determined. These cases have been classified by other ineligibility findings considered to be more significant reasons for considering the recipients to be ineligible for assistance. Thus, the finding of undeterminable resources was disclosed in 50 cases.

Details of illustrative cases in which this finding was disclosed follow:

1. A 44-year-old ADC mother of four children, two of whom were fathered by men other than her husband, had been receiving monthly assistance payments since January 1956, the latest payments being $205 a month. The mother had represented to the PAD and to investigators that she had no other resources. However, the investigation disclosed that she had earnings of about $20 a week from caring for children and had received about $10 a week from a "boy friend" during the period from September 1959 to July 1960 for the purchase of a television set which cost $419.90. When apprised of these findings, she acknowledged that they were correct. The investigation also disclosed some evidence of other earnings from laundry work, caring for a woman convalescing from a hospitalization, and caring for other children.

2. A 25-year-old ADC mother had been receiving assistance payments since December 1959 for herself and two of her three children to augment payments of $65 a month which she was supposed to receive from her absent husband. The latest of these payments amounted to $76 a month. Notwithstanding the lack of regular support from her husband, as evidenced by a court order of commitment for back payments, totaling $465, in September 1961 and by court records showing payments to her of only $450 during the period from March 1961 through April 1962, she was living in a two-bedroom, well-furnished apartment. The furnishings included a three-speed record player, a cabinet model television set, two telephones, a typewriter, and a radio. Evidence was obtained that she had received contributions from various members of her family which had not been reported to the PAD.

3. A 32-year-old ADC mother of six children, five of whom were included in the assistance unit, telephoned the PAD to state that the investigators had been to her home and that she wished to withdraw from the ADC program. She had previously represented to the PAD that her husband was the father of four of her six children and that the other two children had been fathered by two other men.

The investigation disclosed that she was again pregnant. She told the investigators that a fourth man was the father of the expected child. The investigation also disclosed that she received irregular contributions for the support of the children from two of the three fathers. When pressed for information concerning the amounts of the contributions and the identity of the fourth man, she announced her intention to withdraw from the ADC program. Therefore no further inquiry was made to develop information as to the resources apparently available to her, or as to her employment, evidence of which was also present.

This ADC mother had been receiving assistance payments since December 1960, the latest payments being $109 a month.

Living arrangements not clarified

Appendix VII to this report lists 11 cases where the recipients were considered to be ineligible for financial assistance because the existing living arrangements could not be clarified. In seven of the cases other ineligibility findings also were disclosed. In 13 other cases the living arrangements could not be clarified but the cases have been classified by other ineligibility findings which constituted more significant reasons for considering the recipients to be ineligible for assistance.

The cases included in this category are those where the basic or most significant finding disclosed was the presence in the home of persons whose relationship with the recipients could not be clearly established because of the caretaker-relative's conflicting or misleading statements to the investigators. The term "relationship" as here used includes relationships involving economic as well as personal and legal aspects. In 1 of the 11 cases the recipient was reinstated for continued assistance after appeal.

Details of cases illustrating situations constituting this type of ineligibility finding follow:

1. An ADC mother who had been receiving assistance payments for herself and one child since December 1960, was occupying the first floor of a dwelling in which the landlord was also living, without any definite separation of the living quarters and with the personal effects of the ADC mother intermingled with those of the landlord. Although the landlord claimed that his common-law wife lived with him, he would not furnish any corroborating information in support of that claim. He stated that he did not know where she worked or when she could be interviewed in the home. The rental receipts exhibited by the ADC mother appeared to be false since the pertinent information shown thereon differed from statements by the ADC mother and from statements by the landlord. The authenticity of the rental receipts could not be verified since the signatures thereon were purported to be those of the landlord's legal wife who has been absent from the home since December 1960. The lease agreement between the landlord and the rental agency, dated December 8, 1961, shows that the landlord claimed the occupants of the dwelling to be himself, his wife, and two children, although he has no children of his own living in the home. The assistance payments to this ADC mother amounted to $118 a month at the time they were discontinued.

2. An ADC mother who had been receiving $145 a month on behalf of herself and four children had been receiving assistance since July 1953. Living with her in the home were her four adult children with their children, a living arrangement apparently unknown to the PAD. The adult children appeared to be employable and, to some extent, were employed. Efforts to clarify the living arrangements and to determine the extent to which her adult children were contributing to the support of the household were nullified by the conflicting statements of the ADC mother; her refusal to answer some questions; her differing answers to other questions; and, in some instances, her misrepresentation of facts. Also, it appeared that the mother may be employable since all her minor children were in regular attendance at school.

ADC parent employed

Appendix VII lists three cases in which the ADC mother was determined to be employed full time and to have an adequate child care plan.

Illustrative of these cases is one where the mother of three illegitimate children, whose application for financial assistance was approved in August 1961, had been receiving assistance payments of $119 a month. At the time she applied for assistance, she was considered to be unemployable because she supposedly lacked an adequate child care plan. Although she had indicated on her application that she had been employed, the extent of her employment apparently had not been determined by the social worker. The investigation disclosed that she had been working full time as a domestic for the same employer continuously since 1959, except for 1 month in August 1961, when her youngest child was born. Since her mother, her 18-year-old brother, and her 14-year-old sister lived with her and she had been employed, it was apparent that she was not in lack of an adequate child care plan.

ADC parent employable

Appendix VII lists 29 cases where the ADC mother or, in some cases, the ADC father, who was supposedly incapacitated, was considered to be employable under the criteria set forth in the PAD manual. In one of these cases the recipient appealed the ineligibility determination and was reinstated after a hearing on the appeal.

The following cases illustrate the findings leading to the conclusion in these cases:

1. A 45-year-old mother had been receiving assistance payments since August 1961 for the benefit of herself and three children. The investigation disclosed that there was no evidence that the mother was incapacitated and therefore unemployable. Also, she apparently had an adequate child care plan since an unmarried daughter who lived with her was unemployed, was not a member of the assistance unit, and who made no contribution to the maintenance of the household, was available to provide child care. At the time her assistance payments were discontinued she was receiving $172 a month.

2. A 37-year-old mother of three children had been receiving assistance payments of $105 a month, although she appeared to be employable under the PAD standards, and had been earning $12.50 a week in part-time employment. She stated to the investigators that she was doing all right on welfare relief and would not return to full-time employment unless she could make big money. She also had been receiving undeterminable amounts from a boy friend with whom she admitted to have been carrying on a conjugal relationship. The boy friend admitted to helping the family by providing food and personal services and a new hi-fi record player. The investigation further disclosed that on applications for credit he has shown the ADC mother to be his wife. Hospital records show that at various times the ADC mother has stated her address to be that of the boy friend. She had been receiving assistance payments since March 1954.

3. An ADC mother of eight children, four of whom were fathered by two men other than her husband, had been receiving assistance payments since July 1960, although she apparently is employable since she has been employed part time and, for short periods, full time. She informed the investigators that it would be foolish for her to work because she would lose the welfare payment and that it would be too hard for her to work outside the home and also do the work in the home. Her latest assistance payments amounted to $255 a month.

This ADC mother, before being approved by the PAD as eligible for ADC assistance, had been receiving assistance from the Volunteers of America. This assistance was discontinued when it became known that she was living with a man other than her husband. The investigation disclosed that she has been employed for varying periods as a telephone operator, PBX operator, waitress, and collector. In the latter employment she earned about $40 a week during December 1961. Her employer stated that if she obtained a driver's license she could be employed full time and become self-supporting. The mother admitted that she had two firm job offers during 1962 which she declined for the reasons stated above.

4. A 26-year-old ADC mother of five children had been receiving assistance payments since March 1960 for herself and three of her children; her other two children are under custody of the Child Welfare Division because of her claim that she is too "weak" to care for five children. She appeared to be physically able to work and admitted that she is. Also, it appeared that the lack of a child-care plan should not prevent her from working inasmuch as it had not precluded her from being away from her home for entire nights at which times she either had had her children cared for by a neighbor or had left them unattended. She apparently had undisclosed resources as evidenced by the fact that she lives beyond the means afforded through her assistance payments. She acknowledged that she had relations with a man but contended that such relations were indulged in outside the home with a certain man whom she identified. The investigators, after three home visits and four other visits when they either were not admitted or could not interview the ADC mother because she was absent, and after a surveillance of the home at seven different times to detect arrivals and departures of persons, on being admitted early on a Sunday morning found a man in the ADC mother's bed. The ADC mother represented the man to be her brother but eventually admitted that he was the man she had previously acknowledged as having had relations with. The man was determined to be an employee of the Department of Public Welfare. At the time the assistance payments were discontinued they amounted to $132 a month.

5. A 25-year-old mother of four children, two of whom were fathered by two men other than her husband, had been receiving assistance payments since October 1956, the latest being $181 a month. Upon the investigator's first visit to the home, the mother admitted that she was employable, stated that she did not want investigators coming to her home, and voluntarily signed a statement requesting withdrawal from the ADC assistance program. After she signed the withdrawal statement she said:

"Now I can have all the men I want in my home and you men can't do a thing about it."

No eligible child in the home

In appendix VII, four cases are listed where no eligible child was found in the home. Also, in one of the cases it was impossible to clarify the living arrangements.

The following cases illustrate the situations in which this finding was disclosed.

1. An ADC mother with one minor child had been receiving assistance pay since December 1948, the latest payments being $88 a month. However, it was determined that the child was over 16 years of age and was no longer eligible for assistance since she had been officially removed from the rolls of the school she was supposedly attending.

Also living in the ADC mother's home was another daughter and her five children and a man who was the father of the youngest of these children. This daughter had also been receiving ADC assistance payments on behalf of herself and the five children. Although the case was not one of the cases included in the investigation sample, the recipients also were determined by the PAD to be ineligible for assistance on the basis of information disclosed during the investigation.

2. An ADC mother of one child had been receiving assistance payments since September 1953, the latest payments being $118 a month. Since August 1961, the child has been living and attending school in New York.

Refusal to cooperate

Listed in appendix VII are eight cases where the recipients were considered to be ineligible because the ADC mothers refused to cooperate with the investigators in their efforts to determine the facts with respect to the recipients' deprivation of parental support or care or with respect to the need for financial assistance. In six of the eight cases, additional ineligibility findings were present. In five additional cases, a refusal to cooperate was present but the recipients were considered to be ineligible for other reasons deemed to be more significant. Thus, the finding of refusal to cooperate existed in 13 cases.

Illustrative cases are:

1. An ADC mother of three children had been receiving assistance payments since November 1959. During the investigation of her case she submitted a statement in which she indicated her wish to withdraw from the public assistance program because she did not want investigators coming to her home nor want to answer any questions about her business or household arrangements.

Prior to the time she submitted that statement, the investigators had disclosed certain facts which apparently were unknown to the PAD. These facts are—

(a) The mother of the ADC mother was living in the home.

(b) The ADC mother was paying $100 a month rent as opposed to $65 which she formerly had been paying at another address, but was receiving $50 a month from a tenant.

(c) Numerous articles of men's clothing were found in a hall closet opposite the ADC mother's bedroom.

(d) The ADC mother was working 4 days a week as opposed to the 2 days a week she had represented to PAD.

(e) Her "absent" husband lives directly across the street from her home.

The ADC mother failed to give satisfactory explanations concerning the articles of men's clothing found in her home, or the manner of acquiring two TV sets and two refrigerators also found in the home.

The PAD has determined that overpayments of $1,400 have been made and has referred the case to the Office of Investigations and Collections for recovery of the overpayments. At the time the assistance payments were discontinued, they amounted to $108 a month.

2. An ADC mother who had been receiving assistance payments since December 1958 on behalf of herself and two children admitted to investigators that she had been carrying on an affair with a man whom she has known for about 20 years and hopes to marry. Despite the frequency of her relationships with this man, which she states occurs about every weekend, she claimed she was unable to provide any information concerning him which would enable investigators to determine the extent of resources available through him. The assistance payments amounted to $142 a month at the time they were discontinued.

Miscellaneous

Listed in appendix VII are six cases which were considered to be ineligible because of findings other than those discussed hereinbefore.

These findings are—

1. A separation of convenience to enable the ADC mother to obtain assistance, rather than a real dissociation of the husband from the family and deprivation of the children of parental support.

2. The presence of coin-operated machines in the home as a source of income, the amount of which could not be ascertained.

3. An employable husband willing to return to the home but not permitted to do so by the ADC mother.

4. The unemployability of ADC mother's husband not established.

5. The failure of a returned husband of an ADC mother to register with the U.S. Employment Service.

Cases closed on the basis of findings disclosed subsequent to the investigation

Attached as appendix VIII is a list of eight cases in which the PAD determined that the recipients were ineligible, although the investigation of these cases did not disclose any information indicating ineligibility. However, the records pertaining to seven of these cases show that PAD's determination of ineligibility was based on events occurring subsequent to the investigation and that the determinations were proper under the circumstances involved in each case. The remaining case on this list was determined by PAD to be ineligible on the basis of findings disclosed by the investigation which in our opinion did not conclusively demonstrate ineligibility. However, we are not in a position to say the action was improper since a judgment factor was involved.

POLICE RECORDS OF ADULTS INVOLVED IN CASES INVESTIGATED

Incident to the investigation of the eligibility of recipients of financial assistance under the ADC program, we requested the Metropolitan Police Department, District of Columbia government, to conduct a name file search of the police records to ascertain the police record, if any, of the adult persons involved in 130 of the cases determined by the PAD to be ineligible. The information on four cases was not requested through inadvertence.

Following is a summary of the results of this record search, classifying the males involved into two categories: one, those men whose names appeared on case records as the husbands of the ADC mothers and the other, those men otherwise identified with the cases:

ADC mothers:	
Has an arrest record	31
Has no arrest record	99
No record check made through inadvertence	4
Total	134
Males: Husbands of ADC mothers:	
Has an arrest record	42
Has no arrest record	11
Other than husbands of ADC mothers:	
Has an arrest record	40
Has no arrest record	18
Information insufficient to obtain record	7
Total	118

The records furnished by the Metropolitan Police Department show that, of the 31 mothers who have police records, 21 had been arrested once, 8 had been arrested twice, 1 had been arrested 3 times, and 1 had been arrested 6 times. The charges included having an unleashed dog, drunkenness, disorderliness, stealing Government checks, and assault with a deadly weapon.

The records showed that 42 of the ADC mothers' husbands had been arrested a total of 358 times. Of the 42 men, 14 had a single arrest, 1 had 2 arrests, 3 had 3 arrests, 2 had 4 arrests, and 22 had 5 or more arrests with 3 of this group each having from 31 to 41 arrests. The records for the 40 other males involved in the cases showed a total of 247 arrests. Of these 40 men, 7 had a single arrest, 4 had 2 arrests, 2 had 3 arrests, 4 had 4 arrests, and 23 had 5 or more arrests with 1 of this group having 29 arrests. The charges in the cases of both groups of men included drunkenness, disorderliness, housebreaking, robbery, grand larcency, assault with a deadly weapon, manslaughter, and homicide.

PLACEMENT OF CHILDREN IN JUNIOR VILLAGE RESULTING FROM CASES CLOSED SUBSEQUENT TO INVESTIGATION

At our request the DPW made a check of the Child Welfare Division (CWD) files to determine the number of children that had been placed in Junior Village because of the discontinuance of financial assistance as a result of the ineligibility determinations.

The Director, DPW, informed us by letter dated June 13, 1962, that, while the CWD had given attention to the children in 28 of the cases investigated, in only 4 of the cases had any children been placed in Junior Village as a result of the investigation. He stated that, in the other 24 cases, some children had been committed to the DPW as delinquents and had been placed by the CWD in Junior Village, private institutions, or foster homes but that such actions were not attributable to the investigation. The data submitted with the Director's letter showed that as of June 1, 1962, 16 children were involved in the 4 cases, that in 2 of the cases involving 5 children a question exists as to whether the family is actually destitute, and that further investigation by the Office of Investigations and Collections is warranted. Data pertaining to the four cases, as reported to us by the Director, is itemized below.

Case 1—From CWD records

Case opened on May 16, 1962, as the family was destitute. Women's Bureau placed two of the children in Junior Village on May 15, 1962, and CWD placed the other child in Junior Village on May 16, 1962. All three children remain there.

Case 2—From CWD records

Case opened on May 10, 1962, by request of the mother who was referred by the Woman's Bureau because the mother was homeless. Two children were placed in Junior Village on May 10, 1962, and remain there.

Case 3—From PAD records

Three children were placed in Junior Village on May 1, 1962, as homeless. Referral was made by the Woman's Bureau. All these children remain there.

Case 4—From CWD records

Case opened on March 15, 1962, by request of the mother who was referred by the PAD. Six children were placed in Junior Village on March 16, 1962. Two children were placed in Junior Village on March 19, 1962. All eight children remain there.

In case 1 above the recipients were considered ineligible because the ADC mother was found to have been employed for the past 3 years. She was initially determined as qualified for assistance for the reason that she lacked a child care plan, notwithstanding the fact that she had worked for the same employer since 1959. Apparently this employment record was concealed from the social worker, as was the whereabouts of the father of her two youngest children.

In case 2 above the ADC mother was considered to be ineligible because she was continuing a relationship with the father of her children. It was determined that he was unemployed. Although she had received a

surplus food certificate, she had not picked up any surplus food since December 1961.

In case 3 above the ADC mother was determined to be living with a man in relationship similar to that of husband and wife. The man was unemployed and evidence was that he did not contribute to the household upkeep. The mother was 3 months in arrears in her rent and said she had no intention of paying it, although she first displayed what proved to be spurious rent receipts. The children were placed in Junior Village after the mother had been arrested for fighting in the street. They had been found unattended in the home on two different occasions by investigators.

In case 4 above the recipients were considered ineligible because the absence of the father of five of the children was one of convenience and not a clear dissociation from the family. This man is being sought by the police as a suspect in a holdup, having been identified by the victim. This fact may account for his absence since he was determined to have been in the home a few days before the initial visit by investigators.

EVIDENCE OF BAD FAITH ON PART OF ADC MOTHERS

The investigation definitely disclosed that reliance cannot be placed on the ADC mothers to reveal the actual conditions or circumstances which have a bearing on the recipients' eligibility for financial assistance. A specific review was made of 85 of the cases closed by the PAD subsequent to the investigation to determine the number of instances in those cases where the mothers had misrepresented facts or attempted to conceal existing conditions or situations. The review disclosed (1) 11 cases where a man was found hiding in the ADC mother's house—in the bedroom, sometimes under the bed; in a closet; or in the bathroom—or attempting to flee by the back door to evade questioning by investigators and (2) 8 cases of gross misrepresentation of information vital to determining the recipients' eligibility. Illustrative of the type of misrepresentation in these cases are: four cases where the ADC mother falsely identified the man found in the house as a relative or gave information concerning the man which further investigation proved to be false, and four cases where the ADC mother supplied rent receipts or other documents which proved to contain false information. In several of the latter cases there appeared to be collusion on the part of others to assist the ADC mother in her attempts to misrepresent her actual living conditions or circumstances.

We believe that the foregoing instances evidence that ADC mothers are obtaining, and attempting to continue to obtain, financial assistance for recipients when they are aware that disclosure of actual living conditions or circumstances to the PAD would reveal that they are not entitled to receive further financial assistance.

USE BY PAD OF CODE REASONS FOR CLOSING CASES

We have reviewed the "code reasons for closing cases" which have been assigned by the PAD to the 127 cases closed as of June 25, 1962, on the basis of ineligibility findings disclosed by the investigation. In our opinion the stated code reasons do not always reflect the actual reasons for terminating assistance and distort any statistical data which is based thereon.

Section 624.500 of the PAD manual provides that the "classification of reasons for closing cases should reflect events that lead to ineligibility with respect to need and the resulting discontinuance of assistance" and states that the codes used are "in conformity with the classification" issued by the Social Security Administration. These reasons classify cases into major groups as follows:

1. Those closed because of death.
2. Those no longer eligible with respect to need.
3. Those no longer meeting eligibility requirements other than need.
4. Those transferred to other assistance programs.
5. Those closed for other reasons.

Code No. 00 is to be assigned to cases closed because of death, 01 to 54 to cases no longer eligible with respect to need, 71 to 79 to cases no longer meeting eligibility requirements other than need, and 90 to 94 to cases transferred to other welfare programs. Code Nos. 54, 79, and 94 are assigned to the general classification of "other" within the second, third, and fourth major groups. Where more than one reason exists for closing a case, the primary code reason is to be assigned.

Our review disclosed that, in 75 of the 127 cases closed, the assigned code reasons for closing the cases were not compatible with what we considered to be the primary reasons for ineligibility. For example, code 79 is required to be used when a case is closed because an eligibility requirement other than need, which is not specifically listed in codes 71–8, is no longer met. The PAD classified 62 of the 127 cases under code 79, whereas, in our opinion, only 23 should have been so classified. A more meaningful classification in the remaining 39 cases would have been as follows:

Code:	*Number of cases*
04, ADC mother employed	1
11, return of absent employed father	10
74, return of absent employable father	7
73, parent no longer incapacitated	9
72, refusal to comply with eligibility requirements	3
94, unable to determine resources—extent of need undeterminable	9
Total	39

On the other hand, five cases classified under other codes, in our opinion, should have been classified under code 79.

Another example of this situation relates to nine cases which PAD classified under code 90 (voluntary withdrawal when reason for such withdrawal is not known) whereas a more meaningful classification would have placed them in code classifications as follows:

Code:	*Number of cases*
11, return of absent employed father	1
74, return of absent employable father	1
73, parent no longer incapacitated	1
72, refusal to comply with eligibility requirements	1
79, no continued absence established	2
94, other—unable to determine resources—extent of need undeterminable	3

It is significant to note that no code reason is prescribed for those cases closed because a recipient was improperly receiving aid. The code reasons provided imply that the changed circumstances in the recipients' situations arose at a time coincident with the closing of the case. We believe that a code reason should be provided for use in those cases that are closed because the recipient had been improperly receiving assistance. In this way the cases closed because improper receipt of assistance could be distinguished from those closed because of changes in recipients' conditions or circumstances.

Mr. BYRD of West Virginia. Mr. President, also subsequent to the action by the House on the District of Columbia appropriation bill, the Comptroller General submitted to the chairman of the Senate Subcommittee on District of Columbia Appropriations a special report on the investigation of the general public assistance category. I ask unanimous consent that the report be printed at this point in the RECORD.

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

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., September 6, 1962.

Hon. ROBERT C. BYRD,
Chairman, Subcommittee on District of Columbia, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: Herewith is our report on the investigation of selected cases under the general public assistance (GPA) program, administered by the Public Assistance Division (PAD), Department of Public Welfare, District of Columbia Government, August 1962. We participated in the investigation pursuant to your request of May 3, 1962.

The investigation of 68 GPA cases disclosed that, on the basis of the eligibility requirements and need standards prescribed by the Board of Commissioners, the recipients in 53, or 78 percent, of the cases were ineligible for financial assistance under the GPA program but that in 13 of the 53 cases the recipients were eligible for assistance under the aid to the permanently and totally disabled program.

The results of the investigation lead to the conclusions (1) that the PAD had not taken the required actions necessary to determine whether or not recipients of financial assistance are eligible for continued assistance under the GPA program or are eligible for assistance under another public welfare program, (2) that reliance cannot be placed on recipients to inform the PAD of actual conditions or circumstances which have a bearing on their eligibility for financial assistance, and (3) the GPA cases not covered in the current investigation should be investigated to determine whether or not the recipients are eligible for the financial assistance they are receiving under the GPA program or are eligible for financial assistance under another public welfare program.

We believe, as stated in our earlier report to you on the investigation of selected cases under the aid to dependent children program, that there is a definite need for instituting a continuing field investigation program to determine the eligibility of the recipients of financial assistance under the GPA program for such assistance and the effectiveness of the PAD's administration of the program.

Sincerely yours,

JOSEPH CAMPBELL.

SPECIAL REPORT TO THE SUBCOMMITTEE ON DISTRICT OF COLUMBIA, COMMITTEE ON APPROPRIATIONS, U.S. SENATE—INVESTIGATION OF SELECTED CASES UNDER THE GENERAL PUBLIC ASSISTANCE PROGRAM, DEPARTMENT OF PUBLIC WELFARE, DISTRICT OF COLUMBIA GOVERNMENT, AUGUST 1962

(By the Comptroller General of the United States, September 1962)

The General Accounting Office has participated with the Department of Public Welfare (DPW), District of Columbia government, in an investigation of selected cases administered by its public assistance division (PAD) under the general public assistance (GPA) program to determine the facts having a bearing on the eligibility of the

recipients for assistance under the eligibility factors and need standards, as prescribed by the Board of Commissioners, and to establish whether, on the basis of the facts, the recipients are eligible for such assistance. The General Accounting Office participated in the factfinding phase of the investigation pursuant to the request on May 3, 1962, of the chairman, Subcommittee on District of Columbia, Senate Committee on Appropriations.

The purpose of the general public assistance program, as indicated in departmental regulations and the PAD Manual, is to provide assistance to needy persons who are unemployable, but who are not eligible for assistance under a program in which the Federal Government participates financially, and to help them, as far as possible, to become self-supporting. The program is conducted under authority contained in appropriation acts for the District of Columbia which provide for the relief and rehabilitation of indigent residents.

The PAD Manual provides that an unemployable person to be eligible for assistance (1) must be between the ages of 16 and 65, (2) must have been a resident of the District of Columbia for at least 1 year, and (3) must lack income or other resources sufficient to meet his subsistence requirements determined on the basis of budget standards prescribed by the Board of Commissioners. The manual defines an unemployable person as one who has a physical or mental disability which precludes him from working full time; that is, 40 hours a week, in competitive employment. The manual specifically provides that assistance shall be denied to a person who is eligible for benefits under a program but who does not apply for such benefits or who refuses recommended treatment (other than surgery) or rehabilitation services which may aid him in regaining or increasing his earning capacity. The manual contains detailed procedures, criteria, and instructions for determining the eligibility of a person for public assistance and the amount of the assistance.

The Department of Public Welfare investigation of the GPA cases in which we participated was undertaken pursuant to a request of the Senate Committee on Appropriations in its report on House bill 8072 (S. Rept. 993, 87th Cong.), a bill to provide appropriations for the District of Columbia for 1962. That request pertained also to an investigation of aid-to-dependent-children (ADC) cases in which we participated and submitted a report (B-25435) on July 26, 1962, to the chairmen, Subcommittees on District of Columbia, Senate and House Committees on Appropriations, pursuant to a request on March 6, 1962. The planning, direction, and conduct of the investigation of the GPA cases were carried out generally along the same lines as those set forth in the aforementioned report on the investigation of the ADC cases.

INVESTIGATIVE FINDINGS AND ACTIONS TAKEN

The PAD Office of Research and Statistics selected for investigation—on a random sampling basis—80 cases from the March 1962 GPA welfare rolls exclusive of cases involving incompetents, persons in foster or nursing homes, and Cuban refugees, which cases were specifically exempted from the scope of the requested investigation. Of these cases, nine had been closed prior to the commencement in June 1962 of the investigation and three cases were not investigated—two cases because the recipients were incompetent and one case because the recipient lived outside the District of Columbia. Therefore, the investigation actually pertained to 68 cases—approximately 5 percent of the GPA caseload exclusive of cases exempted from the scope of the investigation.

By August 21, 1962, the PAD had informed us that their eligibility determinations, based on the investigative findings and certain events occurring subsequent to the investigation, had resulted in the following actions with respect to the 68 cases investigated:

	Number of cases	Percent of total cases
Financial payments continued under the GPA program but adjustments considered necessary:		
Adjustments in payments based on existing need	6	--------
Miscellaneous administrative adjustments	7	
Total	13	19
Financial payments discontinued under the GPA program:		
Ineligible for public assistance	40	--------
Eligible for public assistance but under the aid to the permanently and totally disabled program	13	--------
Total	53	78
Financial payments suspended under the GPA program pending:		
Submission of medical information	1	--------
Definite determination of resources	1	--------
Total	2	3
Grand total	68	100

FINANCIAL ASSISTANCE PAYMENTS CONTINUED UNDER THE GPA PROGRAM

The investigation disclosed information which resulted in the PAD's determining that the recipients in 13, or 19 percent, of the 68 cases investigated are eligible for continued financial assistance. However, adjustments in the amount of the assistance payments were necessary in six cases and some administrative action was required in seven cases to bring them into conformity with the PAD Manual requirements.

FINANCIAL ASSISTANCE PAYMENTS DISCONTINUED UNDER THE GPA PROGRAM

The PAD determined that in 53 cases the recipients were ineligible for financial assistance under the GPA program—in 51 cases on the basis of investigative findings and in 2 cases on the basis of events occurring subsequent to the investigation, but that in 13 of the 53 cases the recipients were eligible for assistance under the aid to the permanently and totally disabled (APTD) program. The investigation disclosed that these 13 cases either had not been referred to the medical review team (MRT) for a determination of eligibility under the APTD program or had not been transferred to the APTD program upon the MRT's determination of eligibility under that program.

The 38 cases in which the recipients were determined by the PAD to be ineligible for financial assistance under the GPA program on the basis of the investigative findings are classified in the following table according to the investigative finding which, in our opinion, had the most significant bearing on the recipient's eligibility.

Recipients:	*Number of cases*
Employed	12
Employable	6
Resources undeterminable and/or unreported	12
In District hospitals	3
Failure to cooperate	4
Failure to meet residence requirement	1
Total	38

Recipients employed

The investigation disclosed that the recipients of financial assistance in 12 cases were employed—in 5 cases full time and in 7 cases part time. The earnings of two recipients who were employed part time were equal to, or in excess of, their subsistence requirements computed on the basis of the prescribed standards. The earnings of the other five recipients who were employed part time could not be determined.

The PAD Manual, in section 352.321, provides that a recipient who is able to work part time and who is engaged in an occupation where it is not possible to obtain accurate, reliable information concerning the amount of his earnings shall be ineligible for assistance. The manual, in section 350.000, provides also that a recipient who refuses to, or does not, clarify the extent of his earnings shall be ineligible for assistance.

The PAD determined, on the basis of the investigative findings, that the 12 recipients were ineligible for continued financial assistance—in 5 cases because the recipients were employed full time, in 2 cases where the recipients were employed part time, because there was no need for assistance, and in 5 cases where the recipients were employed part time because the need for assistance could not be established.

Recipients employable

The investigation disclosed five cases where the recipients were receiving financial assistance and one case where the financial assistance payments to the recipient had been temporarily suspended although the case files contained no evidence that their eligibility for such assistance had been reestablished as required by the PAD Manual. The manual, in section 245.130, requires that the eligibility of a recipient for financial assistance under the GPA program must be reestablished periodically on the basis of a medical determination of unemployability.

The PAD subsequently obtained current medical reports for the six recipients and on the basis of an evaluation of the reports determined that they were employable and no longer eligible for financial assistance. The payments were thereupon discontinued.

Recipients' resources undeterminable and/or unreported

The investigation disclosed evidence in 12 cases where the recipients had available resources that had not been reported to the PAD. Also the extent of such resources could not be determined. The recipients in two cases had obtained part-time employment in performing odd jobs, in two cases either were receiving or were eligible to receive statutory benefits equal to the amount of their assistance payments, and in the remaining eight cases either were living on a scale beyond that possible under the financial assistance being provided, were obtaining assistance from relatives or friends, or had other resources.

In each of these cases the recipients were either unwilling or unable to clarify their resources. Therefore it was impossible to definitely establish that a need for financial assistance existed. The PAD Manual, in section 350.000, specifically provides that in such situations assistance shall be denied to recipients.

Recipients in District hospitals

The investigation disclosed three cases that had not been closed although the recipients had been admitted to a public institution for an indefinite or indeterminate period—two to the Glenn Dale Hospital and one to the District of Columbia General Hospital.

Recipients' failure to cooperate

The investigation disclosed four cases where the facts clearly showed that the re-

cipients were ineligible for continued financial assistance under the GPA program because they had not kept the PAD informed of their whereabouts and/or refused to accept rehabilitation services. A synopsis of these four cases follows:

1. The investigation disclosed that since December 1961 the recipient had not lived at the address of record in the case file to which the monthly assistance payment checks had been mailed up to May 1962, when payments were suspended pending a redetermination of eligibility for continued assistance. As a result of the investigative finding, the PAD discontinued assistance on the basis of loss of contact. Since December 1960, the date of the last PAD approval of the recipient's eligibility for financial assistance, the recipient had been arrested 12 times for drunkenness, disorderly conduct, or other charges, the latest arrest for drunkenness, which occurred during the period of the investigation, resulting in his being sentenced to the Occoquan workhouse for 30 days.

2. The investigation resulted in locating the recipient's husband and in the recommendation to the PAD that he be contacted with regard to supporting his wife. The investigation disclosed also certain questionable circumstances surrounding the recipient's relationship with another man. The PAD attempted to follow up on these investigative leads but was unable to establish contact with the recipient either at her home or, as requested, at the PAD office. The PAD therefore closed the case on the basis that a determination of continued need could not be established.

3. The investigation disclosed that the recipient did not live at the address of record in the case file and that he had been employed under a different name for a 2-week period at a rate of $45 a week but had quit the job because of the low rate of pay. Subsequently he was arrested for attempting to set the house in which he lived on fire and sentenced to confinement in the District of Columbia jail for 90 days. The PAD closed the case on the basis that the recipient had refused reasonable employment.

4. The recipient in this case was a known alcoholic, and the assistance payments were made to a vendor payee on his behalf. The vendor payee improperly retained and cashed assistance checks while the recipient was confined in jail for drunkenness. The designation of the vendor payee as a responsible person to act for the recipient is questionable since, aside from his improper retention and cashing of assistance payment checks, he has been arrested twice for keeping and selling liquor. The recipient has a record of 184 arrests—136 arrests for drunkenness, including 4 arrests since August 1961 when he was determined by the PAD to be eligible for financial assistance. The medical review team had determined that the recipient is employable on a full-time basis in a job where he would be potentially dangerous neither to himself nor to others. However, the PAD had not referred the recipient either to the U.S. Employment Service for possible employment or to the District Department of Vocational Rehabilitation for rehabilitative services. He refused to accept a referral to the municipal lodging house for a "drying out" period. The PAD closed the case on July 31, 1962, on the basis that the whereabouts of the recipient was unknown since his release from jail on July 23, 1962.

Recipient's failure to meet residence requirement

The investigation disclosed one case where the recipient of financial assistance under the GAP program was not eligible for such assistance at the time he applied for the assistance because he had not lived in the District for 1 year immediately preceding his application for assistance, an eligibility requirement prescribed in section 231.135 of the PAD Manual. The investigative unit immediately notified the PAD that the recipient had not met the residence requirement. However, the PAD reinstated financial payments to the recipient for an adjustment period of 1 month following his discharge from the hospital on June 22, 1962, as employable, solely on the basis of the recipient's statement that he had been out of the District for only 2 or 3 weeks during the year preceding his application for assistance. The investigative unit did not concur with this action and furnished the PAD with additional proof that the recipient had been employed in Norfolk, Va., during the year in which he had claimed to have resided in the District. Thereupon, the PAD determined that the entire amount of financial assistance that had been provided to the recipient during the period from January 1962, when he was initially determined to have been eligible for assistance, through July 1962, when the assistance payments were discontinued, should be recovered on the basis that the assistance had been fraudulently obtained.

DELAYS IN TAKING REQUIRED ACTIONS

The investigation disclosed that the PAD had not required some recipients under the GPA program to submit medical reports and had not referred the cases to the medical review team for determination of the recipients' unemployability or for consideration of their eligibility for financial assistance under the aid to the permanently and totally disabled program as required by the PAD Manual.

The manual states, in section 245.130, that "general public assistance is considered primarily as assistance to individuals whose unemployability will be of short duration. When, in making redeterminations of continuing eligibility, the worker has received two or more medical reports indicating that unemployability still exists, and assistance has been continued for as long as 6 months, the case must be referred to the review team for recommendations and/or consideration of eligibility for APTD."

In section 244.135, that "the worker is responsible for setting his controls in such a way that he will be reminded of the case in time to obtain a new medical report and to prepare a revised social information report in time for whatever review date the team had set for the next team evaluation of the case."

And, in section 244.134, that "the social worker is responsible for seeing that all recommendations of the review team are carried out promptly; i.e., within 30 days after the action was recommended."

The 53 cases where financial assistance payments were discontinued under the GPA program, as a result of the investigation, include 13 cases that had not been referred to the MRT, after the recipients had received assistance for 6 months, for periods from 2 to 20 months beyond the required referral dates; 9 cases that had not been resubmitted to the MRT for periods ranging from 1 to 19 months beyond the specified resubmission dates; 7 cases where action recommended by MRT had not been taken for periods ranging from 2 to 5 months.

Of these 29 cases, the PAD determined (1) on the basis of investigative findings, that the recipients in 15 cases were ineligible for any financial assistance, (2) on the basis of referrals that were made to MRT following notification by the investigative unit, that the recipients in 13 cases were not eligible for assistance under the GPA program but were eligible for assistance under the APTD program, and (3) on the basis of events occurring subsequent to the investigation, that the recipient in 1 case was not eligible for assistance. The referral of GPA cases to MRT within the prescribed time requirements and the prompt taking of the recommended action would have undoubtedly resulted in an earlier transfer of the 13 cases to the APTD program and an earlier discontinuance of payments in the 7 cases where the recipients were determined to be employable. The ineligibility of the recipients for assistance in the remaining eight cases was ascertainable only by field investigation.

CONCLUSIONS

The results of the investigation of the 68 GPA cases lead to conclusions similar to those set forth in our report on investigation of selected cases under the ADC program, referred to on page 3 of this report; namely, (1) that the PAD had not taken the required actions necessary to determine whether or not recipients of financial assistance are eligible for continued assistance under the GPA program or are eligible for assistance under another public welfare program, (2) that reliance cannot be placed on recipients to inform the PAD of actual conditions or circumstances which have a bearing on their eligibility for financial assistance, and (3) the GPA cases not covered in the current investigation should be investigated to determine whether or not the recipients are eligible for the financial assistance they are receiving under the GPA program or are eligible for financial assistance under another public welfare program.

We believe, as stated in the aforementioned report, that there is a definite need for instituting a continuing field investigation program with the objective of investigating GPA cases for the purpose of determining the eligibility of the recipients for financial assistance and the effectiveness of the PAD's administration of the GPA program.

Mr. STENNIS. Mr. President, will the Senator yield for 1 minute?

Mr. BYRD of West Virginia. I yield.

Mr. STENNIS. I dislike to interrupt the continuity of the Senator's remarks, but I am obliged to leave the Chamber for a time. That is why I have asked the Senator to yield at this point.

As a member of the Committee on Appropriations, I have followed to the greatest degree I could the hearings held by the Senator from West Virginia. I have read some of the reports and special reports, have conferred with him, and have kept in touch with him. His earnestness and sincerity have left me with a very fine, high impression of his ability. I do not wish unduly to praise or compliment him, but it is a pleasure for me to say as a fellow Senator that I believe his work has shown senatorial statesmanship of the highest order. I have not seen anything in the years I have been a Member of the Senate which excels it. I think the Senator from West Virginia deserves the thanks of every Senator, of Congress, of the officials of the District of Columbia, and of the people of the Nation.

I believe it would be most helpful and wholesome for all such programs for the entire Nation to receive the same kind of investigation, inquiry, and analysis that he has so well made of these programs for the District of Columbia. In my opinion he has shown in a very fair and impartial way that these programs cannot continue unless they are cleaned up and are put on a sounder basis. I think that is a challenge to the entire Nation, and I think the work he has done is a challenge to every State government which has to do with the administration of such programs, particularly those

dealing with public welfare and related matters. It is one of the most difficult subjects imaginable to deal with and handle, at the very best, and certainly it cannot be handled at all if it is allowed to run loose at both ends.

As I have said, I do not wish to praise unduly the Senator from West Virginia or any other person, but the work he has done has been a labor of love, and, as I have already said, I believe his work represents the Senate and the entire legislative branch of the Government at the very highest level. The legislative branch must assert itself more in connection with the handling of these programs.

So I thank the Senator from West Virginia very much, indeed.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished Senator from Mississippi for his very kind remarks.

Mr. HUMPHREY. Mr. President, will the Senator from West Virginia yield to me?

Mr. BYRD of West Virginia. I yield to the senior Senator from Minnesota, the very capable majority whip.

Mr. HUMPHREY. Mr. President, I appreciate the courtesy of the Senator from West Virginia in yielding to me. I know he wishes to complete his analysis of the report of the subcommittee and the full committee on the appropriations for the District of Columbia. However, it is necessary for me to attend briefly a conference at the State Department auditorium on the problem of narcotics and law enforcement in that area. Therefore, I wish to make these few remarks at this time.

Mr. President, every Member of this body is indebted to the Senator from West Virginia [Mr. BYRD] for the work he has done as chairman of this important subcommittee. There were 26 days of hearings, as the Senator has noted, and over 2,500 pages of testimony. The Senator from West Virginia gave patiently and with dedication and sincerity hundreds of hours of work to the consideration of the many problems which confront the District of Columbia, the Federal city.

All of us know that a Senator or a Member of the House of Representatives makes very little impression upon his constituents at home by what he does for the District of Columbia. So this is a labor of love; indeed, I think it can be properly classified as a high point in public service, dedication, and patriotism.

The Senator from West Virginia has given more time to this appropriation bill and to the items contained in it than anyone ever dreamed was possible, or than anyone else would ever have suggested would be done by any Senator. Also, the Comptroller General and his staff have been most helpful. They constitute an arm of the Congress, and the Senator from West Virginia has seen fit to call upon that arm of the Congress to aid him in these important investigations.

I stress the point that the Senator from West Virginia has made this report without reference to even a piece of paper. I have never seen anything like it, and I have been a Member of this body for nearly 13 years. The Senator from West Virginia has placed before the Senate, out of his intimate knowledge of the problems of the District of Columbia, a factual, objective, lucid, detailed report, such as I have never heard presented by any other Senator during my service in the Senate.

So I wish to commend him very much, indeed. Not only does he know the statistics; he also knows what they mean. Every department of the District of Columbia has been given careful attention by the chairman of the subcommittee. Other members of the subcommittee worked with him, but none of us would suggest for a moment that anyone else did the same amount of work that the chairman of the subcommittee did.

Mr. President, I am particularly grateful to the chairman of the subcommittee [Mr. BYRD of West Virginia] for the work he has done in the field of education. I know he has had the able assistance of the Senator from Wyoming [Mr. MCGEE] and others, but I am particularly grateful because of the fact that the Senator from West Virginia saw fit to work with the Superintendent of Schools and the Board of Education of the District of Columbia to improve the educational structure of the District of Columbia. The Senator from West Virginia has set a fine standard, not only for the District of Columbia, but also for other jurisdictions of government. The report given on the basis of the pupil-teacher ratio is an exceedingly progressive and commendable one. The new teachers who have been added, as well as the librarians and the counselors, constitute a substantial improvement of the educational system of the District of Columbia.

I thank the Senator from West Virginia very much, indeed, too, for his favorable consideration and support—without it nothing would have happened—in connection with the problem of providing adequate books for the District of Columbia schools. It is true that when I saw some of the books which were being used there I was shocked. But as a result of the new report from the Superintendent of Schools, Dr. Hansen, and the work done by the chairman of the subcommittee, we have in this bill an additional $135,400, as the chairman of the subcommittee has said, with which to provide new books and to take care of obsolescence in that connection. We also have $25,000 to begin acquiring books for elementary school libraries.

I hope the subcommittee and the Senate as a whole will stand fast in regard to the amounts the subcommittee has added to the bill. I believe the work which has gone into the report by the subcommittee should be backed by both Houses of Congress. I believe the report by Dr. Hansen should provide the basis to justify these increases. They are sorely needed.

Mr. President, I ask unanimous consent that a table showing the number of obsolete books in District of Columbia schools be included at this point.

I do not believe this material was available to the House subcommittee and I found it very persuasive. I hope the House subcommittee members study this survey carefully.

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

TABLE 1.—*Books considered obsolete because of content or condition in District of Columbia schools*

Level	Obsolete		Total
	Content	Condition	
Elementary school	59,003	3,725	62,728
Junior high school	53,749	21,090	74,839
Senior high school	27,713	17,247	44,960
Vocational high school	5,755	1,819	7,574
Total	146,220	43,881	190,101

Mr. HUMPHREY. In addition, I commend the Senator from West Virginia for his investigation in the field of public welfare. There may be those who will take the position that the investigation was harsh or unsympathetic to the needy. But I know the Senator from West Virginia; he comes from a State in which there are—regrettably—many needy persons, and his heart goes out to the needy, but he does not wish to see public funds wasted. I agree with him; I think these programs are endangered when abuse develops and is not corrected or when there is a lack of proper accounting. I agree with the Senator from West Virginia that the Department of Public Welfare in the District of Columbia should get busy to improve its accounting and its investigative procedures and processes.

A number of additional social workers should be employed, in order to take care of the needy. I know that the chairman of the subcommittee feels, as I do, that once the investigation is completed additional social workers will be employed so that the caseload can be handled more adequately. I trust the investigation will be completed promptly and we can begin to replace investigators with more caseworkers.

On his own volition, the chairman of the subcommittee, after ascertaining the facts, took the initiative to have additional caseworkers employed, so that the handling of the casework would be improved. I commend the Senator and again express the hope that within a few years the District will have an adequate force of caseworkers.

As the investigation proceeds and as the need diminishes, I predict that the District of Columbia will have one of the finest public welfare departments in the United States, if all the rest of us will just back up the chairman of the subcommittee. He already has my backing, and I thank him very much, indeed, for what he has done.

Certainly he also did a monumental job in investigating the road program and the highway program. This item was the only subject of difference we had in the committee, and I believe we have resolved the difference sensibly. The resolution of the item is to be found in the report, which shows that the report of the National Transportation Commis-

sion will be given due credence and attention, and that by March of next year a decision one way or another will be made. In other words, a decision has been made to provide the appropriation of $300,000; but if there should be, in the report of the Transportation Commission, something which constitutes a valid objection to the Three Sisters Bridge, then, as I understand, the committee of either House can take action to stop construction of the bridge, if such a determination is made on the basis of the facts.

I want to thank the chairman again. I urge him to stand fast. After the monumental job that the Senator from West Virginia performed, it would be nothing short of a shame if it were diluted through what some call a compromise. I do not think a compromise is required. When one has done a first-class job, the thing to do is accept it. I will do everything I can to be of assistance to the Senator.

Mr. BYRD of West Virginia. I thank the great Senator from Minnesota for his kind remarks.

I point out that had it not been for the interest of the Senator from Minnesota and for his efforts in behalf of full replacement of obsolescent books in the schools, this item would not have been fully attended to. So, as far as I am concerned, all credit for initiating the effort and for pressing the effort and for a successful culmination of the effort goes to the Senator from Minnesota.

As to the addition of counselors in the schools, I think all credit should go to the distinguished senior Senator from Wyoming [Mr. McGEE], because it was he who insisted that there be additional counselors in the elementary schools. It was he who insisted that there be additional teachers over and above those provided in the bill passed by the House. I do not mean to say that he met with resistance on the part of the subcommittee, but credit should be paid where it is due.

I only say that if it had not been for the Senator from Wyoming [Mr. McGEE] and the Senator from Minnesota [Mr. HUMPHREY], I am not at all certain that we would have gone as far as we went in the subcommittee and the full committee in regard to these items. The Senator from Wyoming [Mr. McGEE] has had much experience in the field of education, and I feel that his suggestions, advice, and counsel resulted in the additional positions for this Department.

Mr. HUMPHREY. Mr. President, will the Senator yield for a final observation?

Mr. BYRD of West Virginia. I yield.

Mr. HUMPHREY. I want the RECORD to be clear that while the Senator from West Virginia has given this creditable amount of time to the committee, he has diligently fulfilled his duties to the people of West Virginia in every respect. I want the people of West Virginia to know that, because this Senator and his colleague have worked diligently for his State.

How he has found time to do this work for the District of Columbia, plus doing a conscientious and effective job for West Virginia, is beyond me, but he is a young man. He has the vitality of youth that comes to one at that happy moment in life. He has also rendered excellent service in connection with police department work.

Mr. BYRD of West Virginia. I thank the Senator for his kindness.

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

Mr. BYRD of West Virginia. I yield to the affable and diligent Senator from Colorado.

Mr. ALLOTT. I want to add one or two words to what has been said. Although I have no longer the privilege of serving on the subcommittee since the unfortunate and untimely death of Senator Dworshak, of Idaho, I was a member of the subcommittee during a great part of the hearings. I am very glad, also, that the Senator from Minnesota mentioned such a mundane thing as the waste of the public assistance welfare funds as they were administered. I assure the Senator I am interested in his remarks in that respect.

I think a significant aspect of that problem, which goes above and beyond the wastage of public funds, but which is an adjunct and a corollary of it, is that by the waste of such funds we deprive others who need help and who have needed the assistance of the money. Because the money was not there, because others had stolen it—and I do not describe it in any other terms—money was not in the fund which could have been used for needy causes, works, supplies, construction, and hospital support. The money was not there in part because some were misrepresenting and concealing facts from the District of Columbia Welfare Department and the Federal Government.

So far as my observations are concerned—and they go back quite a way in this particular field—I want to congratulate the Senator from West Virginia. He has found himself under fire from all sources, including newspapers. I recall in particular the incident of last fall when some newspapers were attempting to get him to vitiate not only the action of his own committee, but the action of the Congress with respect to appropriations. He stood fast. I was pleased to stand with him, and I would stand with him again.

I have told many who have spoken with me in my own State and in other places that the most difficult thing about appropriations work is making certain that the money is spent for the purpose for which it was intended. The great thing the chairman of the subcommittee has done in one sector of the appropriations is that he has been so vigilant and so driving that I believe people in that Department are convinced that they are going to have to do the job or face the kind of interrogation next year by the subcommittee which they will not be able to stand.

I congratulate the chairman of the subcommittee; I think he has done an outstanding piece of work.

I wish to say a concluding word about the Three Sisters Bridge. As the Senator knows, he was subjected to all kinds of pressure with respect to the Three Sisters Bridge. I am astounded by the absolute lethargy on the part of some people in the District of Columbia regarding their own community. I am astounded that they can get into such petty bickering that they cannot solve basic problems which must be solved. With respect to the Three Sisters Bridge, I think the problem can definitely be solved. It is solved now, unless something should appear in the report of the transit authority in the fall that may upset it.

It is my hope that there will be started and concluded construction of a loop system in the District. We will have to remove one or two trees. We will have to remove one or two bricks that have been there for 200 or 300 years. But if this is to be the capital of the country, facilities must be provided so that the people can have ingress and egress to and from the Capital City of the country. If we are unwilling to face that fact, we had better talk about moving the Capital of the country to another place. I suppose it would not be appropriate for me to agree at this time that Denver would be the best place for it.

Laying aside levity, we must face certain problems. The chairman has done all he can. We admire him for the work he has done. I am sure I speak for the minority, although I am not the ranking minority Member, when I say that he has done a good job. I only hope, when this bill is passed the Senator can do what is the most difficult part of services on the Appropriations Committee, and that is see to it that the money goes to the right people and is used for purposes for which it was intended.

In my opinion, this is really the great contribution the Senator has made to the committee.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from Colorado. He has provided me with a great deal of inspiration in my service on the subcommittee. He has stood by me faithfully. I think he has done so because he felt that we were endeavoring to do the right thing.

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

Mr. BYRD of West Virginia. I yield to my distinguished friend, the Senator from New Jersey [Mr. CASE].

Mr. CASE. I thank my subcommittee chairman.

The Senator from Colorado has spoken well and eloquently. He speaks for the minority members of the subcommittee on all matters except perhaps the Three Sisters Bridge. As to that his vision is somewhat clouded, but, fortunately, we have reached a solution which will give us time to clear the confusion existing in that and other quarters.

Apart from that, and quite seriously, I wish to add my voice to those voices which have already spoken in high and deserved praise of the work by the chairman of the subcommittee, the Senator from West Virginia [Mr. BYRD], rendered over the period of his tenure as chairman, and to my knowledge particularly during this year, my first year on the committee and on the subcommittee.

We should not be doing this work at all, of course. It takes away from time

we ought to be spending on matters for which we were sent to the Senate from our States, yet the job is in our laps and must be done. That being so, the diligence and the incredible amount of time and energy the subcommittee chairman has given are already having very fruitful results, and will continue to have.

I express to the Senator, as a citizen of this country, my appreciation for the job he has done in helping to make our Capital City a better city and helping to keep it on the right track. As an individual member of the subcommittee, I express my appreciation for his unfailing courtesy in the pleasant treatment we on the minority side, as well as all members of the subcommittee, have received at his hands.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from New Jersey. I have had the utmost cooperation from the distinguished Senator since he became a member of the subcommittee. I think that the package which we are able to offer to the Senate today has been made possible in large measure because of the active support of the Senator from New Jersey and the very fine contribution he has made.

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

Mr. BYRD of West Virginia. I yield to the distinguished Senator from Kentucky.

Mr. COOPER. I should not interfere with the Senator's presentation on the bill, but I wish to say in the Senate what I have said personally. I am not on the Committee on Appropriations, so I speak from a different aspect.

I have at times thought that perhaps those of us who are not members of the Committee on Appropriations, particularly the subcommittee relating to the District of Columbia, might tend to look at matters relating to the District of Columbia in a rather routine way. That might be because the work of the committee at times might be carried on in a routine way.

I can relate only my own experience, but this year, as I began to read about the work which the Senator was doing, my interest in what was happening in the District of Columbia was stimulated. I am sure that other Senators, as well as Members of the House, had the same feeling of added and new interest in the District of Columbia. I think that is important.

I have always felt that although the District of Columbia is not a part of our first constituency it is the Capital of the United States and ought to be a model for the country, and indeed for the world.

Not only has the Senator found some defects in the District of Columbia and exposed them to public view, but also he has worked hard to correct the defects in a constructive way. I think what he has done in some fields could very well be a model to other States of the Union.

After watching the Senator's work, I have the hope that his work will continue to be constructive in the best sense—and I know it will. I hope that from his work will come a growth of the District of Columbia, relating to all work of all types, as well as its beauty and its cultural aspects, so that it can be truly a Capital of our country and of the world.

I admire everything the Senator has done.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from Kentucky, and I appreciate very much his generous and kind remarks.

As I pointed out earlier, when the subcommittee began its deliberations upon the bill it had access to information which was not available to the House of Representatives at the time that body took action on the appropriation bill. The subcommittee of which I am chairman had before it three reports submitted by the General Accounting Office and written over the signature of the Comptroller General. Additionally, the subcommittee had a report on the investigation into the ADC category, made by the Department of Public Welfare in the District of Columbia. I ask unanimous consent that that report may be included in the RECORD at this point.

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

TASK FORCE REPORT—SUMMARY OF FINDINGS, SPECIAL INVESTIGATION, AID TO DEPENDENT CHILDREN CASES

I. INTRODUCTION

The subcommittee of the Committee on Appropriations of the U.S. Senate in the Senate Report 993 on H.R. 8072, the District of Columbia appropriation bill, 1962, expressed its concern "over this upsurge in grants and recommends that the Department establish, within available funds, a pilot project composed of at least five investigators to ferret out any so-called freeloaders who may be benefiting under the public assistance program."

On October 5, 1961, the Commissioners approved the Department's proposal for a special investigation project and the assignment to it of five experienced investigators from the Office of Investigations and Collections to conduct an intensive field investigation of a random sampling of ADC cases and GPA cases to determine the validity of these caseloads. The Commissioners also approved the establishment of an investigative committee at the department level to plan and direct the operation of this project. This committee was established under the chairmanship of the Deputy Director of Public Welfare and consisted of the investigations and collections officer, program officer, and the chief of research and statistics from the Department of Public Welfare. It also included the chairman of the Public Welfare Advisory Council, two representatives of the Internal Audit Office, District of Columbia, and a representative of the Office of the Corporation Counsel, District of Columbia. The committee developed the procedures and methods that were followed in the special investigation project. These procedures are set forth in appendix No. 1.

II. SELECTION OF RANDOM SAMPLE

The ADC random sample for the special investigation project was selected by the chief of research and statistics from the statistical card file of ADC cases active as of September 30, 1961. These records showed 5,601 cases active at that time. A random sample was used because of the size of the caseload.

A standard method of selecting a random sample was used. A 10-percent sample was selected and then divided into two 5-percent samples by placing all odd-numbered cards into one 5-percent sample and all even-numbered cards into the other 5-percent sample. The first 5-percent sample was used for the special investigation project.

The random sample master list was held confidential and cases were furnished the special investigation project upon request without prior knowledge of the agency or of the project on what cases were to be furnished.

III. SPECIAL INVESTIGATION PROJECT

The special investigation project under the direction of the investigations and collections officer was started on November 13, 1961. Assigned to the project, in addition to the investigations and collections officer, were five OIC investigators, a case evaluator, who was formerly a supervisor in the Public Assistance Division, and two clerks. The ADC random sample cases were forwarded from the Public Assistance Division to the project where they were reviewed by the case evaluator. The evaluator prepared a schedule of eligibility factors (app. No. 2) on each case and turned the schedule and the PAD case record over to the investigator. Individual cases were assigned to the OIC investigator who examined the case record and extracted any additional information thought to be pertinent to the investigation of the case. The investigator conducted an intensive investigation on each case, including in many instances surveillance of the recipient's home. He prepared a report of findings on each case based on the facts that he had uncovered. This report of investigative findings was forwarded by the project to the Assistant Chief of the Public Assistance Division for a decision on the agency action to be taken on each case. The PAD decision on action taken was returned to the special investigation project and was reviewed by the investigations and collections officer to assure concurrence by the project with the PAD decision. The special investigation project then reported the total action and findings to the investigative committee where statistical study of the factors involved in each case was made by the Chief of Research and Statistics.

Five additional investigators from the Department were assigned to the project February 4, 1962, making a total of 10. In order to further expedite the investigation, the Commissioners on March 1, 1962, requested the chairman of the House and Senate subcommittees of the Committees on Appropriations for the District of Columbia to provide additional assistance. As a result, the committees arranged with the General Accounting Office to furnish additional staff for the project. Their investigators were assigned to work as a team with the welfare investigators. The combined operations started on March 15, 1962. By that time the welfare investigators had completed their review of 135 cases of 48.2 percent of the total sample. All field investigations were completed on May 1, 1962, and agency action on these cases was completed on May 15, 1962.

IV. SUMMARY OF FINDINGS

Since the investigation extended over a 6-month period, it would be expected that during this period a certain number of the cases would be closed by the caseworkers through normal operational procedures. It was actually found that 9 cases were inactive at the time of selection and that 33 cases had been closed by the caseworkers by the times the case evaluator was ready to review them. These cases were not investigated. Two other cases were not investigated—one because the recipient was residing in the Department's Training Center and the other because the record erroneously indicated the case was closed. It was not until the project had been completed that it was found that

the case was actually active. Therefore, 236 cases were reviewed by the special investigation project. Four cases were found to be ineligible as a result of the case evaluator's review, and 232 cases received full investigation. Of these 232 cases, 137 were closed subsequent to the investigation and 95 were continued on assistance.

Recapitulation

Total cases in 5-percent sample	280
Inactive at time of selection	9
Closed by caseworker before review	33
Not investigated	2
Total cases reviewed by special investigation project	236
Cases closed on basis of record review	4
Cases closed subsequent to field investigation	137
Continued on assistance	95

V. REASONS FOR CASES CLOSED (141)

There was a total of 141 cases closed as a result of the activities of the special investigation project. Four of these cases were closed on the basis of record review and 137 after full field investigation. These 141 cases involved 4,366.4 hours of investigation time or an average time spent on each case of 31 hours.

An analysis was made of the 141 closed cases to determine the principal factors of eligibility involved. Since the coded reasons for closings are based on the Department of Health, Education, and Welfare statistical reporting requirements, these are not always fully descriptive in relation to agency policy and regulations. Therefore, the chairman of the Investigative Committee and the Chief of Research and Statistics analyzed these cases and classified them in terms of the specific policy and regulation constituting the principal violation.

A. Cases closed on basis of record review	4
Mother employable	1
Incapacitated father now employable	1
Father returned to home	1
Inability to determine resources	1
B. Cases closed subsequent to field investigation	137
Continued absence and association	57
Incapacity of parent	3
Need not established	30
Mother employable	33
Voluntary withdrawals	7
Other	7

1. Continued absence and association 57

In accordance with the policies and regulations as set forth in section 243.000 of the PAD Manual, a child is eligible for aid to dependent children in the District of Columbia if in need because of the death, incapacity, or continuous absence from the home of one or both parents. A parent is considered to be continually absent if he is known to be residing away from home under conditions which imply a definite dissociation from the normal marital relationship and from the normal exercise of parental custody and control of the children. Continued absence does not exist if the father is out of the home for the purpose of working elsewhere or even if he maintains separate quarters if he has free access to the home and continues to exercise the prerogatives of a husband and parent.

Parent is defined as a natural parent, stepparent, common law parent, and under agency policy children are ineligible when living in the home with their mother and a man regardless of whether such man is her husband or the father of her children if the man maintains a continuing relationship similar to that of a husband and father. Even when the man maintains a separate address, if he has free access to the home and acts as a substitute husband and father, the children are denied financial aid. Under District regulations ineligibility in these situations exists even though financial need may exist.

In analyzing cases in this group, various aspects of this policy were taken into consideration and cases were classified as follows:

(a) Continuing absence not established 39

In these cases evidence was found that a male person was actually living as part of the household. There were 23 in which the male person was a father of one or more of the children and in 16 cases he was not the father of any of the children.

(b) Continuing relationship 13

This group consists of cases in which the male person was not found to be a part of the household, but the relationship with the mother was found to be continuing to the extent that there was violation of that part of the policy relating to continuous association. In five of the cases the mother's association was with a man who was the father of one or more of the children. In eight of the cases the mother's association was with a man who was not the father of any of the children.

(c) Fathers returned 5

In five cases there was evidence that the father of one or more of the children who had been absent had returned to the home. One of the fathers was considered employable and four of them were employed.

2. Incapacity of parent 3

Children are eligible for ADC if the father, although in the home, is incapacitated. There were three cases found in which the fathers were no longer incapacitated.

3. Need not established 30

In accordance with agency policy, section 350,000 of the PAD Manual, it is required that in establishing need the agency must have factual and authentic information concerning an applicant's income and resources and that a person who refuses to supply, obtain, or authorize the worker to obtain information in this regard shall be considered ineligible.

Review of these cases shows that in most of them there was one or more possible sources of income and resources which could not be clarified.

4. Mother employable 33

In accordance with section 243.121 of the PAD Manual, a mother who is physically able to work is considered to be employable if she or the agency considers that satisfactory arrangements can be made for the care of her children. In this group of cases the agency found, based on the facts revealed in the investigation, that the mothers were no longer eligible in accordance with this policy.

5. Voluntary withdrawals 7

The seven cases in this group withdrew during the process of the investigation before sufficient facts had been established to determine eligibility. There were other withdrawals during the process of the investigation, but facts in these cases had been sufficiently established to classify them, and they have been included in the above groupings.

6. Other 7

These are cases in which either the children in the home are no longer eligible or there are no eligible children in the home. Specific reasons for closing the cases are as follows:

No eligible children in home	3
Court committed children	1
Children no longer in need	2
Relationship not established	1

VI. CHARACTERISTICS OF CLOSED CASES (141)

A. Amounts of assistance

Total amount of monthly grant given	$22,206.00
Average amount of monthly grant	157.49

In 62 of these cases, the monthly assistance grant was supplemented by other income which was known to the agency and had been deducted from the basic grant. Sources of income in these cases are as follows:

Contributions from father of child	44
Earnings of mother	5
Veterans benefits	5
OASDI	2
Contributions from 2 or more sources	6

B. Length of time on assistance

Total number of months cases received assistance	5,190
Average number of months on assistance since last opening	(1)

[1] 36.8 months or 3.1 years.

C. Status of legitimacy

Total number of children	538
Illegitimate	238
Legitimate	300

D. Ages of children

Total number of children	538
Age 17 to 13	84
Age 12 to 6	251
Age 5 to 0	203

VII. CASES CONTINUED ON ASSISTANCE (95)

Ninety-five cases investigated were continued on assistance. The total man-hours involved in these investigations was 2,838.4 hours or an average of 30 hours per case. Of this group 23 of the cases required no agency action. Twenty-one cases required change in the grant and in the remaining 51 cases, factors were revealed in the investigation which required the agency to take further action to clarify eligibility factors and resources.

A. Cases requiring grant action 21

In two of these cases the grant adjustment resulted in an increase—one for $6 per month and one for $44 per month. Adjustments in the other 19 resulted in decreased grants ranging from $9 to $96 per month with an average decrease per case of $53 monthly.

B. Cases requiring administrative action 51

The administrative action required in these cases involved further verification and clarification of eligibility factors. These are classified as follows:

Living arrangements	2
Employability of adult in recipient group	20
Potential resources of support	17
Continuing presence or relationship of man	4
Voluntary support or court support order	2
Overpayment	2
Other	4
C. Amount of assistance:	
Total amount of monthly grant given	$14,788.00
Average amount of monthly grant	156.00
D. Length of time since last opening:	
Total time since last opening (months)	4,596
Average time per case since last opening	(1)
E. Status of legitimacy:	
Total number of children	325
Illegitimate	149
Legitimate	160
Unknown	16

[1] 48.4 months or 4.4 years.

F. Ages of children:

Total number of children	325
Age 17 to 13	74
Age 12 to 6	154
Age 5 to 0	97

VIII. CONCLUSION

The committee considers that the method and procedures estalished for the operation of this project proved to be valid and except for a modification of the case review schedule decided that these same procedures would be followed in the investigation of the general public assistance cases. The committee further concludes that the Department of Public Welfare should give consideration to the incorporation of this type of investigation method into the regular departmental program to insure a continuous independent sampling in the various categories of public assistance. The Director of Public Welfare indicated that the Department is now formulating plans to accomplish this. These plans are being developed in conjunction with the task force appointed by the Commissioners to review PAD operation and policies, the Internal Audit Office, and other appropriate District agencies.

APPENDIX 1

INVESTIGATION PROJECT

I. PURPOSE

To investigate a scientific sampling of ADC and GPA cases; to investigate the eligibility of the recipients as disclosed by the case record and by field investigations; to make such other investigations as the committee may determine; to evaluate the findings and to make such recommendations for future procedures as the committee deems appropriate.

II. METHOD

(a) Five percent of the aid to dependent children caseload and 10 percent of the general public assistance caseload to be selected by scientifically random sampling.

(b) The records on these cases would be analyzed by an evaluator trained in the eligibility factors required by the statutes and regulations and field investigators would verify these factors.

(c) Findings to be evaluated and administrative action taken immediately on those found ineligible.

(d) Statistical analysis of all findings as well as all questionable cases to be referred to the investigation committee for further analysis and evaluation.

III. OPERATIONAL PROCEDURES

(a) A 5-percent random sampling of the September ADC active caseload and a 10-percent sampling of the general public assistance caseload to be made by the Office of Research and Statistics.

(b) A master control card file to be set up on these cases and maintained only in the Office of Research and Statistics.

(c) The eligibility evaluator will receive cases as needed from the administrative assistant of the Public Assistance Division. This will require that the Office of Research and Statistics will advise the administrative assistant in Public Assistance of the cases as they are required and she will be responsible for securing the cases from the active files without prior notification to the casework units concerned.

(d) The case evaluator will read the case record and analyze it, noting on a prepared schedule (see appendix 2) the factual information and items of eligibility involved in the particular case. This will then be immediately forwarded to the field investigator with the record.

(e) The field investigator will validate all items of eligibility regardless of whether or not any question has been indicated by the eligibility evaluator. The investigators will note on the attached schedule confirmation or lack of confirmation on the items concerned and will also report all irregularities found.

(f) If during the course of the investigation ineligibility is found, the eligibility evaluator will immediately refer this case to the Assistant Chief of the Public Assistance Division and will require within a specified time limit a report of action taken. Should it be found that in some instances the agency considers the case still to be eligible, the matter will be referred to the Chairman of the Investigation Committee who will make appropriate determination with the Committee. All cases will be forwarded to the Office of Research and Statistics for statistical evaluation.

(g) The findings of the project as summarized and analyzed will be reviewed by the Committee which will make recommendations as to further avenues of investigation dependent upon the nature and content of the findings.

Mr. BYRD of West Virginia. Moreover, the subcommittee had at its disposal during the hearings a report which had been submitted by the Department of Public Welfare on the investigation of the GPA category. I ask unanimous consent that that report may be included in the RECORD at this point.

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF PUBLIC WELFARE, OFFICE OF INVESTIGATIONS AND COLLECTIONS

AUGUST 30, 1962.

Memorandum to: Mr. Donald D. Brewer, Chairman, Investigative Committee.

Subject: Report by special investigation project on GPA random sample cases investigated.

A random sample comprising 80 cases was selected from the General Public Assistance (GPA) caseload for an investigation by the special investigation project to determine the validity of the GPA caseload. The purpose of the GPA program is contained in appendix A.

The GPA random sample cases were forwarded from the Public Assistance Division to the special investigative project where they were reviewed by the case evaluator. The evaluator prepared a schedule of eligibility factors on form S-101 (app. B) on each case, and turned the schedule and the PAD case record over to the investigator. Individual cases were assigned to a team composed of one Office of Investigations and Collections investigator (OIC) and one General Accounting Office investigator (GAO), who examined the case record and extracted any additional information thought to be pertinent to the investigation of the case.

The first case record was received by the special investigation project on June 1, 1962. The field investigation began on June 4, 1962. However, the investigation was not in full operation until June 11, 1962. The investigation was completed on July 16, 1962. The investigator team conducted an intensive investigation on each case. The investigators prepared a report of findings on each case based on the facts that they had uncovered. This report of investigator findings was forwarded by the project chief to the assistant chief of the Public Assistance Division for decision on the agency action to be taken on each case. The final investigation report was forwarded to PAD for their decision on July 18, 1962. The PAD decision on action taken was returned to the special investigation project and was reviewed by the investigations and collections officer to insure concurrence of the project with the PAD decision. The special investigation project then reported the total action and findings to the investigative committee.

Data on the 80 GPA cases investigated in the random sample is as follows:

	Number	Percent of cases investigated	Percent of random sample
Cases in random sample	80		100.0
Cases not investigated:			
Excluded from sample (1 St. Elizabeths releasee; 1 incompetent; 1 out of jurisdiction)	3		3.7
Closed prior to investigation	9		11.3
Cases investigated	68	100.0	85.0
Cases closed subsequent to investigation	40	58.8	50.0
Cases closed subsequent to investigation—Transferred to "aid to totally disabled"	13	19.1	16.3
Cases continued on General Public Assistance	13	19.1	16.3
Cases suspended—Eligibility not determined	2	2.9	2.5

FIELD INVESTIGATIONS CONDUCTED, 68

In the 68 cases requiring field investigation, the investigators spent a total of 2,389 manhours of work, including both office time and fieldwork to complete the investigations. The average number of hours required per case was 35.

The field investigation included surveillance at odd hours of the homes of the recipients to determine living arrangements and employment. It also included visits between 6 a.m. and 10 p.m. to the homes of the recipients which in all cases were made by two investigators; one an investigator from the Office of Investigations and Collections, and the other an investigator from the General Accounting Office. On all such home visits, the investigators identified themselves both by name, agency, and by their identification cards. They requested permission to enter the homes and explained to the client the purpose of their visits to the home.

In all cases, all factors of eligibility were checked, unless the case was found ineligible before completion of the full investigation.

A credit check was made on each of the clients, which produced information or leads that helped to prove employment or other resources.

Normal investigative techniques were used, including checks of police department records, criminal records, drivers permit records, automobile registration records, and records of the Hacker's License Bureau of the District of Columbia.

In 68 cases investigated, there were 63 cases with 1 in the recipient group and 5 cases with 2 in the recipient group. Of the 68 payees, 35 (51.5 percent) were male and 33 (48.5 percent) were female; 9 (13.3 percent) were white and 59 (86.7 percent) were Negro. The average age for the 68 payees was 48.5 years. The amount of the monthly grants were $5,014, or an average monthly grant of $73.73. In 10 cases, there were known resources amounting to $517.39. In 10 cases, checks had been suspended and were not issued during the investigation.

The 68 cases have been on assistance for 1,209 months or an average per case of 17.8 months. The 3 cases that had been on the longest length of time were 1 for 41 months, and 1 for 52 months; the 4 cases that had been most recently approved were for 5 months each.

In PAD Manual, section 245.130, "Determination of unemployability":

"General Public Assistance is considered primarily as assistance to individuals whose unemployability will be of short duration. When, in making redetermination of continuing eligibility, the worker has received two or more medical reports indicating that that unemployability still exists, and assistance has been continued for as long as 6 months, the case must be referred to the review team for recommendations and/or consideration of eligibility for APTD."

There were 53 cases that fell within this 6 months clause. Of the 53 cases, 37 (69.8 percent) cases had not been referred to the ATD review team during the 6-month period. The delay was for a total of 345 months, or an average of 9.3 months per case.

Assuming that all cases previously referred to the ATD review team should have been rereferred in a period not to exceed 1 year, there were 8 cases totaling 47 months in excess of 1 year, or an average per case of 5.2 months over 1 year, which had not been referred.

The ages of the 68 payees were as follows:

Age group in years:	*Number*
21 to 25	2
26 to 30	2
31 to 35	2
36 to 40	7
41 to 45	8
46 to 50	15
51 to 55	17
56 to 60	8
61 to 65	7
Total	68

Ten recipents were found to be employed at salaried jobs. Seven of these were men and three of them were women. Five were found to be employed doing odd jobs. Two were found to be self-employed.

There were 28 cases in which overpayments had occurred.

A check was made on the living arrangements of the 68 cases investigated. In six (8.8 percent) situations, the investigators did not view the living arrangements because they were unable to find the recipients in their homes, in spite of repeated visits. In the 62 (91.2 percent) living arrangements actually seen, 21 (33.9 percent) were considered to be relatively good, 20 (32.2 percent) were fair, and 21 (33.9 percent) were poor.

Housing was rated good when the investigators observed clean and relatively fresh wall covering, paint or paper. The furniture was serviceable, clean, and there was some semblance of matching and functional use. The lighting was adequate through lamps or fixtures and the controls were wall switches. There was sufficient ventilation, i.e., windows with ample outside exposure, screens, shades, etc. The room or rooms were estimated to be at least 11 by 12 feet with 8-foot ceilings. Egress and ingress by hallways and stairways that were safe with good lighting were other factors. The floors were covered and clean. Closet space was available with door and the bathroom was clean, fully equipped, nearby, and used by four persons or less. There were radiators and four registers for heat.

Housing was rated as fair when the wall coverings were jaded but clean. There was sufficient furniture, old but clean and serviceable. The ventilation involved only one window without a good exposure; i.e., the window opened to a recess between walls, sunlight could not enter the room, and the window was without screens. The room was large enough for the furniture but was cramped in as to space to move around. The halls and stairways were dimly lighted. The floors were bare, or the covering was threadbare; there was little closet space and the bathroom was fully equipped but antiquated and used by six or seven people. Radiators or registers were present for heating purposes.

Housing was rated poor when the wall coverings were torn, chipped, dirty, or there was no wall covering. The windows were shadeless and without screens. The room was small and cramped, or large and furnished with only three or four pieces of old furniture which gave it a bleak appearance. The halls and stairways were narrow and rickety and either dimly lighted or without light. The floors or the covering was old and worn. There was not any closet space, clothes hung on doors or walls, and vermin and roaches were seen. The bathroom was partially equipped, i.e., only a stool or basin or only a stool and a tub—not working properly, unclean, and odorous. Sometimes there was not any heat except as in one instance a wood-burning stove.

The shelter allowance per month in 64 of the cases was $2,620.45, or an average monthly shelter allowance of $40.94. The monthly shelter cost actually paid in 56 cases was $2,454.82. The average monthly shelter cost was $43.83 per case. The average monthly shelter cost per case of "good" housing was $46.77; the average monthly shelter cost per case for "fair" housing was $39.97; and the average monthly cost per case for "poor" housing was $44.70.

The survey revealed, through contacts with landlords, that seven people did not pay any rent, three of whom were known to the agency to be living rent free. The other four received monthly shelter cost in their grant but did not pay any rent. The investigators found 15 situations where the recipients received shelter cost in their monthly grant but they paid less monthly rent than the agency provided for shelter cost.

Seventy-six dollars per month was the highest rent paid; 6 of the 62 addresses furnished by the recipients as their home addresses were not the actual residences of the recipient.

In the 62 housing checks, the investigators saw the rent receipts on 25 occasions. In the other 37 occasions, there were no rent receipts that could be produced for the rent allegedly paid.

Fifty (73.5 percent) of the 68 recipients have District of Columbia criminal records. Their records show a total of 1,027 arrests, of which 610 were for drunkenness; 956 of these arrests, involving 550 arrests for drunkenness, occurred prior to the date of last approval for assistance; 71 arrests, involving 60 charges of drunkenness, occurred subsequent to the date of last approval; 32 persons arrested have used aliases; 67 of the arrests subsequent to the date of last approval involved 16 different persons; 14 persons were arrested for drunkenness 57 times since date of last approval. During the time they were on assistance, recipients have elected, on 22 occasions, to forfeit $10 collateral. On 12 occasions, the recipients received a jail sentence only. On the other occasions they had an alternative to pay a fine or serve a jail sentence. The longest jail sentence was 90 days.

Thirty (85.7 percent) of the thirty-five male recipients had criminal records. These men were arrested a total of 881 times, involving 561 charges of drunkenness; 821 of these arrests, including 508 charges for drunkenness, occurred prior to date of last approval; 60 of these arrests, including 53 charges for drunkenness, occurred subsequent to the date of last approval.

Twenty (60.6 percent) of the thirty-three women had criminal records, or an overall total of one hundred and forty-six arrests, of which forty-nine were for drunkenness. One hundred and thirty-five of these arrests involving forty-two charges for drunkenness occurred prior to the date of last approval. Eleven of the arrests, including seven charges for drunkenness, occurred subsequent to the date of last approval.

CASES CLOSED SUBSEQUENT TO INVESTIGATIONS, 53

The code reasons for closing 53 (77.9 percent) of the 68 cases investigated were as follows:

Code No.	Code reason	Number
00	Death	1
01	Employment of recipient	9
06	Employment or increased earnings of another person in home	1
31	Receipt of social security benefits	1
73	No longer incapacitated	8
77	Recipient admitted to institution	2
79	Refused reasonable offer to work	1
79	Inability to determine need	1
80	Transferred to APTD	13
91	Temporary hospitalization	1
92	Loss of contact or whereabouts unknown	3
94	Determination of need cannot be made	12
	Total	53

CHARACTERISTICS OF 13 CASES CLOSED SUBSEQUENT TO INVESTIGATION BY TRANSFER TO ATD

The 13 cases contained only the recipient in the recipient group, all of whom were Negro. The average age for the recipients was 50 years. The amount of the monthly grants was $943. The average monthly grant was $72.54. In one case there was a known resource of $25. The 13 cases have been on assistance for 236 months, or an average per case of 18.1 months. The three recipients that had been on the longest length of time were one for 26 months, one for 29 months, and one for 36 months. The three cases that had been most recently approved were one for 6 months, one for 9 months, and one for 11 months. The average monthly shelter allowance was $40.17. The average monthly shelter cost was $43.04. The average monthly shelter cost for "good" housing was $50.30, for "fair" housing $37, and for "poor" housing $40. The ages of the 13 recipients are as follows:

Age groups and years:	*Number*
26 to 30	1
31 to 35	0
36 to 40	1
41 to 45	1
46 to 50	2
51 to 55	5
56 to 60	2
61 to 65	1
Total	13

CHARACTERISTICS OF OTHER 40 CASES CLOSED SUBSEQUENT TO INVESTIGATION

In these 40 cases, there were 37 cases with 1 in the recipient groop, and 3 cases with 2 in the recipient group. Of the 40 payees, 7 (17.5 percent) were white and 33 (82.5 percent) were Negro. The average age for the recipients was 48.2 years. The amount of the monthly grants was $2,833. The average monthly grant was $70.82. In seven cases there were known resources amounting to $407.66. The 40 recipients have been on assistance for 654 months, or an average per case of 16.3 months. The three recipients that had been on the longest length of time were one for 33 months, one for 35 months, and one for 41 months. The four cases most recently approved were approved 5 months ago. The average monthly shelter allowance was $39.65. The average monthly shelter cost was $43.58. The average monthly shelter cost for "good" housing was $45.17, for "fair" housing $39, and for "poor" housing

$45.36. The ages of the 40 recipients are as follows:

Age group by years:	Number
21 to 25	2
26 to 30	1
31 to 35	2
36 to 40	3
41 to 45	4
46 to 50	8
51 to 55	10
56 to 60	6
61 to 65	4
Total	40

CHARACTERISTICS OF 13 CASES CONTINUED BY GPA

Grant adjustments were required in 6 of the 13 cases, and administrative action in the other 7. There were 11 cases with 1 in the recipient group, and 2 cases with 2 in the recipient group. Of the 13 payees, 2 (15.4 percent) were white, and 11 (84.6 percent) were Negro. The average age for the recipients was 49 years. The amount of the monthly grants was $1,059. The average monthly grant was $81.46. In two cases there were known resources amounting to $84.73. The 13 recipients have been on assistance for 286 months, or an average per case for 22 months. The three recipients that have been on the longest length of time are one for 35 months, and one for 49 months, and one for 52 months. The three cases that have been most recently approved were two cases for 6 months and one case for 8 months. The average monthly shelter allowance was $45.27. The average monthly shelter cost was $45.12. The average monthly shelter cost for "good" housing was $45.80; for "fair" housing, $45.62; for "poor" housing, $45.75. The ages of the 13 payees are as follows:

Age group by years:	Number
36 to 40	2
41 to 45	2
46 to 50	5
51 to 55	2
56 to 60	0
61 to 65	2
Total	13

WILLIAM R. GALVIN,
Investigations and Collections Officer.

APPENDIX A

GENERAL PUBLIC ASSISTANCE

I. HISTORY—AUTHORITY FOR THE PROGRAM

Public responsibility for providing for needy persons was first established by an act of Congress June 6, 1900, creating the Board of Charities of the District of Columbia which among other "powers and duties" was to provide for all aged, infirm, or needy persons. Public Law No. 47, 69th Congress, dated March 16, 1926, is entitled "An act to establish a Board of Public Welfare in the District of Columbia," abolishing the Board of Charities and delegating all of its duties to the Board of Public Welfare.

After the Federal public assistance programs became operative under the Social Security Act of 1935 and needy employable persons were assigned to WPA projects, the District of Columbia Board of Commissioners, to provide for other needy persons in the District of Columbia, on January 14, 1936, issued the following order:

"That hereafter the Board of Public Welfare is charged with the administration of direct relief in the District of Columbia."

On August 4, 1947, the District of Columbia Board of Commissioners approved "Rules and Regulations Relating to General Public Assistance," which became Administrative Order No. 2.46 dated August 7, 1947. Under these regulations it was ordered:

"General public assistance shall be granted on application to any eligible indigent resident of the District of Columbia who does not qualify for old-age assistance, aid to dependent children, or aid to the blind; or it may be granted to an eligible indigent resident pending qualification for old-age assistance, aid to the blind, and aid to dependent children."

After the amendment to the Social Security Act creating "aid to the permanently and totally disabled," effective in 1950, the following Commissioners' Order No. 301, 597/15, dated November 2, 1950, provided for needy persons who were not eligible for assistance under one of the Social Security Administration programs:

"That the Board of Public Welfare is hereby designated as the agent of the Board of Commissioners for the administration of general public assistance and is hereby authorized to perform any and all acts, including the promulgation and adoption of rules and regulations as required by existing law."

It should be noted that, as the program was first administered, the only requirements were need and 1 year's residence in the District of Columbia. However, in 1936 and 1937, because of inadequate appropriation for the welfare program the Board of Public Welfare limited the program to unemployable persons although the language of the Appropriation Act was "* * * for the purpose of affording relief to residents who are unemployed or otherwise in distress."

In October 1947 the Board of Public Welfare revised public assistance regulations. Issued as Administrative Order No. 2.37/1 dated November 3, 1947, the "ability to work" was considered as a resource and criteria were set forth under which a person would not be considered fully employable:

"(1) Under 16 or 65 years of age and over.

"(2) Under 18 years of age and attending school;

"(3) Who are needed at home to care for other persons in their family who are incapable of caring for themselves, and where other resources are unavailable;

"(4) Who are being rehabilitated for the purpose of employment;

"(5) For mothers who have one or more children when satisfactory provision cannot be made for their care; or

"(6) Who have been diagnosed by a physician as able to do light work only."

This administrative order was superseded by departmental regulation No. 4.21 effective October 1, 1958, in accordance with Commissioners' Order No. 58-1082 (G.F. 3-000) dated July 8, 1958, which defines unemployability.

Reorganization Order No. 58 (L.S. 4265-B, June 30, 1953, as amended) abolishing the Board of Public Welfare and establishing the Department of Public Welfare, cites under the functions of the Public Assistance Division:

"Administers the sums payable to the District of Columbia under the provisions of the Federal Security Act, as amended, and District appropriations for old-age assistance, aid to the needy blind, aid to dependent children, aid to the totally disabled, and general public asssistance."

II. PURPOSE OF GENERAL PUBLIC ASSISTANCE PROGRAM

The purpose of the general public assistance program is to provide assistance to needy persons who are unemployable, as defined by Commissioners' order cited above, but who are not eligible for assistance under a program for which there is Federal financial participation and help them as far as possible to become economically independent.

III. GENERAL PUBLIC ASSISTANCE REQUIREMENTS AND LIMITATIONS

A. Requirements

1. Residence of 1 year in the District of Columbia.

2. A physical or mental disability that precludes working full time in competitive employment. Under the agency's definition the individual's competency and social background are considered in relation to the medical history, e.g., a 57-year-old man with a third-grade education whose only work history has been loading coal and other strenuous tasks, develops a heart condition so that he can no longer do the only kind of work he knows, but is limited by age and education from finding and learning a sedentary trade.

3. Dependent children who meet the requirements for aid to dependent children except that they are living in the home of "foster" parents who are not of the proper degree of relationship for ADC.

4. Does not have income or other resources sufficient to meet his requirements according to the budget standard of the agency.

B. Limitations

1. Persons eligible for assistance from a social security category are not eligible for general public assistance.

2. Any person who refuses recommended treatment (other than surgery) or rehabilitative services which may help him regain or increase his earning capacity is ineligible for further assistance.

3. A person must apply for statutory benefits to which he may be entitled to remain eligible to receive assistance.

Mr. BYRD of West Virginia. Additionally, Mr. President, the subcommittee had access to other information which the House did not have at the time it took action on the appropriation bill.

I ask unanimous consent that we include at this point in the RECORD the report of a study—in three parts—conducted by the Department of Welfare in 1959.

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

STUDY OF FOLLOWUP BY PUBLIC ASSISTANCE DIVISION SOCIAL SERVICE ON INVESTIGATION SERVICE FINDINGS

(Government of the District of Columbia, Department of Public Welfare, Public Assistance Division, February 1959)

OUTLINE

Purpose of the study.

Plan of the study.

Background.

Part 1: What elements are responsible for the frequent disagreement in interpretation of investigation service findings which results in investigation service submitting what appears to them conclusive evidence of ineligibility, and social service deciding that assistance should, nevertheless, be continued.

A. Analysis of the 49 cases in which investigation service reported evidence of access or provided other information and the assistance payment was continued.

1. Reason for referral.

2. Was referral to IS justified?

3. Was continued assistance justified?

4. Twenty-six cases where investigation service reports "evidence found" of access in the home.

5. Action taken on information provided by investigation service.

6. Community complaints.

7. Basic element of disagreement related to policy of continued absence.

(a) Husband willing to live with and support family.

(b) Eligibility requirement other than need not met.

(c) Women in control.

8. Information supplied by investigation service not always helpful.

B. Comparison of 29 cases submitted by investigation service with findings of study.

1. Review of eight cases submitted in which evidence appears to indicate assistance should be discontinued.

2. Review of 21 cases investigation service believes should have been re-referred.

C. Summary of findings.

D. Attachments.

No. 1: Report on investigation service.

No. 2: Forms No. 122, July, August, September 1958.

No. 3: Request by social worker for information relating to the presence in the home of husband, paramour, or other person.

No. 4: Schedule for study of ADC cases in which investigation service believes to have made a positive report on "access" to the home, yet assistance was continued.

No. 5: Examples of difficult situations and attitudes with which the investigation service and social service must work.

No. 6: Action taken by social worker on information provided by investigation service.

No. 7: Examples of preference of mothers for assistance rather than support from husband.

Purpose of the study

The investigation service questioned the continuation of assistance in cases where the investigation revealed what appeared to be conclusive evidence that eligibility no longer existed because of the presence in the home or access to the home of a husband, paramour, or other person, yet the social service staff decided that assistance should, nevertheless, be continued. The investigation service questioned the failure of the social service to act on the information supplied, and the frequent re-referrals of cases on which information had been supplied previously.

The purpose of the study was to make a detailed analysis and evaluation of a group of cases and to find answers to the following questions:

1. What elements are responsible for the frequent disagreement in interpretation of investigation service findings which results in investigation service submitting what appears to them conclusive evidence of ineligibility, and social service deciding that assistance should, nevertheless, be continued.

2. What elements are responsible for frequent re-referrals of cases to investigation service on which what appears to be a conclusive finding has been made as a result of the original referral.

3. What elements are responsible for the wide variation in the number of referrals between workers or between units.

It is expected that the results of the study will be used as a basis for a review of the policies relating to the use of the investigation service, referral procedures, and clarification of division of responsibility for investigations between investigation service and social service.[1]

Plan of the study

The questions raised by investigation service and the proposed study were discussed in conference on October 27, 1958, attended by the superintendent, assistant superintendent, district supervisors, statistician, chief, investigation service, and standards specialist.

There was discussion as to questions which might be answered by the study, including the following:

1. Why was the case referred to investigation service?

2. Was the referral justified?

(a) What attempt did the social worker make to obtain information before referral?

(b) Could action have been taken on the basis of information already available?

3. Should rereferral have been made?

4. What were investigation service's findings?

5. What action did social service take on the investigation service report, and when?

6. Were the findings as conclusive as investigation service believed them to be?

The question as to what elements are responsible for the wide variation in the number of referrals between workers, units, and districts was also discussed. It was decided that this question could be answered only by a study of each caseload, and would not be a part of this phase of the study.

The following decisions were made:

1. The study would not be limited to cases on which investigation service had raised questions, but, to give proper prospective, would include statistics on all cases referred during a specified period.

2. The basis of the study would be form No. 122, "Report of Investigation Service," for the months of July, August, and September, 1958. (See attachment No. 1.)

Form No. 122, "Report of investigation" serves as the basis for continuing study and evaluation of investigation service. Page 1 is completed by investigation service and attached to the investigator's written report to the social worker. The form shows the information requests by the social worker and the information furnished by investigation service. It also shows other information developed by investigation service. For example—investigation service is requested to determine if a paramour, John Smith, has access to the home. If John Smith is found in the home, a check is entered under "Evidence Found." However, if Robert Brown, father of the client's expected child, is found living in the home, a check would be placed under "No Evidence" as to John Smith's access, but the information as to Robert Brown's presence in the home would be entered by investigation service under item No. 11–F. Entry would be made in the same manner if the client were found to be employed full time. After the social worker acts on the investigation service report, or in any event with 60 days from receipt of the report, he completes page 2 showing action taken and returns the form to investigation service. The form is signed by both the worker and the unit supervisor. The forms are submitted quarterly by investigation service to research and statistics for tabulation.

3. A detailed study of case records would be made in cases where investigation service believes a positive report has been made on access, yet assistance is continued.

4. A schedule would be developed and the cases read against this schedule.

5. Findings of the study, unrelated to investigation service, would be submitted to the Agency for consideration and appropriate action.

The cases were read during November and December 1958 and a first draft of the study prepared during January and submitted January 22, 1959.

On February 5, 1959, there was a second meeting with the superintendent, assistant superintendent, statistician, chief, investigation service, and standards specialist. Comments on the draft submitted by the superintendent on January 28, 1959, were discussed.

It was decided that the study would consist of three parts related to the purpose of the study.

Part 1: What elements are responsible for the frequent disagreement in interpretation of investigation service findings which results in investigation service submitting what appears to them conclusive evidence of ineligibility, and social service deciding that assistance should, nevertheless, be continued.

It was agreed on February 5, 1959, that investigation service would submit a list of cases where it was believed conclusive evidence of ineligibility had been submitted.

Part II: What elements are responsible for frequent re-referrals of cases to investigation service on which what appears to be a conclusive finding has been made as a result of the original referral.

It was agreed on February 5, 1959, that investigation service would submit a list of cases which they believed should not have been rereferred.

Part III: What elements are responsible for the wide variation in the number of referrals between workers or between units.

Part I is to be completed first.

Part II is to be completed when the list of cases submitted by investigation service has been studied.

Part III is to be completed at a later date, when plans can be made for a study of aid-to-dependent-children caseloads.

Background

The investigation service was established in October 1955 as the result of a recommendation by the interdepartmental committee for the enforcement of the nonsupport laws for the District of Columbia. This committee recommended the establishment in the Public Assistance Division of a specialized unit of trained investigators for the purpose of determining eligibility of applicants who request assistance because of the absence of a parent. The unit was to concentrate on locating absent parents. Less than a year later, in July 1956, after operating on this limited basis, it was decided that the services of the investigators were also needed urgently in establishing other factors of eligibility. In December 1957, the types of cases to be referred were reconsidered and redefined. Currently, the following situations are to be referred:

Cases to be referred

1. Clarification of bank accounts, postal savings accounts, and building and loan accounts, stocks or bonds, civil service, railroad and other types of retirement, disability and veteran's benefits, workman's compensation, inheritances, accident claims, small businesses, vehicles including taxicabs, licenses, ownership, and income.

2. Any case (ADC, GPA, AB, ATD, OAA) in which there is reason to believe that client is not eligible for assistance or that there are factors in the case affecting eligibility which cannot be proved by the social worker.

3. A person who reapplies for public assistance whose case had previously been closed and assistance terminated due to misrepresentation or fraud by the applicant, location of husband or other man in the home, or concealed resources. This type of case should be marked "rush."

4. Any ADC case in which the client claims that a mother, husband or father of her or his child or children included in the grant is missing, any case in which a relative or spouse is missing whose location will benefit PAD.

A person is considered missing if:

(a) Presumed to be in the District of Columbia, exact address or place of employment unknown;

(b) Presumed to be outside of the District of Columbia, exact address or place of employment unknown;

(c) Presumed to be deceased, no proof available.

A person is considered not missing if:

(a) Social worker knows exact home address or place of employment;

(b) Currently paying under court order or court agreement.

5. Any active ADC case in which the recipient becomes pregnant and the father is allegedly absent from the home.

6. Any case in which it appears that the recipient is living in a manner, or has use of material possessions, which does not appear compatible with the known resources of the family, and which the social worker

[1] Informational Bulletin No. 24–58, dated Oct. 29, 1958.

has been unable to prove or disprove, such as concealed income, employment, illegal activity, etc.

7. Any case in which the social worker has reasonable suspicion that the man involved—either the husband, father of one or more of the children, or some other male person—is present in the home or has free access to the home, if the social worker has been unable to obtain sufficient evidence to arrive at a reasonable conclusion as to presence or absence.

8. Any complaint or denunciation—anonymous or otherwise—of a man living in, or having free access to, the home of a recipient, is to be referred immediately for investigation of the validity of such a complaint The social worker will not discuss the complaint or denunciation with the recipient prior to the first visit by the investigator. Experience has proved that this procedure is required to protect the best interests of PAD.

9. Any complaint or denunciation concerning other factors of eligibility after the social worker has been unable to prove or disprove the assertion and feels investigation service can provide the proof more expeditiously.

10. All cases except OAA and AB in which the landlord lives in the same premises as recipient, or recipient's home is rented in another person's name, unless the landlord is a relative of the recipient or is a recipient.

11. All cases except OAA and AB in which the recipient shares the rent of a home or an apartment with another family, who are not relatives or recipients, and has lived with the same family at a previous address.

12. Any case in which the recipient has a roomer of the opposite sex.

13. An active or closed case when there is a hearing pending, and the social worker needs additional information for the hearing.

Cases not to be referred

1. To determine only the home address of persons who are "not missing." These include situations where:

(a) The social worker knows person's exact home address or place of employment.

(a) The person is currently paying under court order or court agreement. (Father who is and has been supporting regularly through court order, but has otherwise been completely out of touch with the children and their mother.)

(c) Paternity proceeding against putative father was dismissed by court, even though client still asserts he is the father.

2. To determine home address of paramours or suspected paramours who are neither fathers of ADC children nor financially responsible for support in other categories.

3. To locate a father previously located when it has been determined that he is a derelict, or permanently incapacitated, has never supported himself, much less anybody else, and that any interest on his part in the children or their mother would be distinctly undesirable.

Action on cases does not originate with the investigation service. Investigation is made only on cases referred by the social service staff. The responsibility of the investigation service is confined to factfinding and reporting the results of investigations. The social service staff is responsible for deciding which cases are to be referred, requesting specific information, evaluating the findings reported by investigation service, determining the effect of the findings on the original or continuing eligibility, and for taking action required by Agency policy.

As investigation service reviewed the entries made on form No. 122 by the social service staff as to action taken on information supplied, it was found that the action taken did not appear to be consistent with Agency policy. It was this concern, expressed by investigation service, which led to the study.

Part 1: What elements are responsible for the frequent disagreement in interpretation of investigation service findings which results in investigation service submitting what appears to them conclusive evidence of ineligibility, and social service deciding that assistance should, nevertheless, be continued.

As a means of finding answers to this question, a total of 531 forms No. 122 for the months of July, August, and September 1958 were reviewed. One hundred and seventy-two of these represented requests for the location of a husband, paramour or other person. Twenty-nine requests for information on resources or other information. Three hundred and thirty requested information as to the presence in the home of a husband, paramour or other person. See attachment No. 2.

A summary statistical report only was made for the cases where information was requested as to "location" or "resources."

A review was made of the 330 cases where information service was requested to provide information as to the presence in the home of a husband, paramour or other person. See attachment No. 3.

A summary statistical report only was made for the following cases:

1. Investigation service reports evidence of access, and the application was held pending or denied, or the case closed.

2. Investigation service reports no evidence found.

3. Cases withdrawn by the social worker or withdrawn from the study by investigation service.

4. Cases in categories other than ADC.

Of the 330 cases requesting information as to presence in the home, investigation service reported no evidence found in 133 of the cases. One hundred and sixteen cases were closed or the application denied prior to the study. Of these, 17 of the applications terminated and 36 of the 65 cases closed, or a total of 53 were in relation to the eligibility factor of absence.

Eighty-one cases were not closed. Of these 81 cases not closed, investigation service reported evidence found in 45. In 27 cases no evidence was found on the specific reasons for referral, but other information was submitted which investigation service believed would have a bearing on the case situation. This information was supplied on form No. 122 by an entry in red under item 11F—"Incidental Information Developed by Investigation Service." Cases withdrawn by investigation service or by the social worker were eliminated. Cases in categories other than ADC were also eliminated. This brought the total of cases included in the study to 49.

A detailed analysis was made of the 49 cases in which investigation service reported evidence found of access to the home or which no evidence was found on the specific reason for referral but other information was submitted by investigation service and the assistance payment continued. From the point of view of the agency, there was no need to distinguish between these two groups of cases in the study.

A schedule was developed, with the assistance of the statistician, and the 49 cases read against this schedule. (See attachment No. 4.)

To complete the schedules, it was necessary to read each case carefully and completely. Without this complete reading, the questions on the schedule could not be answered, particularly those as to whether referral to investigation service was justified and whether the continuation of assistance was justified.

A. Analysis of the 49 cases in which investigation service reported evidence of access or provided other information and the assistance payment was continued.

1. Reason for referral: The 49 cases showed a variety of reasons for referral. In 13 cases referral was made for the purpose of obtaining new information. Fourteen cases were referred to request investigation service to confirm absence or presence where not clearly shown. Two cases were referred to confirm absence or presence when this was clearly shown in the case record. Two cases were referred to request investigation service to investigate the current situation where the cases has been closed previously because absence was not established. In 15 cases, investigation service was asked to investigate the current situation in cases where previous investigation service report or the case record indicated the man has access to the home. Two cases were referred for a combination of reasons, and one referral was made to locate the man named as the father of a child and to determine whether he, or any man, had access to the home.

2. Was referral to investigation service justified? In 33 of the 49 cases, the study showed that the social worker was justified in referring the case to investigation service. In 16 the referral was not justified. In 13 of the 16 cases, there appeared to be adequate information in the case record on which to base a decision as to ineligibility. In one case the man was mentally incapacitated and was, therefore, no resource; in one case a followup on a previous investigation service report would have shown continued absence; and in one case the reason for referral was not clear.

Case No. 44 is an example of situations where referral to investigation service was not justified because there was adequate information in the case record on which action could be taken.

When Miss S. applied for assistance in September 1952, she was described as "meek and retiring." She had two children and was pregnant by Mr. H., who had brought her to the District of Columbia, and who was seen in February 1953. He seemed unconcerned and the worker notes that he "apparently only came to see me in order to keep his troubles regarding the situation at a minimum." Miss S. said in 1954 she did not know where he was. On July 20, 1955, the worker found a report showing that Miss S. had given birth to a child on February 4, 1955. She said at first she had given the child away, then became confused and said she still had the child, whose father was Mr. P. When interviewed on July 26, 1955, Mr. P. doubted he was the father, and said Miss S. had relations with and received money from other men. On December 27, 1955, Mr. P. said Miss S. had "ordered him not to come there any more." He thought this was because she was interested in another man whom he thought lived with her. On January 23, 1956, Mr. P. told of seeing a man there three or four times, and at 5 a.m. in April "a very fancy two-wheel bicycle, tricycle, and other expensive toys" were noted. Miss S.'s aunt said Mr. H. stops by in the evening to see the children. On September 17, 1958, Miss S. said Mr. H. usually comes on Sundays. Miss S. was described as "very arrogant and refused to give information very readily to worker."

Another example is case No. 24 in which a followup of previous investigation service reports would have shown continued absence did not exist.

3. Was continued assistance justified? Of the 49 cases reviewed, it was found that the continuation of assistance was justified in 21 cases and not justified in 28 cases. In 18 of these 28 cases, the investigation service reported no evidence found on the specific reasons for referral, but other information was submitted. These cases included some of the most flagrant examples of situations where it was found the continuation of assistance was not justified.

The finding that the continuation of assistance was or was not justified was based in many instances on information contained in the case record rather than on investigation service findings.

In case No. 1, for example, there had been no real investigation of eligibility. The agency policy regarding the requirement that the fathers of the children be interviewed when possible was ignored. The application for assistance in 1953 was terminated because Mrs. A. had not made any effort to get support from the fathers of her children. Yet, when she applied in 1958, EA was authorized and the grant continued without any substantial effort to talk with either the two fathers or with Mrs. A.'s husband. The following entry is made on form No. 258—"Deprived of Parental Support—ADC," in regard to an attempt to reach one father by telephone: "I was told that he lives at this address, works at night and sleeps during the day. Hence he did not wish to be disturbed." There is no record of any attempt to disturb him. There is repeated reference to Mrs. A.'s confutation and to conflicting information given by her. She was referred under one name and the case carried under another. This was never cleared nor her marriage verified. Although "it appears Mrs. A. could not even remember half the time what she says," and "gave repeated conflicting information," her statement that the man found in the home by investigation service is "a mere friend who lives in a different apartment," is accepted without verification.

In case No. 11, investigation service reports "No evidence found," as to the specific request by the social worker, with the following incidental information added: "May be pregnant." In the space under "Action and results on investigation service report," the worker entered "No action taken: Form No. 29 was returned indicating no pregnancy." However, the record contains convincing evidence that continued absence was not established from the time of application in 1956. On May 7, 1958, the record says: "Worker was admitted and was told by one of the children that his daddy was at home." The worker saw a man in bed, whom Miss D. said "was only a fellow she had asked to spend the night with her because she had been annoyed by men looking for the girls who lived in the apartment before her." Miss D. refused to let the worker speak with the man or to give his last name. "Worker also wondered if the man in the home was willing to support the family and he answered in a loud voice from the bedroom that he would. Miss D. stated that she knows he would not and wondered if worker could overlook what she had seen; that is, the man in the bedroom. Miss D. was told that agency would grant one more check in an attempt to help her plan for her family, however, we would have to talk with her and the man in the home before it could be clearly planned." On May 12, 1958, Miss D. told worker Mr. J. had returned to his home in Virginia. The worker recommended that assistance be terminated and the case closed. However, the case was not closed. During June, July, and August Miss D. kept calling the agency, and a telephone call was received from Mr. J. who would not come to the office. "Mr. J. said that he was interested in Miss D.'s family receiving assistance, but he has nothing to do with her family and what PAD will do for them." Assistance was not granted during June, July, and August according to payroll control. On June 8, 1958, Miss D. talked with the supervisor and gave Mr. J.'s address. "She was told that assistance would continue if it can be verified that he lives at this address." Investigation service reported on September 9, 1958, that Mr. J.'s address had been verified. Assistance was authorized and has continued.

In case No. 13, investigation service reports on form No. 122 "No evidence found" and investigation service reports gave no evidence of "access."

The record revealed at least 4 pregnancies by one man. No record was found of discussion of absence policy. No effort was made to communicate with the father, although both address and name of employer were known.

In most instances the decision that worker was not justified in withholding assistance without further followup could not be made with confidence. The decision was made in recognition of the problems for the agency, particularly in situations where the woman's relationships were casual ones, with many different men most of whom seemed to feel no responsibility for the woman or for their children.

In illustration is case No. 4. Mrs. B. was born in 1932. At least 6 different men are the fathers of her 10 children. Five of these children are with Mrs. B., two are with an aunt who is receiving assistance, two are with Mrs. B.'s mother who received assistance over a long period and one is with another aunt. When Mrs. B.'s promiscuous behavior was discussed, she was described as nonchalant and passive. On February 21, 1956, Mrs. B. claimed not to know the whereabouts of the fathers of her children, including Mr. L., the father of Marjorie. A review of the case of aunt with whom Marjorie is living (case No. 15, also included in the study), showed that Marjorie's father, Mr. L., has had frequent contacts with the agency. He came to the office of his own volition in April 1958. He came because he was aroused about the care Marjorie was receiving in her aunt's home. He said the home was no place for any young child because men were lounging around all the time and several had already made advances to Marjorie. He said Mrs. B. had always known where he was. He said that when Mrs. B. became pregnant with Marjorie they had planned to marry and he and Mrs. B. had arranged for her to do some babysitting. Mr. L. said Mrs. B.'s mother and her aunt "had been strongly against this, saying they did not want Mrs. B. to work, they never had, but had been on assistance all their lives and they thought this was the best place for D. too." According to the record, not only Mrs. B.'s mother but her grandmother had received assistance. Mr. L. aroused considerable community interest in this situation and a joint agency conference was held on July 25, 1958, including the public health nurse and representatives of the C.W.D., woman's bureau, and PAD. Referral was made to investigation service on June 20, 1958, to determine whether a family relationship existed between Mrs. B. and Mr. J. or anyone else and to determine whether Mr. J. or any other man has access to the client's home. Mr. J. is the father of Mrs. B.'s youngest child. In July 1958, investigation service reported that Mrs. B. was dressed up and preparing to go out with Mr. J. who was waiting for her. Mr. J. accosted the investigators, became noisily belligerent and was arrested for disorderly conduct. The referral to investigation service states, "She does not seem to have any concept of right and wrong and the case record indicates incest in the entire family." This case was referred to a higher supervisory level for a decision as to what action the agency should take in dealing with this situation. It is for this reason only that the continuing assistance was justified. It is noted with concern that Mrs. B.'s case and that of her sister continue to be handled by different workers, the worker handling Mrs. B.'s case being unaware of the continuing agency contact with the father of one of Mrs. B.'s children living in the home of an aunt. See also case No. 26, cited under section B.

The decision that the worker was not justified in withholding assistance was also made in recognition of the problems and attitudes with which both the social worker and investigation service must work. The records contain copious evidence of evasion, deception, fabrication, and falsification. For examples of difficult situations and attitudes, see attachment No. 5.

4. Twenty-six cases where investigation service reports "evidence found" of access in the home.

It was found that the continuation of assistance was not justified in 12 of these cases. In 14, it was believed that the continuation of assistance was justified. In 12 cases, continued absence was not clearly established, but the worker was not justified in withholding assistance without further followup. In only two cases was it believed that the continued assistance was justified without further followup.

In one of these two cases, No. 38, Mr. N. told the worker on August 13, 1958 that "his wife refused to take him back because she could get more from PAD." The entry on form No. 122 shows "family given 3 months (October, November, and December) for Mr. N. to find employment."

In the other case, No. 34, the notation on form No. 122 says, "Assistance continued because Mr. L. was committed to the hospital for observation." The record shows that Mr. L. was a patient at a New York mental hospital in 1939 and at St. Elizabeths in 1953. No medical or psychiatric reports were found in the record and Mr. L. has never been seen.

5. Action taken on information provided by investigation service: The fact that 116 applications were terminated and cases closed prior to the study would indicate that the social worker took prompt action on information supplied by investigation service.

In 24 of the 49 cases studied, the record showed that the investigation service report was discussed with the recipient. In 13 cases no action is recorded in the case record. However, in 3 of these 13 cases, the entry on form No. 122 indicates there was discussion, although the discussion was not recorded. In seven cases, no action was required. See attachment No. 6.

A few instances were found where the investigation service report is misquoted.

In case No. 22, an entry is made on June 11, 1959, "interim report from investigation service that absence has been established." The investigation service report did not say this.

In case No. 44, Mrs. S. had been untruthful and unreliable in her relations with the Agency since her application in 1952. In May 1958, investigation service was asked to visit the home after 10 p.m. to learn who was frequenting the home. The investigation was inadequate and visits were not made as requested. The entry by the social worker on form No. 122 says: "Report shows no man in the home or frequenting the home. Grant continues." The investigation service report does not show this.

In other instances both agency policy and investigation service reports are ignored.

In case No. 42, referral was made to investigation service to determine the absence of Mr. S. from the home and to locate two fathers. No effort was made to locate Mr. S., either by the worker or by request to investigation service, although his address and place of past employment are recorded. Investigation service located both fathers in South Carolina, but the social worker made no attempt to communicate with them. Investigation service reported that Mrs. S. was pregnant and found another man in the home. The following entry is made on form No. 122, "Mrs. S. admits being pregnant and it has been confirmed by medical report. Since man in home was determined to be living at another address, which was verified, there is nothing we would question in this case and the grant continues." The review date is July 31, 1959.

The following cases are other examples of situations where questionable use is made of information supplied by investigation service.

In case No. 46, when Mrs. W. reapplied for assistance in July 1958, she said she had a friend, Mr. C. Referral was made to investigation service to determine if Mrs. W.'s husband or Mr. C. had access to the home. (Mr. W. had said, when Mrs. W. previously received assistance, that he would like to live with his family.) Mr. C. was found in the home on two occasions in August and September. The following entry, dated October 24, 1958, is made on form No. 122. "Assistance is being continued pending an interview with Mrs. W. and Mr. C. and also verification of Mr. C.'s actual residence at the Dunbar Hotel."

In case No. 3, investigations service furnished the address of the husband, but no effort was made to communicate with him.

In case No. 24, the recorded entry, dated August 25, 1958, says: "Worker told Mrs. G. that if the report indicated that Mr. P. was in her home, her assistance would be discontinued as there was no continued absence." Investigation service report showed that Mr. P. was in the home, but the grant was continued.

Case No. 20 was closed in 1952 because Miss H. was arrested on a narcotics charge and engaged in an unlawful business. She applied again in 1955 after her release from Occoquan. In March and June 1958, referrals were made to investigation service to determine if Mr. B. had free access to the home. The record contains a newspaper clipping dated March 22, 1956, where the judge of the juvenile court questions Miss B.'s eligibility for assistance.

The following reports were received from investigation service:

April 2, 1958: Four men found in home at 10 a.m. Sunday.

April 3, 1958: Two men found in home at 9:05 p.m.

April 4, 1958: Two men and one woman found drinking at 9:45 p.m.

April 4, 1958: An undetermined number of men and women found at 2 p.m.

August 19, 1958: Four men found at 7:45 p.m.—all showed signs of extreme intoxication.

Investigation service noted on form No. 122, "Four men found constantly in home."

The following entry is made in the case record:

"September 10, 1958.—A final report was received from investigation service dated August 19, 1958; indicates that Mr. B. does not have free access to the home; however, several men were found in the home on several visits except the last. This appears that Miss H. is trying to improve her mode of living." The following entry is made on form No. 122: "No action taken, because investigation service report did not indicate Miss H. has a man living in the home or having free access."

6. Community complaints: In a number of cases complaints were received as to the behavior of recipients. With few exceptions, these complaints were made by responsible members of the community. There were frequent complaints by fathers concerning care given to children by their mothers.

Procedures require the immediate referral to investigation service of complaints and denunciations of a man living in, or having free access to, the home of a recipient. Referral is also required of complaints and denunciations concerning other factors of eligibility after the social worker has been unable to prove or disprove the assertion, and feels investigation service can provide the proof more expeditiously.

In only one case was it found that immediate referral was made to investigation service.

Case No. 22: In September 1958 an informer reported that Mrs. H.'s behavior was a disgrace to the neighborhood.

Case No. 23: On April 1958 the landlord criticized the agency for granting assistance. He said Mrs. H. knew where her husband was, that men frequented the home, Mrs. H. neglected the children, was employed, and that she was pregnant by a Mr. W. Immediate referral was made to investigation service to determine whether Mrs. H. was having relations with Mr. W. or any other man and if she was working. Investigation service reported no employment or access.

Case No. 39: An anonymous letter was sent to the Director of Public Welfare complaining that Mrs. P. drinks, lives with a Mr. H. who spends the PAD grant and beats the children.

Case No. 6: The parole officer reported in 1943 that he did not think conditions in the home were all they should be, and mentioned the number of men in and entering the home. In 1944 a neighbor complained that Mrs. B. and her company came into the yard only half clad. There were three reports from neighbors complaining of Mrs. B.'s conduct and conditions in her home. These reports said she kept a disorderly house, gave improper care to the children, was working, had a telephone, and kept the house filled with men every night. These letters were not of a malicious nature but pleaded with the agency to "see to this woman." The writer of one of the letters suggested contacting property owners in the neighborhood for information but the record does not show that this was done. The most recent complaint was a letter received in August 1958 describing Mrs. B. as a "menace," and told of her drinking, having men living with her and of her having "drank so much wine and stuff until she is not herself any more." The writer of the letter suggested that the taxpayer's money could be put to better use. Referral to investigation service was not made until September 1958.

Case No. 20: Mrs. Hayes of Fides House reported drinking, foul language, and abuse of the children. Referral to CWD was suggested.

Case No. 14: Mrs. E. was evicted by NCHA because she had been a problem and a disturbance over a period of years.

Case No. 17: The agency received complaints from responsible individuals concerning "wild parties, cursing and cavorting in public, a man living in the home, etc."

Case No. 49: Mrs. W.'s mother complained about her "running the streets and making no plans for the children's care." She was evicted from the Dunbar Hotel because of her behavior.

Case No. 18: The landlord reported that Miss G. left her children for periods as long as 1 week.

7. Basic element of disagreement related to policy of continued absence: The basic element responsible for disagreement between findings by investigation service and actions by the social worker was found to be in relation to the Agency policy of continued absence.

The agency recognizes that the eligibility factor of continued absence is most complex and difficult. A great deal of staff thought and time was invested in the development of the section of the manual relating to continued absence, which reads in part as follows:

"Continued absence does not exist solely because the parent rents or has living quarters available at another address or is supporting by court order. If the parents are engaging in a martial relationship and the man has free access to the home, then that man is not to be considered as 'absent from the home.'

"Continued absence is not established when, in the judgment of the agency, a man or woman who have lived together make separate living arrangements for the purpose of establishing eligibility for assistance.

"Only in situations where strong, convincing evidence is submitted that a parent is no longer in the home and has discontinued his relationship, shall the factor of continued absence be established. The burden of proof rests with the applicant and must be substantiated, if possible, by statements of other persons in a position to know the facts and by any other available evidence.

"There must be proof that a parent is absent from the home; there must be evidence that the absence is 'continued' and that the child is deprived of support or care because of this absence. Absence from the home is recognized as being 'continued' when reliable evidence shows that the absence has a degree of permanency in contrast to a temporary absence. There must be a logical and responsible account as to the severing of the relationship, the reason for its being broken, and the time at which the relationship ceased.

"When a parent or other relative applies for ADC, it must be understood that specific circumstances relating to deprivation of parental support must be verified, regardless of where the father is living. The applicant needs to understand and accept the fact that no parent is ever relieved of his legal responsibility in relation to his children, regardless of his feeling toward the children or their mother. It should be explained that both parents have a part in the application, if this is possible, and participate in plans for the children. It should be explained that the absent parent will be interviewed unless it is obviously impossible or inappropriate to do so. The purpose of this interview with the father is to give him an opportunity to tell his side of the story, to express his interest in and plans for his children, to provide verified information as to his income and to decide what action he wishes to take regarding support.

"If the mother or other relative applying indicates that the absent parent is not interested in taking part in planning for the child, or that it would be inadvisable or impossible for him to do so, the agency requires the person applying to produce some evidence of this fact.

"The applicant is responsible for supplying information concerning the absent parent, and for making every effort in good faith to locate him and to have him take a responsible part in the application. If the applicant refuses to supply information concerning the absent parent, and to make efforts to locate him, eligibility cannot be established.

"The requirement of seeking support from the absent parent must be met continuously and shall be a part of every reconsideration and review."

"The eligibility factor of continuous absence is established by the mother's statement and corroborating evidence. The most satisfactory corroboration or supporting evidence is to have knowledge of the whereabouts of the father who is absent and to find out by talking with him his version of the nature of the existing relationship between the parents and his ability and willingness to support the child and the mother. Such information should cover the past, present, and future in order to make a proper appraisal of the child's situation in relation to the degree of support and care he can expect from his parents and the extent to which the agency must supplement or substitute for the responsibility of the parents.

"If it is impossible for the mother to have the father come to the office to talk with the social worker, the social worker shall make every reasonable effort to get in touch with him concerning support and care for his family.

"In all active cases in which the basis for assistance is continued absence of the father from the home and the agency has a reasonable basis for believing that a parent is in the home, assistance shall be discontinued.

"If there is reason to believe that unreported contributions are being made to the support of the home, assistance shall be discontinued until information is supplied to or obtained by the agency to enable it to determine the facts in the case.

"All resources available to the mother of the children born of a previous marriage or relationship must be determined or clarified before need can be established." [2]

Agency staff has been and continues to be deeply concerned because public funds are supporting, through the agency, situations where absence does not in fact exist, where the agency is deceived and provides money to supplement the income of fathers who are not absent, but who manage not to be in the home when investigation service or the worker is there.

It was primarily to deal with this most difficult and troublesome factor of eligibility that investigation service was established.

In a few of the cases read, the agency policy is carefully explained and recorded at the point of intake, and the requirement that the father be seen is carried out. In an alarming number, the policy is disregarded completely.

Case No. 18 is perhaps the worst example: When Miss G. applied in 1946 she gave the address of Mr. E. who was responsible for her pregnancy, but he was not seen until 1958, 12 years later. Assistance has continued, except for a brief period in 1950.

On May 8, 1958, referral was made to investigation service to determine if Miss G. has roomers and to determine whether any man has access to the home. The referral says that on two occasions the worker observed her giving hand signals to men who were about to enter her home. On May 26, 1958, investigation service reported Mr. E. in the home. Miss G. said that Mr. E. "just happened to be there." On June 5, 1958, Mr. E. was seen by the social worker for the first time. This interview is recorded in seven lines and this mostly of a discussion of employment and his address. The entry on form No. 122 under "Action and Results an Investigation Service Report," "None—we obtained proof that Mr. E. was not living in the home."

In case No. 13, Miss E. was 20 years of age when she applied for assistance in July 1957. Mr. B. was the father of her unborn child and had been responsible for two pregnancies resulting in miscarriages. She said she "broke off with him" the previous month. The intake worker recorded: "She understood that the area worker would want to talk with Mr. B." After termination due to loss of contact, Miss E. applied again in July 1958. She had given birth to another child by Mr. B., and gave his address and the name of his employer. His address is also shown on form No. 258. Assistance continues without any request that he come to the office or any attempt to get in touch with him. Referral was made to investigation service in July 1958 to determine if Mr. B. "has free access to the home and is maintaining a continuing relationship." On September 29, 1958, investigation service reported no indication of access.

[2] Manual, III, 202.12.

This record contains a seven-page report, undated and unsigned, which seems to have been a part of an unmarried mothers study, and which gives intimate information as to Miss E.'s sexual experiences. She tells of her belief that it is all right to have sexual relations "with fellows outside of marriage if you are going with them," that all her friends do it, and that, in relation to Mr. B., she "just couldn't pull herself away from him."

Case No. 42. There is no record of any effort either by the worker or by referral to investigation service to locate Mr. S., who is said to have deserted, although his address and place of employment are recorded. Investigation service located two fathers, but no effort was made by the worker to communicate with them. On August 15, 1958, investigation service reported that Mrs. S. said she was pregnant by her husband. Emergency assistance was authorized July 21, 1958, and the review date is set for July 31, 1959. The entry on form No. 122, dated November 4, 1958, reads: "Mrs. S. admits being pregnant and it has been confirmed by medical report. Since man in home was determined to be living at another address, which you verified, there is nothing we would question at this time and the grant continues."

A review of what is found in this record gives a sense of knowing almost nothing whatever about Mrs. S.

There was evidence that the agency is not able to cope with the complex situations and the deep-seated problems in some of the ADC cases, to hold to agency policies and requirements, or to keep track of and evaluate the information already in records.

There is evidence in the cases read that the problems are too complex and complicated for the staff to grasp or to deal with effectively. The information already available is not always noted or evaluated; threads in the investigation are dropped and never picked up again.

Another important fact stands out in the relationship of the agency to fathers: After the recipient or the investigation service or the social worker suceeds in locating a husband or father, and he comes for an interview, the agency has failed to give the worker help in working with him. This is illustrated in case No. 18, where the grant has continued almost without interruption from 1946. When the father of the children was seen in 1958, the interview is recorded in seven lines and consists of a discussion of his employment and address. There is frequently a sense of anticlimax, as though the interview with the fathers were of less importance than all that had preceded it. This is apparent when records are read in their entirety; and when the efforts of the agency to talk with fathers are followed. When the interview is achieved, the record that follows indicates that it has had little meaning for the father or for the child.

It also seems apparent from the records read that many fathers are stronger and more effective persons than the mothers. These fathers frequently show a strong early interest in and concern for their children. As the mothers continue to receive assistance this interest seems to fade away, or, if the interest of the father does continue, the agency is not aware of it.

(a) Husband willing to live with and support family: It is not the intent of the agency to provide assistance in behalf of children when this responsibility can be assumed by their father. When there is evidence that a father out of the home is willing to live with and support his family and when it is believed that this offer will benefit the children, the mother is not eligible for assistance because of her unwillingness to permit the husband to return to the home. This policy grew out of long experience of the agency with mothers who claimed their husbands were out of the home and unwilling to support, when this was found not to be true.

Eleven cases were found where the agency had failed to communicate with the husband, or to determine his willingness to provide for his family.

Case No. 11. Miss D, was 19 when she applied for assistance in October 1956. She said she had been married to Mr. S. in May, but he did not want her to use his name. There was no discussion of her relationship with Mr. S. Mr. W., who Miss D. said was the father of her two children was interviewed promptly concerning his plans and ability to support. On November 26, 1956, Mr. S. called and came to the office the following day. "He stated he could not understand why agency would be considering an assistance plan with his wife since he is employed and is willing to provide a home and support her and his stepchildren to whom he is quite devoted." Mr. S., who was 55, said Miss D. left him soon after their marriage. He objected to her keeping late hours. He assured worker of his desire to support his family and of his ability to do this. She had refused a reconciliation. After further interview with Miss D. and her husband, the application was terminated.

When Miss D. reapplied in December 1957, she said her sister and her mother could not continue supporting her and the children. The only references to her husband are the following: "Miss D. states that her husband who offered support to her and the children during December 1956. She states there has been no contact with him since their telephone conversation during that month." "She stated that she found it impossible to get along with her husband because he quarreled all the time because people told him she was going with another man. She stated that her husband had never caught her with another man, although she was going steady with Mr. H. from 1953 until October 1957." There is no other reference to Mr. S. although he was located by investigation service.

Cases Nos. 14 and 17 illustrate situations in which the father is willing to live with and support his family, but the grant is continued. For summary of these cases, see attachment No. 7.

One of the purposes of the ADC program is to help maintain and strengthen family life and to help parents to attain the maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection.

There is evidence in the records read that this purpose is not always carried out; that family life is often weakened rather than strengthened, and that recipients are not helped in a responsible way to attain the maximum self-support and independence, that the mothers and the fathers expect the agency to lift the burden of support from their shoulders and that the agency does this.

(b) Eligibility requirements other than need not met: While financial need is the basic requirement for assistance, it is only one requirement, and agency policy does not permit the authorization of assistance on that basis alone. There is evidence in the records read that payments are made because the workers are convinced that need exists, without recognition that all people in need are not entitled to assistance.

Cases Nos. 25, 40, 17, and 42 are examples of assistance being authorized in disregard of policy.

Case No. 25. When Mrs. J. applied on June 13, 1958 she said she had no child care plan. She had received an allotment from Mr. J. until his discharge May 1, 1958. Two years ago she began a relationship with a Mr. C., she said, which ended in May 1958. She wants to work but felt that an effective child care plan should be worked out. There was no discussion of care by Mrs. J's mother, although when a home visit was made on July 9, 1958, the older child was in the grandmother's home and when a visit was made October 2, 1958, the grandmother was in Mrs. J's. home. On October 2, 1958, Mrs. J. said her mother would stay with the children and this would be better than depending on assistance. Mrs. J. said she refused to accompany her husband to Louisiana where he was stationed when in the service. She said he had returned to the District of Columbia and she saw him frequently but claimed not to know his address. Investigation service located Mr. J. on August 12, 1958. Letters were written to him on August 27 and September 12 but no other action taken. Investigation service reported that Mrs. J. was "never home." A child care plan seemed to be available. The husband and father is employed in the District but has never been interviewed. The entry on form No. 122 dated September 18, 1958, is "case will be referred to investigation service at a later date."

Case No. 40. Miss S. applied March 21, 1958 because of pregnancy. She said the father of her two children was Mr. I. with whom she had lived from 1954 to 1956. The father of her unborn child was Mr. L. She said her relationship with him began in July 1957 and ended December 1957. He was a tenant at the same address. On May 2, 1958, Miss S. said she planned to return to work. An entry on April 30, 1958 says it was decided to talk with Mr. L. before approval of application. There is no dictation after May 2, 1958. Investigation service reports that when they were in the home Mr. L. was bringing in the trash can. Miss S., pretending not to know who he was, asked him his name. On form No. 122, under "Action and Result of Investigation Service Report" the following entry, dated September 10, 1958, is made: "Assistance continued pending interview with Mr. L."

In case No. 17, Mrs. J.'s statements that her husband was responsible for her pregnancy was disproved but assistance was continued in August 1958 "because she was so greatly in need."

In case No. 42, assistance was authorized and continued with no effort to contact the husband or the other fathers of the children.

(c) Women in control: It was noted in a number of cases that the mothers seemed to be in control, not only of their family situation, without participation by the husbands, but were able to control the agency as well and to receive assistance on their own terms. This control is accomplished in many ways; by temper, by arrogance, by the ability to make the agency uncertain and uncomfortable, and by sheer persistence. Perhaps these mothers are seeking in the agency some individual who can be firm and whom they are not able to control. They seem constantly to be exploring and testing the agency, seeking limits they cannot control.

The ability of women to control the agency and to receive assistance on their own terms seems more true when the mothers are very young and when they are described as "dull" or "limited."

Cases No. 14, No. 16, No. 17, No. 29, and No. 47 illustrate the unwillingness of mothers to relinquish the assistance grant after their husbands are released from hospitals or institutions or are willing to return to the home. When application is made, the woman frequently tells the agency that her husband worked regularly and supported adequately. This story is often changed and the agency is told that she does not want her husband back, and that he never supported adequately.

Case No. 29. When Miss B. applied on December 30, 1949, she said her baby was ill and she could not work because the landlord was no longer able to care for the children. She was reported to be an excellent worker. The father of both children was given as Mr. J., who was in a VA hospital in Virginia. Miss B. said that Mr. M. was the father of her child born in 1950. On January 16, 1951, Mr. M. telephoned. He said he was a cook, was married, and could not support regularly. The case was closed in March 1951 because Miss B. received a lump sum from VA, she applied again in May 1951 saying the money was all gone. On March 25, 1952, Miss B. and her youngest daughter, born January 11, 1952, were in the office. She said she was "not ashamed of the fact that her children were born out of wedlock as it could happen to any woman unless she kept to herself." She said that Corporal H. was the father of her youngest child. However, on July 10, 1953, he was found by Juvenile Court "not guilty." Miss B. had told the agency on October 27, 1952, that Corporal H. had denied the paternity and had said he would not contribute unless she continued to have relations with him. On May 28, 1954, a rent receipt was noted in the name of Mary L. She said this was the name of her boy friend, Frederick L., who was in the Armed Forces. Miss B. was married to Mr. L. on November 12, 1954, and the case was closed. On May 15, 1956, she reapplied saying that Mr. L. had left her. Mr. L. told the agency on June 18, 1956, that he had left at Mrs. L's. insistence and would return. They agreed to go back together. On June 25, 1956, Mr. L. was in the office. He said that Mrs. L. would rather receive assistance than to have him return. The application was terminated because of no continued absence. Mrs. L. came in on January 18, 1957, to say that her husband had been absent since August 1956. On February 12, 1957, she said he drank, wouldn't support, and she locked him out. On February 18, 1957, Mr. L. said she had locked him out. She is never satisfied with what he does for her. When they were together and he came home, she was either out or getting ready to go out. She told him she could do better without him.

On one occasion when he protested, she struck him with an iron pipe. Mr. L. said she had a friend named George, and he had seen him in the home. Mrs. L. said later he was only a "family friend." No further contact was made with Mr. L. On May 21, 1957, Mrs. L. complained that the agency had too many restrictions. When asked what she meant by this, she said, "You can't do this and you can't do that and the welfare always wants to know all about your business." She said she "likes to be independent and do as she pleases, not having to explain things to anyone." She said she was "through with men." An explanation of agency policy regarding absence was recorded for the first time. On March 18, 1958, Mrs. L. said she was pregnant and that Mr. E. was the father of the unborn child. She used to meet him at tourist homes but the relationship has been discontinued.

Referral was made to investigation service July 16, 1958, to determine whether a family relationship exists between the client and Mr. E.

On July 24, 1958, investigation service reported that Mrs. L. was pregnant and on September 3, that no man was seen in the home.

The following notation is made by the social worker on form No. 122, "Since no evidence was found of paramour, assistance was continued. We were aware of Mrs. L's. pregnancy."

See also cases Nos. 14 and 17 summarized in attachment No. 7.

8. Information supplied by investigation service not always helpful: There were instances in which information supplied by investigation service was not of value to the worker.

For example, in case No. 21, the worker was concerned about the continuing relationship between Miss H. and Mr. B., who is the father of two children and who, according to Miss H., had asked her to marry him. She said Mr. B. "knows better than to visit her in her home, and gave as the reason that agency would not allow her to have male visitors." She said she sees him at his apartment when she visits her sister who lives two doors from Mr. B. On June 30, 1958, investigation service was asked to determine the extent of Miss H. and Mr. B.'s relationship and to determine if Miss H. had access to Mr. B.'s apartment. The investigation was terminated with no information supplied as to Miss H.'s visits to Mr. B.'s apartment.

In case No. 46, Mrs. W.'s friend was seen in the home asleep. Investigation service did not awaken the man or check his address as is usually done.

In case No. 44, investigation service was asked to visit after 10 p.m. to see who was frequenting the home. The investigation was inadequate and visits were not made as requested.

In other cases, investigation service interim reports clearly show that a man has access to the home, yet the final report is that no evidence is found.

Case No. 18 is an example of this. Mr. E. was the father of several of Mrs. G's children. Investigation service found him in the home on May 26, 1958, yet the final report of July 17, 1958, says, "No man has access" and form No. 122 is checked, "No evidence found."

In case No. 7, investigation service was asked to locate Mr. A., with whom Miss B. said she had been having marital relations, and to determine if a family relationship existed with Mr. A. or any man. On September 16, 1958, investigation service reported on Form No. 197 that Mr. A. had been located at the Marine Base in Camp Le Jeune, N.C. Form No. 122 was checked to show that evidence was found of a paramour's presence in the home.

In case No. 29, the investigation service reported September 3, 1958, that no man was found in the home. Form No. 122 was checked "No evidence found." These reports have little meaning in cases such as this, where Mrs. L. has had six illegitimate pregnancies by four different men while receiving assistance.

B. Comparison of 29 cases submitted by investigation service with findings of study.

1. Review of eight cases submitted by investigation service February 9, 1958, in which evidence appeared to indicate assistance should be discontinued.

On February 9, 1959, investigation service submitted a list of 8 cases "in which evidence appears to indicate that assistance should be discontinued," and a list of 21 cases "in which evidence appears to indicate that if assistance was not discontinued, cases should have been referred to investigation service giving specific requests for followup

action." Investigation service noted that this second group consists of two categories: One, where the social worker talks with the recipient and believes her story that absence exists and, two, the social worker cannot make a definite finding on the information furnished by investigation service or contained in the record. Investigation service believed such cases should be referred by the social worker, with a request for specific information needed for a definite finding.

The eight cases in which investigation service believed assistance should be discontinued were reviewed and compared with the findings of the study as to whether or not the continuation of assistance was justified. In four of these cases the findings of the study were the same as that by investigation service—that the continuation of assistance was not justified. In one of the four other cases where the finding of the study was that the continuation of assistance was justified, assistance was to continue only for a 3-month period and then the case was to be closed because absence no longer existed. In the second case, Case No. 19, the study showed that the continuation of assistance was justified, not on the basis of absence, but because of physical incapacity. The third case was Case No. 4, a most difficult situation cited elsewhere in the study where it was decided that the continuation of assistance was justified because of the problems in the case and because the case had been referred to a higher supervisory level for a decision. In the fourth case, No. 26, the decision on the basis of the study was that the continuation of assistance was justified although continued absence was not clearly established but the worker was not justified in discontinuing assistance without further followup. In this case application for assistance was not made until June 1958. Mrs. K. said she had lived with her husband until April 1958, when they were forced to move and she had rented an apartment in her own name and Mr. K. had gone to live with his mother. Referral was made to investigation service on June 20, 1958, to determine if Mr. K. had free access to the home. On August 7, 1958, investigation service reported that a Mr. Y. had been found in the home. Mrs. K. told the investigators that her children go to Mr. K.'s place each morning for breakfast. On August 12, 1958, investigation service reported that they visited the home on Sunday at 10 a.m. and had been told by a woman who was looking after the baby that Mrs. K. and the children were at their grandmother's. The investigation was closed as evidence indicated that the recipient is in regular contact with Mr. K. Mr. K. had told the agency that Mrs. K. has a friend who plays the role of father to his children. He said Mrs. K. drinks and cares little for the children. Mr. K.'s mother said neither parent cares for the children properly. When the worker talked with Mrs. K. about the relationship between Mr. K. and his children, she said there were close family ties. There would appear to be real question that continued absence exists when the children are in such close contact with the father and when the mother also has contacts with the father. In finding that the continuation of assistance was justified, it was believed that referral should be made to investigation service and that the relationship with Mr. K. and Mr. Y. be cleared. It is noted that in July 1958 the agency pointed out to Mr. and Mrs. K. that the agency cannot assume support of children when their parents are able to do so, yet the agency has continued to do this. This may well be a separation of convenience.

2. Review of 21 cases investigation service believes should have been re-referred.

The 21 cases where investigation service believed evidence appeared to indicate that if assistance was not discontinued, the cases should have been referred back to investigation service, were compared with the findings of the study. Of these 21 cases, the study showed—

Continuation of assistance not justified	13
Continuation of assistance justified	8

Of the eight cases, the study showed that continued absence was not clearly established, and further followup was needed. In only one was re-referral made to investigation service. In the remaining seven, the study showed re-referral should have been made.

From this comparison of investigation service recommendations and the findings of the study, it was found that the two are in substantial agreement.

C. Summary of findings

1. Attention is directed to the fact that the cases read in this study represent only 49 out of a total caseload of 3,589 cases active in December 1958, or less than 1.4 percent.

2. No frequent disagreement was found between investigation service findings and the action taken by the social service staff. Of the 531 cases included in the study, investigation service questioned only 29.

3. The basic element of disagreement was found to be in relation to the continuation of assistance in cases where investigation service believed the eligibility requirement of continued absence did not exist.

4. Information provided by investigation service has been used by staff in determining both eligibility and ineligibility. Of the 330 cases in which information had been requested as to presence in the home, no evidence was found in 133 cases. One hundred and sixteen cases were closed or the application denied prior to the study, 53 of them because absence was not found to exist.

5. In more than half of the 49 cases, it was believed that the continuation of assistance was not justified. In only two cases was it believed that the continuation of assistance was justified without further followup.

6. The decision to terminate an investigation seems to be made in most cases by investigation service alone without any communication or discussion with the social worker as to whether he wishes the investigation to be continued.

7. The manual provides for a conference to be arranged with appropriate persons, "when questions arise in the process of an investigation." No record was found of such conferences, although it is possible that they were held and were not recorded.

8. In at least six cases, the investigation service reports were not found in the case records. In instances of "current" and "retired" case records, investigation service reports were sometimes in the "current" record, sometimes in the "retired" record, and sometimes scattered between the two records.

9. In most cases the procedure established for referral to and reporting by investigation service were followed.

10. In a number of cases referral was made to investigation service before action was taken on information already available.

11. Assistance was frequently continued where absence was not clearly established and no rereferral to investigation service was made.

12. There was indication in the records read that clients are aware of investigation service's method of working, time of visiting, etc., and visit with men in the men's living quarters or elsewhere.

13. Mothers are able to make the agency uncomfortable and uncertain and to receive assistance on their own terms.

14. It is difficult for the staff to cope with the complex problems in some of the ADC cases, to hold themselves and the clients to agency policies.

15. It is difficult for the staff to carry adequately responsibility for evaluating the information already in case records or supplied by investigation service.

16. Some cases show complete disregard of information supplied by investigation service, as well as of agency policy. This was found to be true when referral was made to a higher level for decision, as well as in other cases.

17. The staff is caught between conflicting pressures to provide assistance promptly to persons in need and of making a determination that need exists. Assistance is frequently authorized before any real effort is made, either by the client or the agency, to locate the fathers who are supposed to be "absent."

18. The staff needs help in working with both mothers and fathers around the eligibility factor of continued absence, so that the interest of the fathers in their children is rekindled or sustained, and does not decline as assistance continued.

19. There is evidence that, once assistance is granted, the mothers prefer this and go to any lengths to see that it continues. The records indicate that:

(a) The amount of the assistance payment is greater than husbands or paramours are able to earn,

(b) The payment is more regular than the money received from husbands or paramours,

(c) The mothers have complete control over the way the payment is spent, in contrast to earnings supplied by husband or paramour.

(d) The mothers make every effort to convince the agency of their continuing eligibility and, at the same time, continue the relationship which, if known to the Agency, would make them ineligible,

(e) Advantage is gained from both the assistance payments and the earnings of husbands or paramours.

20. Many records show frequent moving from place to place and nearly always at increased cost. In almost no instance did the record show why the recipient moved, how moving costs or the new rent were paid, or that the new address and living arrangements were verified in accordance with Agency policy.

21. Clients are permitted to move from the home of relatives without contact by the Agency with the relative to verify that the client is required to move or why. This seems to be particularly true where the clients are very young and where supervision of their behavior is indicated.

22. The clients' statements and explanations are often accepted at face value, in spite of repeated evidence of falsification and deception.

23. The procedures established for seeking support from fathers in the Armed Forces are not followed.

24. The records reveal surprising evidence of well-being. There were references to the fact that children were well dressed, to expensive appliances and televisions, to the purchase of clothing and furniture in amounts of several hundreds of dollars, and to bicycles and other expensive toys. There were also references to good meals being prepared by the recipients when visits were made.

ATTACHMENT No. 1

D.C. Departments of Public Welfare — PAD #122

Public Assistance Division — Rev. 12/58

REPORT ON INVESTIGATION SERVICE

I.S. #_____ ☐ Appl ☐ Active case

Name of Client_____ Category & Case No. _____ RACE: W N O

I. Request by social worker

	A. Located	Withdrawn by S.W.	Not Located
A. Locate			
1. Husband	☐	☐	☐
2. Paramour _____ (Number)	☐	☐	☐
3. Mother	☐	☐	☐
4. Other: Specify _____	☐	☐	☐

	B. Evidence Found	Withdrawn by S.W.	No evidence Found
B. Information on presence in the home of			
1. Husband	☐	☐	☐
2. Paramour _____ (Number)	☐	☐	☐
3. Male visitors	☐	☐	☐
4. Other: Specify _____	☐	☐	☐

	C. Evidence Found	Withdrawn by S.W.	No evidence Found
C. Information on Resources			
1. Real estate ownership	☐	☐	☐
2. Car ownership	☐	☐	☐
3. Employment	☐	☐	☐
4. Business activity	☐	☐	☐
5. Illegal activity	☐	☐	☐
6. Roomers	☐	☐	☐
7. Other: Specify _____	☐	☐	☐

D. Other service requested (Specify) D. _____

II. E. Refusal to sign PAD #77: Reason_____

II. F. Incidental information developed by I.S. _____

Social Worker_____ Date S.W. Memo_____ Date of receipt of S.W. memo_____ Investigator_____

Date I.S. Report	To S.W.

122 Partial _____ Final _____

Return 122 to Chief, I.S., by

II. Action taken by social worker:

A. Application:
1. Approved: _____
Amount $ _____
3. Still pending_____

B. Case:
1. Assistance continued unchanged:
Amount $_____
2. Assistance increased:
Date_____
From $_____ To $_____
3. Assistance decreased:
Date_____
From $_____ To $_____

2. Denied:
Code reason for denial_____
Date_____

4. Assistance suspended:
Case not closed_____
Amount $_____
Date suspended_____
Date case last opened_____

5. Assistance suspended:
Code reason for closing_____
Amount $_____
Date suspended_____
Date case last opened_____

6. Assistance reinstated:
Amount $_____

Action and Results on Nonsupport

Inapplicable because—
0. No man involved_____
1. Man already supporting_____
2. Man's whereabouts unknown_____
3. Time for filing complaint expired_____
4. Case closed or application denied_____
5. Other: Specify_____
6. Voluntary agreement signed: Date_____ Amount $_____
7. Referral to Juvenile Court: Date_____
a. Support ordered: Amount $_____
b. Bench warrant issued_____
c. Other action: Specify_____
8. Referral to district attorney: Specify action: _____
9. Action by PAD staff pending: Note reason_____

Action and results on I.S. report:

ATTACHMENT No. 2.—*Forms 122—July, August, September 1958*

Total	531
Location of person	172
Information on location only	140
Other information submitted	32
Case closed or application denied	19
Case not closed	13
Resources and other requests	29
Closed or suspended	12
No evidence found	11
Evidence found—not closed	6
Presence in the home	330
No evidence found	133
Closed or application denied	116
Cases not closed	81

ATTACHMENT No. 3.—*Request by social worker for information relating to the presence in the home of husband, paramour, or other person*

Total	330
No evidence found	133
Case closed or application denied	116
Cases not closed	81
Withdrawn by social worker	7
Withdrawn by I.S.	2
Evidence found	45
Grant suspended	11
Application held pending	4
Grant continued	30
OAA	1
GPA	2
ADC	27
Record not located	1
No evidence found on specific reason for referral but other information submitted	27
Grant suspended	2
Grant continued	25
ATD	1
GPA	1
ADC	23

ATTACHMENT No. 3—Continued

Records read and schedules prepared:	
Evidence found	26
Evidence not found on specific reason for referral but other information submitted	23
Total	49

ATTACHMENT No. 4.—*Schedule for study of ADC cases in which investigation service believes to have made a positive report on "access" to the home yet assistance was continued, November 1958*

Case name_____ Case number_____

Race: W–N–O

A. Date of referral to investigative service _____

B. Reason for referral:
1. To obtain new information
2. To confirm absence or presence where not clearly shown
3. To confirm absence or presence although clearly shown
4. To investigate current situation in cases previously closed because absence was not established.
5. To investigate current situation in cases where previous investigative service report or case record indicates man had access to home.
6. Other—(Specify) _____

C. Relationship to woman of man found in house:
1. Husband
Paramour—
2. Father of 1 or more children
3. Father of none
4. Others—(Specify) _____

D. Date of report by investigation service requiring action by social worker_____

E. Action by social worker
1. Discussion of investigative service report with woman and/or man—Date_____
2. Referred to unit and/or district supervisor for decision—Date_____
3. Rereferred to investigative service—Date_____
4. Other—(Specify) _____

ATTACHMENT No. 4—Continued

F. Recorded reason assistance was continued
Denial of relationship by recipient
1. Rereferral not indicated
Referral seems indicated
2. Referral made
3. Referral not made
Change in recipient's situation concurrent with investigative service report
4. Man in jail or hospital
5. Man left District of Columbia
6. Mother out of home—Change in grantee relative
7. Man's unemployability verified
8. Other—(Specify) _____
Report returned to investigation service before final action has been taken
9. Referred to higher supervisory level
10. Other—(Specify) _____
11. Inapplicable because man a relative or other person not connected with family.

G. Was referral to investigate service justified?
Yes
1. Continued absence not clearly established
2. Other—specify _____
No
3. Adequate information for decision in case record
Ineligible under Agency policy before referral
4. No continued absence
Eligibility not affected by "Access"
5. Man physically or mentally incapacitated
6. Other—specify _____
7. Other—specify _____

H. Was Continuation of Assistance Justified?
Yes
1. Explanation by recipient and followup by worker clearly established continued absence
2. Continued absence not clearly established, but worker not justified in discontinuing assistance without further followup
3. Eligibility not affected by access

ATTACHMENT NO. 4—Continued

4. Incidental information provided by I.S. does not affect eligibility after follow-up by social worker

No

Continued absence not established

1. Man's intimate relationship with woman clearly established
2. Man found in home two or more times
3. Record gives evidence of unconvincing explanations by client.
4. Other—specify _____

I. Other action indicated related to continued absence:

1. Effort to locate or communicate with husband
2. Referral to I.S.
3. Other—specify _____

Remarks:

ATTACHMENT NO. 5.—EXAMPLES OF DIFFICULT SITUATIONS AND ATTITUDES WITH WHICH THE INVESTIGATION SERVICE AND SOCIAL SERVICE MUST WORK

(Case No. 28)

August 24, 1953: Mrs. L. applied for herself and two children. She said her allotment had stopped because her husband was AWOL. She was pregnant by Robert J., who was interviewed September 1, 1953, and agreed to support. There was no dicussion recorded of a continuing relationship or of agency policy. When Mr. L. was interviewed, he said he would support. He said he had no plans to live with his wife. He said his wife had purchased a 1947 Cadillac. Mrs. L. said she had permitted Mr. Y. to buy a car in her name.

December 7, 1953: Mrs. L.'s mother, who had been known to the agency under several different names, said Mrs. L. is continuing her relationship with Mr. J. and that she spends the grant foolishly.

March 10, 1955: Mrs. L. said she was pregnant by Mr. J. and that her relationship with him has continued. When Mr. J. was interviewed, he said he felt sorry for Mrs. L. He does not want his child on relief. He said the agency had no right to question his relationship with Mrs. L. as this was a personal matter.

April 22, 1955: Mrs. L. was told she was no longer eligible for assistance and the case was closed.

January 1956: Mrs. L. reapplied. She said that Mr. J. had died, she has no boyfriend and she does not intend to have any more children.

February 24, 1958: Mrs. L. is pregnant by Mr. W. She said she had been seeing him for a year. Mrs. L. readily accepted the fact when it was explained that her March check would probably "be her last check." Case is discussed with supervisor, "free access of the man from the home cannot be established since Mr. W. is stationed at Bolling Field in Washington. Therefore absence cannot be established and assistance will be discontinued."

April 1, 1959: Check canceled. However, the April 1 check was reinstated with no reason given and the grant continued.

June 12, 1958: Mrs. L. wanted "to know her limits." She also wanted to know how long I.S. would be visiting.

May 1958: Referral was made to I.S. regarding Mr. W., but a Mr. R. was found in the home. The address he gave was found to be an empty house. There is no further mention in the record of Mr. W. There is no record of an interview with him.

In 1957 there is an entry in the record that Mr. L. is the paramour of another ADC mother who has had three children by him.

(Case No. 47)

In this case, which is 76 pages long, the Agency learned on October 17, 1951, that Mrs. W. had given birth to a child on October 3, 1951. (Mrs. W. had been seen on September 25, 1951, and employment discussed. There was no mention of pregnancy.) Mr. T. was named as the father. An entry, dated December 5, 1951, said the check was released with the understanding that Mrs. W. could have Mr. T. come to the office. He was not seen until December 1952. There is no record of any discussion with him then, except support.

In 1955, Mrs. W. named Mr. D. as the father of her child born September 10, 1955. In October 1955, the worker recorded: "I also asked Mrs. W. if she were continuing her relationship with Mr. D., and she said she really did not know."

A letter was received from Mrs. W. saying she had broken off with Mr. D. and had nothing else to do with him. On December 2, 1955, Mr. D. was seen. He said he was so disgusted with Mrs. W. for not wanting to keep his child that he had stopped seeing her in January or February and there has been no relationship between them since that time. "They both promised to contact us if they decided to resume their relationship."

In October 1956 a furniture company reported that Mrs. W. had bought $516 worth of furniture, increased the debt to $560 and had made monthly payments of $30 until July 1955. (The worker noted that Mr. T. came into Mrs. W.'s life in 1955—and that she had said the furniture belonged to her mother.) On April 13, 1957, the worker notes that a man has been seen in Mrs. W.'s home several times, whom Mrs. W. said was her uncle.

In May 1957, the case was closed because Mrs. W. went to work. She reapplied in August 1958 and referral was made to investigation service to determine that Mr. D. is continuously absent. On September 18, 1958, investigation service reported finding Mr. D. in the home. The following entry, dated November 5, 1958, is made on form No. 122: "Assistance continued pending interview with Mrs. W. and Mr. D."

(Case No. 48)

Mrs. W. had received assistance since 1949. In August 1953 the agency learned she was pregnant by Mr. L. He was seen in October 1953 and agreed to give Mrs. W. $6 each week.

In 1954 a department store reported that Mrs. W. had purchased clothing amounting to $140.95. The store was informed that "We took no responsibility for what our recipients did." Mrs. W. moved frequently, no questions were raised as to how moving costs or rent were paid, and living arrangements were not satisfactorily verified.

In January 1956, the agency learned that Mrs. W. had given birth to a male infant. When Mrs. W. and Mr. L. were seen in February 1956, Mr. L. said he planned to marry someone else and would be unable to provide for the children. He said later he would support and that the agency had no right to "know his business." In March the case was closed. Mrs. W. appealed and the action of the agency was sustained. Mrs. W. said had she known that by bringing Mr. L. to the agency she was not eligible for further assistance, she would have brought some other man and said he was the father. In May she applied again, and both she and Mr. L. said their relationship was not continuing. However, he was seen in the home in June, and the application was terminated. In September 1956, Mrs. W. was referred by CWD, became pregnant again by Mr. L. and the case was again closed in March 1958. Her last application was in May 1958. She denied any further relationship with Mr. L. Referral was made to investigation service on June 6, 1958, to determine if Mr. L. is absent from the home. On July 8, 1958, investigation service reported that Mrs. W. said she had never heard of Mr. L. "When it was pointed out that this was not true, recipient readily admitted this, but stated she felt it was not necessary to tell investigators things that don't concern them. Recipient then began speaking in a loud, belligerent voice and would not be interrupted in her harangue." Investigation service suggested that the social worker should interview Mrs. W. with the investigator present, and that unless she cooperated, no purpose would be served by further home visits. On August 6, 1958, investigation service reported that Mrs. W. was not at home when visited. The final report, dated August 18, 1958, points out that Mrs. W. has not given correct information as to persons living in the household and that "this closes investigation by investigation service." No information was obtained concerning Mr. L.'s presence or absence in the home.

(Case No. 49)

When Mrs. W. applied for assistance in 1955 she was 18 years old and had three children. She was 15 when she married Mr. W.; he was 17. She said Mr. W. had deserted. In 1956 Mrs. W.'s mother complained that she was "running the streets", sometimes stayed out all night, and made no plans for care of the children. In May 1956, Mr. W., who was not yet 20, was interviewed at the jail. He said he had not deserted. His wife and children had gone to her mother's home when he was out of work, and he had refused to go there. He said he had supported himself since he was 14 and could do several kinds of work. He had been a ward of CWD. He said he planned to return to his family. In May 1956, Mrs. W.'s behavior and drinking were discussed. She said she felt her behavior was due to Mr. W.'s incarceration and that she "just can't wait" for him to be released. Mr. W. was released and returned to his family. He was made payee, which made Mrs. W. angry. In August 1956, Mr. W. obtained work. Both Mr. and Mrs. W. assured the worker they did not consider themselves separated, and the case was closed.

In May 1957, Mrs. W. reapplied, saying Mr. W. had deserted. She talked "loudly and snappily" with worker, and paid little attention to the worker's explanation regarding efforts to locate Mr. W. and to obtain support. The record says Mr. W. has "a history of irresponsibility, incarceration, and failure to support," but the record does not bear this out. On September 22, 1957, Mrs. W. called to ask that her case be closed because she was working. The agency learned later that she began working July 18, 1957.

In March 1958, Mrs. W. applied again. She said she was laid off at HEW. It was learned that she had lost her job because of too frequent absences due to illness and her work was not satisfactory. She said she had been separated from Mr. W. for a year and had been going with a Mr. B. She was demanding and controlling. The worker notes in referral to investigation service Mrs. W. is very unpleasant. "I believe she is mentally disturbed." In May 1958, a man from the realty company called to say that Mrs. W. had moved in the middle of the night, that a man helped her move, and that he thinks the man stayed all night.

In June 1957, referral was made to locate Mr. W. Investigation service reported they could not locate Mrs. W. Referral to investigation service was made May 26, 1958, to determine whether a family relationship existed with any man. Investigation service reported they were not admitted to the home, that Mrs. W. was not at home on the last two visits, and that no evidence was found of male access. On form No. 122, investigation service noted: "Possible neglect of children." The form was returned to investigation service with no notation by the social worker, except that the grant continued unchanged.

(Case No. 15)

Mrs. E. told the Agency in 1951 that Mr. E. had deserted 6 years before. In 1956

(after Mrs. E.'s fifth application since 1933) investigation service reported that Mr. E. was employed, that his address was the same as Mrs. E.'s, and that he claimed five dependents for income tax purposes. Mr. and Mrs. E. denied living together and the grant continued.

In 1958 Mrs. E. was forced to move from NCHA because of the illegal sale of alcohol. (The father of one of her children had told the agency in 1956 that Mrs. E. did not need assistance, that Mrs. E. was selling liquor and numbers.) In September 1958, investigation service reported no evidence of liquor sale or access.

(Case No. 16)

Mrs. F. told the agency on August 7, 1953, that if her husband was able to work and to return home, she would be pleased to have him, since he had always supported and worked regularly. In 1957, on two occasions, she said he had never supported adequately. Mr. F. claimed his wife did not want him back because she was interested in someone else.

(Case No. 31)

Investigation service found Mr. M. in Miss L.'s home. She said he was her cousin, not her "boy friend." She admitted later that he was her "boy friend" and that she had tried to conceal this information from the agency.

(Case No. 37)

Referral was made to investigation service to determine the relationship of Mrs. M. and Mr. A. when investigation service visited in September 1958 Mr. A. answered the door. Mrs. M. said Mr. A. visited every day because she was in arrears with her rent, and he had rented the house for her. New men's suits were found in the closet. The grant continues, with the notation on form No. 122 that investigation service report did not reveal conclusive evidence of Mr. A.'s having free access to the client's home. Mrs. M. showed worker that she had altered the new suits to fit her young sons.

ATTACHMENT No. 6.—*Action taken by social worker on information provided by investigation service*

Total	49
Report discussed with client	24
In less than 1 month	15
In less than 2 months	6
In less than 3 months	1
In less than 4 months	1
Date not recorded, but record mentions discussion	1
Letters written to arrange interview	4
Action taken prior to investigative service report	1
No action required	7
No action recorded	13

ATTACHMENT No. 7—EXAMPLES OF PREFERENCE OF MOTHERS FOR ASSISTANCE RATHER THAN SUPPORT FROM HUSBAND

(Case No. 14)

Mrs. E., age 23, applied for assistance for herself and four children in July 1952, saying Mr. E. had been incarcerated for nonsupport. She said Mr. E. had been fairly reliable until about 3 years ago when he started drinking and staying out nights. They were married in April 1947; the oldest child was born in January 1947. Mrs. E.'s fifth child was born in 1953. She said she was not going to permit her husband to live with her again after his release. On May 8, 1953, Mr. E. was visited at the District jail. He said he was anxious to return to his family and support them, but Mrs. E. had written him of her desire for a divorce. After Mr. E. was released, Mr. and Mrs. E. were seen at the office May 19, 1953. Mr. E. felt that his children should not receive assistance, as long as he was able-bodied and can work and care for them. He accused Mrs. E. of running the streets all hours of the night and not looking after the children as a mother should. He gave the car license number of the car belonging to a man she was "running around with." Mrs. E. said the car belonged to Mr. A., a friend of hers. On a visit to the home on February 10, 1953, worker had seen an elderly man mopping the kitchen floor. In June 1953, Mr. E. obtained employment. He complained about Mrs. E.'s behavior, her care of the children, and her threat to put him back in jail, and how difficult Mrs. E. makes it for him to see the children. The worker talked with Mrs. E. in July about giving Mr. E. "an opportunity to prove himself," but she was unwilling. In November 1953, when a visit was made, and "old gentleman" was sitting in the kitchen with the children. Mrs. E. was dressed to go out and a young man came in, and was introduced as Mr. O.

The worker again talked about permitting Mr. E. to return. The worker "remarked that sometimes it might be easier to depend on the agency rather than to give her husband an opportunity to prove that she could depend on him." Mr. and Mrs. E. were again seen together at the office. Mr. E. said he is making $82.72 every two weeks, that he loved his wife and children and wanted to support them. He worked steadily and tried to show his wife that he had changed. He said he could support the family on his salary "if she would listen to reason and let him come home." He thought it would be possible to reason with Mrs. E. "If she did not feel so independent of him." He said he could not understand why his wife and children needed assistance, when he was willing to return and give the family advantage of all his earnings. He said "as long as his wife could get public assistance she would not listen to anything he had to say." After conference with the supervisor, the worker told Mrs. E. she was not eligible for continued assistance, because of Mr. E.'s offer to support in the home. In December Mr. E. said he had thought about it and did not want to return home. "He thinks they could not get along and thinks he might end up in jail." The grant continued. In February 1954, Mrs. E. said Mr. E. was picked up on his job for nonsupport and lost his job because of being held in jail. In March 1954 Mrs. E. was pregnant by Mr. A., lost the baby, and said she was still "keeping company" with Mr. A. During the interview, Mr. A. came to visit Mrs. E. Mr. A. said he would take care of any children born to them. In March 1955, Mrs. E. said she had no further relationship with Mr. A. In May 1956, a Mr. R. came to complain about Mrs. E's. neglect of the children, and spending money she gets from the agency on herself. Mr. R. said Mrs. E. is pregnant by him. He has stayed with Mrs. E.

He has offered to marry her and care for the children but she wants to be free to run the streets. He said she drinks heavily. Mrs. E. denied any relationship with Mr. R or pregnancy. In September there was a discussion with Mrs. E. as to her behavior, parties, etc. She said she was "ready to settle down and plan for her children and stop running around." In October Mrs. E. was evicted by NCHA. Although her back rent was paid by some men, she had been a problem and disturbance over a period of years. A Mr. Y. was seen in the home in October 1956 and January 1957. In January and March investigation service reported finding a Mr. J. in the home. In April 1957 and again in January 1958, Mrs. E. was told that a relationship with a man similar to that of husband and wife might jeopardize the grant. She said she was well aware of this policy.

In April 1958 investigation service located Mr. E. In August 1958, Mr. E. came to the office of his own accord. He signed a voluntary support agreement. He again said he would like to make a home for his family, but "would not want to return to the home unless Mrs. E. accepted him on her own." On August 13, 1958, investigative service found Mr. B. in the home, and a Mr. L. staggered in from the street. Mr. L. had come staggering in on a previous investigative service visit. On August 18, 1958, Mrs. E. said Mr. B. was a friend she hadn't seen for 6 years. She would not consider going back with Mr. E. He would leave her and take trips with other women, and stay away from home drunk. On October 6, 1958, Mrs. E. said that she had moved and her rent had been increased to $65 plus heating oil and utilities. She was reminded of the agency maximum of $64 for all shelter costs, and she said she could manage.

(Case No. 17)

When Mrs. J. applied for assistance in 1955 she was not quite 19. Her husband had been incarcerated for robbery and Mrs. J.'s stepfather said he could not continue to provide for her and the two children. She had never worked and her mother was not willing to care for the children. Her mother and stepfather rented quarters for her, provided furniture and a television, and assistance was authorized.

In August 1956 an anonymous telephone call was received saying that Mrs. J. did not live at the address she had given, but was living with a man in Northeast.

In January 1957 a man was seen in the home. Mrs. J. said he was her stepbrother, Mr. C., but when the social worker addressed him as Mr. C., he did not respond. Mrs. J. interrupted and introduced him as her cousin and said she had been confused. The young man said he was not Mr. C. and was not related to Mrs. J., but was a friend of her brother who had just stopped by because it was a rainy day and he had nothing to do.

Mr. J. was paroled and came to the agency in October 1957. He said he loved Mrs. J. and wanted to provide a home for her but she was not interested because she was living with a Mr. W. who had told him to stay away. Mrs. J. denied living with a man, or that she was working, as her husband had said. She said Mr. J. was good to her and provided well for her prior to his incarceration, "but she just didn't want him anymore." It was explained that assistance could not be continued since Mr. J. had offered to provide for his family. Mrs. J. said she "would see him put in jail" at which time she would "be back to see us."

In April 1958 Mrs. J. reapplied. She said her mother and stepfather had been helping her and that she had no intention of going back to Mr. J. When Mr. J. was reached by telephone he said he was out of work and did not want to live with Mrs. J. In May 1958, Mr. J. said he was working and was willing to establish a home, but Mrs. J. did not want him. He said she had done everything she could to make trouble for him. Mrs. J. made it clear that "she felt the children were exclusively hers" and refused to let Mr. J. come to see the children. She had not looked for work. A child care plan was arranged by the agency with another mother who was receiving assistance, and Mrs. J. was told that she would not receive assistance after July 31, 1958.

Referral was made to the investigation service on May 23, 1958, to determine if the man Mr. J. said was living with Mrs. J., or any other man, had free access to the home, or if she has a husband-wife relationship with any man. The investigation service was also asked to determine if Mrs. J. was or had been employed. On June 3, 1958, investigation service reported that Mrs. J. was pregnant and that she had been employed under another name.

On June 2, 1958, a neighbor told the agency of Mrs. J.'s pregnancy, of her running with

a fast, rough crowd, drinking heavily and cursing and cavorting in public.

Mrs. J. insisted that Mr. J. was responsible for her pregnancy, but he denied this. He said his wife had been pregnant while he was in prison, but that he was not responsible for either that pregnancy or this one. Mr. J.'s manager was contacted. He said he had seen the man Mrs. J. was living with in the home and told of evidence of a wild party with couples sleeping in various parts of the house. Mr. J.'s probation officer said he was in Mrs. J.'s home in November 1957 and there was a man living with her then. He said "it was apparent to him that Mrs. J. was trying to have Mr. J. readmitted to prison."

On July 28, 1958, Mrs. J. came to the office saying the agency would have to help her now because Mr. J. was incarcerated. She was told that she was still ineligible for assistance because she had failed to establish the paternity of her unborn child. Mrs. J. saw the district supervisor, who decided the grant should be continued, with continued efforts to locate the father of her child.

On October 6, 1958, Mrs. J. admitted that a Mr. Y., not Mr. J. was responsible for her pregnancy. She said she had withheld this information for fear of jeopardizing her assistance. She said she and Mr. Y. were not resuming their relationship. On October 15, 1958, Mr. Y. said he never expects to live with Mrs. J. again. He said he was ill and was advised to undergo surgery. On October 22, 1958, Mrs. J. discussed plans to marry Mr. Y. Since they plan to marry as soon as they obtain divorces, she felt it would be all right for them to live together as husband and wife. On November 19, 1958, she told investigation service she did not have any intention of seeing Mr. Y. again.

The grant continues with the review date set for April 1, 1959.

STUDY OF FOLLOWUP BY PUBLIC ASSISTANCE DIVISION SOCIAL SERVICE ON INVESTIGATION SERVICE FINDINGS

PART II. WHAT ELEMENTS ARE RESPONSIBLE FOR FREQUENT RE-REFERRALS OF CASES TO INVESTIGATION SERVICE ON WHICH WHAT APPEARS TO BE A CONCLUSIVE FINDING HAS BEEN MADE AS A RESULT OF THE ORIGINAL REFERRAL

At a meeting on February 5, 1959, of the superintendent, assistant superintendent, statistician, chief, investigation service, and the standards specialist, it was decided that investigation service would submit a list of the cases which investigation service believed should not have been re-referred.

On February 16, 1959, the chief of the investigation service submitted a list of 8 cases selected from the 127 cases re-referred to investigation service by the field staff during July, August, and September 1958. Five of these cases were closed and three were active.

Only one case (case B) was among the 49 cases on which part I of the study was based. This case was identified in part I as case No. 20 and was cited to illustrate action taken on information supplied by investigation service and community complaints.

These eight cases were read during the last week in February 1959. They were divided by category as follows:

Aid to dependent children	6
Old-age assistance	1
Aid to the disabled	1

A. Findings on case situations and re-referrals:

1. Elements responsible for re-referrals: From a review of the eight cases, it appears that the following elements are responsible for re-referrals:

(a) Reluctance of staff to make decisions to deny assistance.

(b) Vehement denial by recipients of relationships.

(c) Care in weighing information received in relation to source and clients' statements.

(d) Need for support by investigation service findings before finding client ineligible.

(e) Conflicting information received.

(f) Change in worker.

2. Summary of findings:

(a) Investigation service questioned the re-referral of only 8 of the 127 cases re-referred in July, August, and September 1958.

(b) The study showed that in six cases there was enough information in the investigation service reports or in the case records on which to base a decision.

(c) In one case there was sufficient reason for re-referral.

(d) In one case acceptance of the case was questioned, but since this was done, agency policy required re-referral.

B. Case summaries. See attachment II-1.

ATTACHMENT II-1

Case A-OAA

1. Investigation service reason for believing re-referral should not have been made: Investigation service believed this case should not have been re-referred because investigation service had furnished enough information on original investigation for social service staff to make a decision.

2. Information in case record: Mrs. C. applied in 1956. She had been living with Mr. G., in what appeared to be a common-law relationship, but said he could not continue keeping her. In January 1958, after a report was received that Mrs. C. had a man and a child living with her, referral was made to investigation service to determine this. On February 5, 1958, investigation service reported finding Mr. G. hiding in a closet, and his grandchild in the home. The janitor confirmed the living arrangements. Mr. G. and Mrs. C. both denied that he lived there. Calls were received from Mrs. C.'s landlady, Mr. G.'s landlady, and from the child's mother saying Mr. G. and the child were not in Mrs. C.'s home. In his rereferral to investigation service on September 9, 1958, the worker says he was informed by neighbors that Mr. G. had returned home, but Mrs. C. said he was in Virginia. On September 15, 1958, investigation service reported finding Mr. G. in bed in Mrs. C.'s home feigning sleep. The case was closed in October 1958.

3. Elements responsible for re-referral: It appears that the case was re-referred because information was received from three presumably reliable persons that Mr. G. and his grandchild were no longer in the home, after investigation service had found them there, yet neighbors had reported Mr. G. had returned. A change in worker may also have had something to do with re-referral.

4. Findings: In view of the conflicting information the worker had received from persons presumed to be reliable, re-referral was justified.

Case B-ADC

1. Investigation service reason for believing re-referral should not have been made: Investigation service believed this case should not have been re-referred because—

(a) Investigation service had furnished enough information on original investigation for social service to make a decision.

(b) Reason for re-referral is inconsistent with information previously submitted by investigation service.

2. Information in case record: This is the case of a 54-year-old woman whose child was born in 1943.

In 1952 she was arrested on a narcotics charge and sentenced to Occoquan. The child was committed to CWD on two occasions. In March 1956 the judge of the juvenile court questioned Miss H.'s eligibility for continued assistance. A memorandum, dated March 29, 1956, from the assistant superintendent to the Deputy Director of Public Welfare describes Miss H. as a "pathetic piece of human wreckage * * * who is apparently not too bright." In 1956 CWD noted report that Miss H had "reverted to the same pattern of living she had at the time of her arrest on the narcotics charge."

Mr. B., father of Miss H.'s child, was seen in 1948 and in 1957. The record does not indicate any continuing relationship. CWD records indicated he was living with another woman.

3. Elements responsible for rereferral: On March 19, 1958, referral was made to investigation service to determine if Mr. B. had free access to Miss H.'s home. Investigation service submitted five reports. Many men and also women, were found drinking in the home. The final report dated April 4, 1958, notes that in discussion with the supervisor, it was decided that investigation service should close its investigation, because of conditions found.

On June 24, 1958, the case was re-referred to investigation service to determine if Mr. B. has free access to Miss H.'s home. In an entry dated June 4, 1958, the record says, "Since investigation service was unable to make a determination on our previous referral because of the living arrangements of the home on L Street, the case is being re-referred to the unit at this time."

In August 1958, investigation service reported numerous visits had been made to the home, that Mr. B. had never been seen, but that on all visits except the last, several men had been seen in the apartment. "These men have all shown signs of extreme intoxication, on the other hand there has not been any indication these men were more than friends or acquaintances who had dropped by to visit and drink."

On form No. 122 investigation service noted, "Four men found constantly in home."

3. Elements responsible for re-referral: The elements responsible for re-referral are not clear, since the record showed no indication of a continuing relationship.

4. Findings: Re-referral was not justified, since there is no indication, either in the record or in previous investigation service report, of a continuing relationship with Mr. B.

Case C—ADC

1. Investigation service reason for believing re-referral should not have been made: Investigation service believed this case should not have been rereferred because investigation service had furnished enough information on original investigation for the social service staff to make a decision.

2. Information in case record: Mrs. H. applied May 25, 1953. She said she could not continue working because she had no child care plan. Mr. H. deserted in North Carolina in 1951. She came to the District of Columbia in 1952. Her father had helped her. On May 4, 1954, MAD reported that Mrs. H. was pregnant. She said Mr. G. was responsible for her pregnancy but changed her story and said Mr. W. was responsible. She said Mr. W. was in Japan. He denied paternity. On October 5, 1954, Mrs. H. said she could return to her mother in North Carolina. On April 9, 1956, referral was made to investigation service to locate Mr. H. and Mr. W. In 1956 investigation service located Mr. H., husband and father of three children, in South Carolina. Mrs. H. sent him a registered letter but received no reply. No action since 1956 to locate Mr. H. except referral to RES in 1958, who found not at 1956 address.

March 1, 1957, complaint received from a former recipient about people hanging around the house playing cards. She said a man was involved. On June 6, 1957, landlady complained about Mrs. H., saying she should not have help. She said Mr. H. had been in town around Christmas time. Mrs. H. denied this. On January 20, 1958, investigation service reported Mr. G. found under the porch. On February 6, 1958, investigation service reported Mr. G. in home second time and at the social worker's verbal

request, investigation service case was closed. Mrs. H. was told she was no longer eligible for assistance. She wanted to talk with the supervisor and a conference was arranged on February 21, 1958, and the case was kept open. She was asked to bring Mr. G. to the office which she did on February 24, 1958. He said he was only a casual friend and assumed no responsibility for Mrs. H. on her children. On July 8, 1958, another referral was made to investigation service to determine whether Mr. G. lives in the home or whether he or any other man frequents the home. On July 30, 1958, investigation service reports Mr. G. in the home conducting himself like the master of the home. Mrs. H. was out and he was caring for the children. The case was closed August 27, 1958, because the man was found living in the home. On October 23, 1958, Mrs. H. reapplied. She denied a continuing relationship with Mr. G. Her application was accepted and she was told her case would be assigned to the area worker and that it would be necessary that the area worker interview Mr. G. The record says, "No re-referral was made to FIS due to recent report submitted by FIS re Mr. G." This is contrary to agency policy regarding re-referrals in manual 303.4-3.

No dictation after November 1958.

3. Elements responsible for rereferral: After investigation service had found Mr. G. in the home on two occasions, she denied that he frequents her home and said it was just by coincidence he was found there. It was for this reason re-referral was made to determine again whether Mr. G. lives in the home or whether he or any other man frequents the home.

4. Findings: In view of Mrs. H.'s unconvincing explanations, it is believed that investigation service had furnished enough information on which to base a decision.

Case D—ATD

1. Investigation service reason for believing re-referral should not have been made: Investigation service believed this case should not have been rereferred because—

(a) Investigation service had furnished enough information on original investigation for social service to make a decision.

(b) Information in case record.

2. Information in case record: Mrs. H. is blind and an alcoholic. Record of arrest and drinking, under several different names, date back to 1933. She has received assistance almost continuously since 1942. Care at DCV suggested in 1942. Child born 1948 was committed to CWD because Mrs. H. was not capable of providing care. On almost every page of the record there is a change of address. On April 23, 1956, two men were seen in the home. On December 15, 1956, report received that Mrs. H. was living with a man. On January 7, 1957, referral was made to investigation service to determine whether a man lives in the home. January 16, 1957, investigation service reports three men found in home and February 11, 1957, two men found. On February 18, 1957, worker found two men in home. Mrs. H. admitted having lived with Mr. D. for 7 or 8 years. Mr. D. was found eligible for assistance until his death April 3, 1958. On June 4, 1958, worker found a man in Mrs. H.'s room, and told her the grant could not continue "unless she moved to a room and board arrangement because she appears to be an easy victim for worthless men to take advantage of her." Room and board arrangements were made by worker with a Mrs. W., who telephoned on June 5, 1958, to say she could not allow Mrs. H. to remain because she had too many men friends visiting her. Goodwill Industries had also reported men frequenting the home. August 1, 1958, check canceled because Mrs. H.'s whereabouts were unknown. On September 17, 1958, referral was made to investigation service to determine whether there was a man living in the home or having free access. On September 22, 1958, investigation service reported finding two men. They and Mrs. H. were drunk. The landlady said one of the men was always there. A large quantity of food was found. The case was closed in September.

3. Elements responsible for referral: The man investigation service found to be living with Mrs. D. in 1957 died in April 1958. This may have been why the case was rereferred. The worker may have referred to substantiate reports received in June 1958 of frequent male visitors, although she herself had found a man in the home.

4. Findings: Rereferral was not justified since the worker had obtained enough information on which to base a decision.

Case E—ADC

1. Investigation service reason for believing re-referral should not have been made: Investigation service believed this case should not have been rereferred because—

(a) Investigation service had furnished enough information on original investigation for social service staff to make a decision.

(b) Information in case record.

2. Information in case record: Miss K. has received assistance continuously since 1952 when the grant was made on a temporary basis. She lived with her family, rent free, until 1955 when she moved to NCHA. Reports concerning Miss K.'s behavior have come to the agency since August 1953. The first report of her relationship with Mr. S. was received in May 1956. In August they both said the relationship was being discontinued so that the grant would continue. In November 1956, referral was made to investigation service to determine whether or not Mr. S. or any man was in or visiting the home and to locate Mr. B., father of Miss K.'s two oldest children. Investigation service located Mr. B. and found Mr. S. in the home. The record is 62 pages in length, composed for the most part of reports concerning Miss K.'s behavior, her denials, and page after page of agency explanation of policy in relation to continued absence. No action was taken and no referral made. Numerous reports were received from the NCHA manager who reported from time to time that Mr. S. was living in the home. For example, on July 23, 1957, investigation service reported that the manager of Stanton Dwellings said he had positive information that Miss K. is being supported by Mr. S. The manager also said that Miss K. was writing numbers and that several persons in the neighborhood act as lookout for Miss K. so that Miss K. can be warned to clear house. This warning service also extends through the entire Stanton Dwelling area for the benefit of other recipients. Miss K. told NCHA whatever she did was her business. On page 56 of the case record (undated), there were reports of illegal activities, writing numbers, sale of liquor, large parties, and that Mr. S. was in the home. The worker points out that "the reports were not conclusive enough to warrant withholding of assistance." On September 9, 1957, NCHA again reported that Miss K. has a paramour. Both Miss K. and Mr. S. again denied any continuing relationship. In spite of agency policy that complaints are to be referred immediately to investigation service, more than 10 months elapsed until May 7, 1958, when the case was again referred to investigation service to establish whether Miss K. has resources from illegal activities and whether Mr. S. or any man was residing in the home. On May 15, 1958, investigation service reported Mr. S.'s car parked in front of the home. On June 30, 1958, investigation service reported Mr. S. found in the home. On July 29, 1958, investigation service reported Mr. S. in the home on June 30 and July 28, 1958. On August 26 the case was closed because of Miss K.'s continued relationship with Mr. S. Form No. 11, notice of discontinuance, also notes that Mr. S. and Miss K. were married.

3. Elements responsible for referral: The elements responsible for referral were not clear since there appeared to be ample evidence in the record and from investigation service reports that Miss K. was continuing her relationship with Mr. S.

4. Findings: Rereferral was not justified. Reports concerning Miss K.'s ineligibility came to the agency as early as 1953 and have continued. Miss K. seems to have been clearly ineligible for assistance at least since 1956.

Case F—ADC

1. Investigation service reason for believing rereferral should not have been made: Investigation service believed this case should not have been re-referred because:

(a) Investigation service had furnished enough information on original investigation for social service to make a decision.

(b) Application should not have been accepted since landlord is paramour and case was closed previously due to investigation service finding him in home.

2. Information in case record: In old protective service record of Miss S.'s mother, Miss S. is described by her teacher as "a well-behaved child who is unable to learn anything at school." A note in the case record, dated January 26, 1959, says her IQ is 53.

Miss S. applied in 1954 because her paramour and the father of her three youngest children had died. Received assistance and continued to live with mother, with whom she had always lived. In 1957 Mr. B. was found in home by investigation service. Miss S. said he was her uncle. Said she wanted to move from her mother's home. She was told there was no objection to this. The case was closed in March 1958 because Mr. S. and Mr. W. had access to the home. It was noted that Miss S. describes all men found in her home as uncles.

3. Elements responsible for re-referral: Miss S. reapplied again in June 1958 and after conference with the supervisor, referral was made to investigation service July 17, 1958, to determine whether Mr. S. had access and Miss S.'s relationship to him. The referral noted that the apartment was rented in Mr. S.'s name. On August 26, 1958, investigation service reported the apartment was rented in Mr. S.'s name, that he was still paying the rent and terminated the investigation because of the continued access of Mr. S. On August 12, 1958, before investigation service report was received, the application was prepared for termination. However, on August 22, 1958, Miss S. and Mr. S. were in the office. He denied any relationship to Miss S. On September 17, 1958, the case was again submitted for termination, but in supervisory conference September 29, 1958, it was decided to ask Miss S. and Mr. S. to come to the office again. There were two failed appointments and the application was finally terminated due to loss of contact.

At the time of Miss S.'s last application, December 17, 1958, she again said the house was rented in the name of an uncle.

4. Findings: Since the case was accepted, re-referral was justified on basis of policy covering cases to be referred. However, acceptance of the application is seriously questioned.

Case G-ADC

1. Investigation service reason for believing re-referral should not have been made: Investigation service believed this case should not have been re-referred because investigation service had furnished enough information on original investigation for social service staff to make a decision.

2. Information in case record: Mrs. S. applied for assistance in February 1956. She had three children and was pregnant. She said Mr. S. had deserted, that he was a poor provider and drank. On May 22, 1956, the Woman's Bureau's record was read. Mr. S. reported that Mrs. S. had left him periodically and that on several occasions he had found her in bed with a man at the Dunbar Hotel. He asked the Woman's Bureau to take the children. The last recorded Woman's Bureau contact was in October 1955 when both Mr. and Mrs. S. were found at home watching television and Mrs. S. said she had returned and decided not to separate from her husband. In June 1956, the application was terminated because continued absence was not established. Mrs. S. reapplied in November 1956. In January 1957, referral was made to investigation service to locate Mr. S. In October 1957 investigation service reported they had located Mr. S. in Baltimore. A letter was written to him and returned marked "Unknown." In December 1957 a careful explanation of agency policy is recorded. Mrs. S. said she was not participating in such a relationship. On July 29, 1958, referral was made to investigation service to determine whether Mrs. S. was participating in a relationship with any man. It was pointed out in the referral that on a recent visit a man was seen who was introduced as a cousin. On August 11, 1958, investigation service reported Mrs. S. unclad in an unlighted living room with a man she identified as John L., who ran out the back door. On August 21, 1958, investigation service reported that Mrs. S. had said the man found in the home was not John L., but Ralph H. Mrs. S. was pregnant and said that the father of her new baby was Mr. L. Mrs. S. and the man seen at the time of the previous visit were engaging in sexual intercourse at time of investigation service visit. On August 19, 1958, pregnancy was discussed. She said a close relationship had existed for 6 or 7 months prior to Mr. L.'s disappearance about 2 months ago. On August 21, 1958, Mrs. S. said she could not obtain any information about Mr. L. or Mr. H.

She "was advised that the information which she had provided the agency is not logical and is definitely insufficient grounds for continuing assistance to her and the children." "The client was advised if she is willing a request would be made to our investigation service regarding locating Mr. L. She was told that this would be a rush referral and that assistance would continue to be suspended pending the report. At first Mrs. S. did not reply as to whether she was willing or not for this investigation but said that she does not feel that it is necessary for the investigator to again come snooping around her house when there is nothing to find." On August 29 a rereferral was submitted to investigation service to determine whether Mrs. S. is participating in a family relationship with any man and to locate Mr. L. On September 4, 1958, Mrs. S. called to know why she had not received her check. It was explained that she would need to bring the father of her expected child to the office and she replied she did not intend to do this. She said it was OK to close the case. On September 22, 1958, investigation service reported that Mrs. S. had refused to admit them because she said her case was closed for failure to bring in the man discovered leaving her apartment on August 7, 1958. On October 6, 1958, the case was closed because continued absence was not established.

3. Elements responsible for re-referral. It appears from the case record re-referral was made because of Mrs. S.'s vehement denial in the interview of August 21, 1958.

4. Findings. Re-referral was not justified because investigation service had furnished enough information to justify a decision of ineligibility.

Case H–ADC

1. Investigation service reason for believing re-referral should not have been made: Investigation service believed this case should not have been re-referred because—

(a) Investigation service had furnished enough information on original investigation for social service staff to make a decision.

(b) Information in case record.

2. Information in case record: When Miss T. applied in May 1957 she was employed as a nurse's aid at Doctor's Hospital but said she had no child care plan. She said she lived with Mr. J., father of the two children who were with her, from 1952 until 1954 and irregularly until June 1956. Referral was made to investigation service to locate Mr. J. On February 19, 1958, investigation service reported they had located Mr. J. in Miami. Miss T. was referred to RES but the case could not be accepted because paternity had not been adjudicated or established under oath. In March 1958 a report was received from the resident manager of the apartment that Mr. P. stays at Miss T.'s apartment nights at a time and helps her to buy expensive food. She said Mr. P. and another male tenant have dinner with Miss T. every evening; that Miss T. is cruel to her children and is not a fit mother. On March 28, a referral was made to investigation service to determine Miss T.'s relationship with Mr. P., whether she has boarders and whether she is employed. On April 23, 1958, investigation service, reported finding Mr. P. in Miss T.'s apartment. Miss T. said he was her girlfriend's husband but he told investigation service later he did not know why she had said this.

On May 8, 1958, the investigation service report was discussed with Miss T., who denied any relationship whatsoever with Mr. P. On May 13, 1958, Mr. P. telephoned. He also denied any relationship. The record says, "I let him know that assistance would be withheld for Miss T. until he did come in to talk with us." Mr. P. said he did not care whether or not Miss T. received assistance and he did not come to the office. On May 27, 1958, it was decided in supervisory conference that the investigation service report did not contain sufficient evidence for a family relationship between Miss T. and Mr. P. Assistance was continued. On June 17, 1958, further reports were received from the resident manager, whose attitude showed considerable malice toward Miss T. On July 30, 1958, reports were received from another individual that Miss T. had been visiting in the apartment of Mr. P. for the past three nights and that since Miss T. had moved she has been to Mr. P.'s apartment every weekend. She said she is cooking for Mr. P. and does not need assistance because Mr. P. is taking care of her. On August 18, 1958, rereferral was made to investigation service to ascertain if a family relationship existed with Mr. P. On September 16, 1958, Miss T. telephoned to say she is going to work at Doctor's Hospital. "She was quite upset and said she could not continue to live as she had been and be haunted and live like a hermit, not being able to have visitors and being followed wherever she goes. She said Mr. P. is her boyfriend and she had been going with him 2 or 3 months. On September 26, 1958, investigation service reported finding Miss T. in Mr. P.'s apartment. The case was closed November 19, 1958, because Miss T. was employed.

3. Elements responsible for re-referral: The element responsible for rereferral seems to have been the decision at supervisory conference that the investigating service report did not contain sufficient evidence of a family relationship. The animosity of the resident manager toward Miss T. may also have been a factor. However, prior to the re-referral on August 18, 1958, an additional report had been received.

4. Findings: A re-referral was not justified on the basis of investigation service reports and other information in the case record.

STUDY OF FOLLOWUP BY PUBLIC ASSISTANCE DIVISION SOCIAL SERVICE ON INVESTIGATION SERVICE FINDINGS

PART III—WHAT ELEMENTS ARE RESPONSIBLE FOR THE WIDE VARIATION IN THE NUMBER OF REFERRALS BETWEEN SOCIAL WORKERS OR BETWEEN UNITS

A. Caseload of social worker making fewest referrals to investigation service.

1. Summary of findings:

(a) Cases read.

(b) Cases which should have been referred.

(c) Elements responsible for failure to refer to investigation service.

2. Description of area.

3. Basis for decisions as to referral.

B. Caseload of social worker making greatest number of referrals to investigation service.

1. Summary of findings:

(a) Cases read.

(b) Cases referred to investigation service.

(c) Cases which should have been referred.

(d) Other findings.

2. Description of area and caseload.

C. Elements responsible for variation in the number of cases referred to investigation service.

Case illustrations: Attachment A, attachment B, attachment C.

At a meeting on March 2, 1959, with the superintendent, assistant superintendent, statistician, chief, investigation service, and the standards specialist, it was decided that part III would be developed by a study of two caseloads: the one carried by the worker making the fewest number of referrals to inevstigation service and the caseload carried by the worker making the largest number of referrals to investigation service, during the period October 1955 through September 1958. These caseloads were No. 152 and No. 223 respectively.

It was decided that a schedule would not be developed for reading these cases. Instead, a chart would be used showing, for the minimum caseload, the cases which should have been referred and the reason and date referral should have been made. For the maximum caseload the chart would show the reason referrals were made and dates.

The reading was to begin with the caseload No. 152. The assistant superintendent explained to the district supervisor, the supervisor and the worker that the cases would be read and the purpose of the reading.

On March 3, 1959, the chief, registration and files prepared a list of cases in caseload No. 152 as of February 28, 1959. A copy of this list was sent to the chief of investigation service, who prepared a list of cases referred to information service and the action taken.

A. Caseload of social worker making fewest referrals to information service

1. Summary of findings.

(a) Cases read: Seventy-four cases from a caseload of 124 were read.

In 40, or 54.1 percent of the 74 cases, referral to information service by this social worker was not indicated. Fifteen of these forty cases had been referred previously, 2 by the present worker, and 13 by intake or by the previous worker. Twenty-five had not been referred.

In approximately 24 cases, referral was not indicated because of the case situation. In most of these situations there was no question of access, as the children were living in

the home of a relative other than the parent, or both parents were living in the home. In the other 16 cases, referral was not indicated for a number of reasons. In two cases, the worker initiated action. In the other 14, action on the basis of information already at hand rather than referral to investigation service was indicated, or the action indicated was not referral or re-referral, but the closing of the case. See case illustrations, attachment A.

In 32 cases, or 43.2 percent of the 74, referral or re-referral to investigation service should have been made, as each case record included information that should have been followed up or clarified to eliminate any question of eligibility. Of these 32 cases, 14 had never been referred to investigation service; 18 had been referred previously but should have been rereferred.

In two cases, case No. 1 and case No. 59, there was not enough information in the record on which the reviewer could base a decision, as to whether or not there should have been referral to investigation service. In both of these cases the father was incarcerated when application was made. The records were read several months after the sentences were to have been completed. The records did not show what had happened in relation to the fathers since their release.

(b) Cases which should have been referred: Of the 32 cases which should have been referred, referral should have been made for the following reasons listed in the manual, part III—303.4—cases to be referred.

Reason cases should have been referred to I.S.:

Total number of cases	32
(1) Cases in which there is reason to believe that client is not eligible for assistance or that there are factors in the case affecting eligibility which cannot be proved by the social worker	5
(2) A person who reapplies for public assistance whose case had previously been closed and assistance terminated due to misrepresentation or fraud by the applicant, location of husband or other man in the home, or concealed resources. This type of case should be marked "Rush"	4
(3) Any ADC case in which the client claims that a mother, husband or father of her or his child or children included in the grant is missing; any case in which a relative or spouse is missing whose location will benefit PAD	7
(4) Any case in which the social worker has reasonable suspicion that the man involved is present in the home or has free access to the home, if the social worker has been unable to obtain sufficient evidence to arrive at a reasonable conclusion as to presence or absence	8
(5) Any complaint or denunciation—anonymous or otherwise—of a man living in, or having free access to, the home of a recipient	1
(6) Any complaint or denunciation concerning other factors of eligibility after the social worker has been unable to prove or disprove the assertion and feels I.S. can provide the proof more expeditiously	1
(7) All cases except OAA and AB in which the recipient shares the rent of a home or an apartment with another family, who are not relatives or recipients, and has lived with the same family at a previous address	1
Combination of reasons	5

(c) Elements responsible for failure to refer to investigation service: From the reading of 74 cases in this caseload it appears that the following elements are responsible for failure to refer to investigation service:

(1) Failure to carry out Agency policies in relation to the eligibility requirements:

(a) Acceptance of client's statements without verification.

(b) Too ready assumption by Agency of support of children when this support should be carried by parents.

1. Husband or other man located by investigation service or address known but not seen nor appropriate action taken: In 13 cases the address of the husband or father was known, but appropriate action was not taken. In a number of instances the husband or father had been seen when assistance was granted previously, and the case may have been closed because absence was not established. When the most recent application was made, no effort was made to communicate with him. See case illustrations—attachment A.

2. No effort made by mother to locate husband or fathers: In approximately 18 cases, no effort was made by the mother to locate the husband or father, although she may have been held to this requirement when previous applications were made. See case illustration, attachment A.

3. Child-care plan seems to be available: In approximately 13 cases a child-care plan seemed to be available. These cases included only those where the mother had work experience, and had made arrangements for care of the children in the past, where several relatives were receiving ADC and it would appear reasonable to expect that at least one mother could work, or those where other relatives were living reasonably close to the mother. See case illustrations, attachment A.

(c) Failure to carry out agency policies in relation to continued absence.

(d) Too much emphasis on establishing a placid and reassuring relationship with the client and too little emphasis on eligibility factors in spite of repeated evidence of falsification and deception.

Eligibility not clearly established: In approximately 22 cases, eligibility did not appear to be clearly established. In nearly all instances this finding was related to c–1–(b) above. For example, in case No. 14, Mrs. D.'s statements that her husband was absent were found on two previous occasions to be untrue and the case closed, yet when she applied again, assistance was authorized and the grant continues with no effort to talk with him or to learn the true facts. See case illustrations, attachment A.

(e) No action taken on cases transferred into the caseload until a review is due.

(2) Inadequate agency controls to assure that the agency knows what is happening and what is not happening in cases and that policies are understood and carried out.

2. Description of Area

The worker has carried her caseload in essentially the same area since June 1956. The area is composed of census tracts 49–B and 52–A. It includes the odd side of Massachusetts Avenue, NW., to the even side of S Street NW., and from 10th to 16th Streets NW. Most of the clients live between 10th and 12th and between M and P Streets NW. The houses in this area were described by the worker as being very old, rat and vermin infested. The houses are for the most part three stories, cut up into apartments. Some floors are made into two apartments so that, including the basement, houses in which one family used to live now house eight families. Some are used as rooming houses, housing eight roomers. The worker estimated that 99 percent of the clients in her area are Negro. Although the worker has carried cases in this area since June 1956 the boundaries of the area have changed somewhat to adjust the caseload with that of the worker in the adjoining area carrying caseload No. 151. This has resulted in the transfer of cases between these two workers.

3. Basis for Decisions as to Referral

It was not always possible to determine when a case was transferred to the present worker. The date of the first recorded entry was usually used to determine this date. When there was no recording by the present worker, but other documents were in the record, the dates on these were used. For example, in one case there was no recorded entry, but there was a memorandum dated December 16, 1958, addressed to the worker by R. & F. That date was used.

In deciding whether or not referral to investigation service was indicated, continuous reference was made by the reviewer to agency policy explaining situations which are to be referred. This policy is in section III–303.4 of the agency manual and is included in part I of this study.

The reviewer's decision in each case was made on the basis of information found in the case record.

The decision by the reviewer as to whether or not referral should be made to investigation service was not an easy one. In some instances there is not enough information in the record on which to base a decision.

In others the recording was not up to date.

The status of the recording by the present worker was as follows:

Date of last recorded entry:

Total number of cases	74
1957	5
January–June 1958	16
July–December 1958	24
1959	14
No entry by present worker	14
Undetermined	1

In most cases referral to investigation service and the reason for referral are recorded. In most cases, too. reports from investigation service and the action taken as a result of the information furnished are also recorded. In a few cases, however, there is no entry concerning referral or investigation service reports, nor of action taken, although the case was referred and investigation service reports were in the records.

Another factor which made the reviewer's decision as to referral difficult was the method of recording. The forms used for recording and the narrative were not complete or up to date, or missing. Information for the study was found for the most part in narrative recording which is now filed in retired records.

B. Caseload of social worker making greatest number of referrals to investigation service

1. Summary of Findings

(a) Cases read: Forty-one cases from a caseload of 165 were read. Ten, or 24.4 percent of the 41 cases had been referred to investigation service by the social worker responsible for the caseload. Of these 10 cases, only 1 had been previously referred. Of the 41 cases, 15 had been referred by previous workers. In 9 of the 10 cases referred, the review showed that the referral was justified on the basis of Agency policy. One referral was made which should not have been made. See case illustrations, attachment B.

In seven cases, referral should have been made and was not made, because each of the case records included information that should have been followed up or clarified. Of these seven cases, two had been referred by the previous workers and should have been re-referred and two were referred by the subsequent workers. See case illustrations, attachment B.

(b) Cases referred to investigation service: The 10 cases were referred for the following reasons listed in the manual, part III—303, 4, cases to be referred.

Report:

Total number of cases	10
(1) Clarification of resources, such as bank accounts, civil service and other types of retirement, veterans' benefits, etc	3
(2) Reapplication by a person whose case had been closed previously and assistance terminated due to misrepresentation or fraud by the applicant, location of husband or other man in the home, or concealed resources	1
(3) Any ADC case in which the client claims that a mother, husband, or father of her or his child or children included in the grant is missing; any case in which a relative or spouse is missing whose location would benefit PAD	1
(4) Any case in which the social worker has reasonable suspicion that the man involved is present in the home or has free access to the home, if a social worker has been unable to obtain sufficient evidence to arrive at a reasonable conclusion as to presence or absence	2
Combination of reasons	3

(c) Cases which should have been rereferred: The seven cases where the review showed a referral should have been made were carried only briefly by the worker whose caseload is under study and who carried more than twice the normal number of cases. One case was carried by the worker from June 1958 to February 1959 and one from November 1958 to February 1959. In five of the cases, the length of time carried could not be determined.

(d) Other findings: As the cases were read, the following additional findings were made.

(1) Husband or other man located by investigation service or address known but not seen nor appropriate action taken: In approximately seven cases the address of the husband or father was known, but appropriate action was not taken.

(2) No effort made by mother to locate husband or fathers: In approximately four cases, no effort was made by the mother to locate the husband or father, although she may have been held to this requirement when previous applications were made.

(3) Child care plan seems to be available: In approximately nine cases a child care plan seemed to be available. These cases included only those where the mother had work experience, and had made arrangements for care of the children in the past or those where other relatives were living reasonably close to the mother.

(4) Eligibility not clearly established: In approximately eight cases, eligibility did not appear to be clearly established. In nearly all instances this finding was related to (1), (2), and (3) above.

2. Description of area and caseload

The cases in this caseload are located in census tracts 73, 74.3 and 74.4. The area is at the southern tip of the District, for the most part east of South Capitol Street. It includes the area north of District of Columbia Village and around Bolling Field and St. Elizabeths Hospital, over to the Maryland line. This is a large and diversified area including private homes, apartments and four NCHA dwellings. The residents of the area are for the most part white, with the exception of two NCHA dwellings. Twenty-nine or 70.7 percent live in NCHA dwellings.

The worker carried the caseload in this area for about 5 years until February 1959. However, in 17 of the records read there was no recording by this worker. It appears that in late 1958 a large number of cases were transferred into this caseload and the worker had no contact with the clients by the time he left the caseload in February 1959. The length of time the cases read were carried by this worker was as follows:

Total	41
4 years	1
3 years	1
2 years	6
9 months	1
8 months	1
7 months	1
6 months	2
5 months	5
4 months	2
3 months	2
2 months	1
Less than 1 month	1
Undetermined (recent transfer)	17

Whenever possible the date of the first recorded entry was used to determine when the case was transferred into the caseload. Even when there was an entry in the case record it was not always possible to determine when the case was received by the worker. For example, in one case there was only a one-line entry by the worker dated October 1, 1958, which read as follows: "Review completed on form 55. For Budget computation, see form 58." The form 55 was unsigned and undated. The authorization of form 58 by the worker, effective from July 1, 1958, to September 30, 1958, was signed but undated. In this instance, the date of July 1958 was used as the date the worker became responsible for the case.

With four exceptions, the dictation on the cases read was up to date, entries having been made by the workers to whom the cases were assigned after February 1959.

C. Elements responsible for variation in the number of cases referred to investigation service

From the review of cases in the two caseloads, it appears that the basic element responsible for the wide variation in the number of cases referred to investigation service is the wide variation in the understanding, acceptance, and use of agency policy.

The worker making the highest number of referrals (caseload 223) should actually have referred 17.3 percent more of the cases read, but was prevented from doing so by the fact that the cases were assigned to him for such a brief period of time. Of the cases he did refer to investigation service only one case was found where an unnecessary referral was made when conclusive evidence for action was available without referral.

The worker making the fewest number of referrals (caseload 152) should have referred 43.2 percent more of the cases read.

The decision to refer or not to refer seems to have been made on the basis of the judgment of the individual worker, rather than on the basis of policy established by the agency.

Although the worker carrying caseload No. 152 had been responsible for her caseload since June 1956 and the worker carrying caseload No. 223 had been responsible for his caseload 2½ years, some of the cases read were carried by these workers for only brief periods. For details as to length of time cases were carried by present workers, see attachment C.

In caseload No. 152 there were 14 cases with no recording by the worker, and in caseload No. 223 there were 17 such cases. The records read were, for the most part, also carried by other workers in the agency. These records showed that the effect of lack of consistency in the use of agency policy extends beyond the two workers whose caseloads were reviewed and beyond referral or failure to refer to investigation service.

In the cases read, there was evidence that the eligibility requirements and the responsibilities to which clients were held and the granting or denial of assistance depended upon the worker to whom the case was assigned. The concept of the worker as a representative of the agency, in contrast to the worker as an individual, is not clear to staff.

Another element responsible for the variation in the number of cases referred to investigation service is the lack of controls established by the agency to assure that policies are understood and followed by each worker. Under present policy, the supervisor is in no way involved in referrals to investigation service.

It is hoped that one of the values of the administrative case review to be undertaken by the agency in September 1959, will be to determine the validity of actions taken by the staff. In the last analysis, it is always the worker and the worker alone who either expresses or defeats the intent of the agency.

ATTACHMENT A

CASE ILLUSTRATIONS

CASE SHOULD BE REFERRED—ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 24

Miss G., age 18, applied for assistance February 26, 1956, having been referred to by family and child services. She said she did not get along with her mother who complained that Miss G. sees the mother's boy friend when the mother is away. Miss G. said she wanted to demonstrate she could care for her children. The father of the oldest child lives with his family at an address given by Miss G. He contributed $15 every 2 weeks. The father of the second child is at Fort Belvoir. On May 23, 1956, Miss G.'s probation officer told of her conviction for assault. She has a juvenile court record for housebreaking, shoplifting, disorderly conduct, and assault. She was also known to the Woman's Bureau through prostitution and committed to BP. She was given a mental evaluation and was found not to be psychotic—just unable to take care of herself—has many ways of a girl about 4 years old, is considered promiscuous. It was said she regards her children as a child would a doll. When she gets tired of them she wants to throw them away. It was felt that the mother and grandmother, not Miss G., should be responible for the two children. An entry, dated July 2, 1956, says "the agency did not plan to approve assistance because Miss G. had not met all requirements in having the fathers of the children come to the office." The application was terminated because absence was not established. On January 28, 1958, referral was made by CWD. Shirley was placed in Junior Village because Miss G. had beaten her with an electric light cord. The neighbors had called the police. CWD referral said Miss G. had expressed a desire to establish a home of her own if eligible for assistance. The mother and grandmother have been helping. On February 24, 1958, the Woman's Bureau said they had known Miss G. since 1948. Since 1954 there had been frequent reports about the neglect of the children. On April 2, 1958, information was received that Miss G. was pregnant. The father was given as Mr. C. In the CWD referral Mr. C. was said to be the father of Miss G.'s second child and his address is unknown. Assistance has continued to Miss G. in spite of the report from the probation officer, in May 1956, without referral to investigation service to determine access, and without any effort on Miss G.'s part to locate the fathers. There was no record of the women's

bureau or the CWD records having been read or of any interview with the mother or grandmother, although Miss G. was told at the time of her application in 1956 that this would have to be done.

ACTION BY WORKER SEEMS INDICATED RATHER THAN REREFERRAL TO INVESTIGATION SERVICE—ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 48

Mrs. M.'s first application for assistance was in November 1951 for herself and four children. She said Mr. M. had deserted in July and that his sister has helped her. In June 1952, Mr. M. was to pay $15 a week through J.C. On April 13, 1953, Mr. M. called. He had arranged with Mrs. M. to take two of the children to enable her to go to work. He was to assist with the care of the two children remaining with her. "When he went to get the children she raved and said she was not going to work as long as she could get a check and his help, too." On November 17, 1953, it was learned that Mrs. M. was pregnant. She said William G. was the father of the child born November 20, 1953. On November 30, 1953, Mr. G. was seen in the home. They planned to continue their relationship. Mrs. M. and the baby were not included in the code. In 1954 Mr. M. went into the service, made an allotment to his family and the case was closed. On September 27, 1955, Mrs. M. reapplied. She said her husband had been discharged from the service and the allotment ceased. Her relationship with Mr. G. continues and the application was terminated because absence was not established. She reapplied November 30, 1955. Another baby by Mr. G. was born in January 1955. This application was also terminated because absence was not established. She has received assistance continuously since her last application in January 1956. She wanted CWD to place two of the boys and this was done. On February 15, 1956, Mr. G. was in the office in response to a letter. He said he had had no contact with Mrs. M. since last fall. He gave his address, the name of his employer, and signed an agreement to pay $5 a week. On February 16, 1956, Mrs. M. was told she must try to locate her husband before assistance could be given. She said she could not locate him. However, on March 7, 1956, he came to the office. He gave his address and his employer. He said he had been employed at the same place since 1951. He would like his sister to have the two boys since Mrs. M. is not able to give proper care and supervision. In 1955 he filed for a divorce on the grounds of adultery. He said he intended to seek custody of all the children.

He has no interest in Mrs. M. and said Mr. G. broke up his home. On March 12, 1956, CWD expressed the opinion that Mrs. M. should have the children. On March 16, 1956, Mr. M.'s sister was seen. The girls are living with her and she would also take the boys. When the girls first came to her, they were quite vulgar and talked about things they had seen their mother do. The girls said their mother slept with Mr. G. and they slept on the floor. She said the girls refused to visit their mother overnight. She said the boys need not have been placed by CWD as she would have taken them. She mentioned a sister in South Carolina who would be glad to have the boys with her. The worker recorded she was impressed with Mrs. E., Mr. M.'s sister. In March 1956, the boys were in Mrs. E.'s home, placement having been arranged by CWD. Temporary assistance was authorized for Mrs. M. and the baby until she could get work, the worker to follow the case closely regarding employment. In May Mrs. M. said she could not seek employment because her child was ill. In March 1957 the record says assistance was granted on a temporary basis because of the verified illness of the child. On August 3, 1957, Mrs. M. was arrested for larceny. She was released after 30 days, although this was her second offense. Assistance continued on a temporary basis. On January 10, 1958, it was learned that a female child had been born on December 19, 1957. William M. was named as the father. On January 24, 1958, referral was made to investigation service to determine the access of Mr. M. On January 28, 1958, Mr. M. was found by investigation service in the home and was found not to be living at the address given. On February 4, 1958, Mrs. M. denied that Mr. M. lived in her home and said the relationship had been discontinued. On February 19, 1958, Mr. M. was in the office. He "seemed sincere." He said Mrs. M. used to visit him in his apartment but that the relationship had ended.

The entry on form No. 22, dated March 27, 1958, says Mr. G. and Mrs. M. "claim their relationship was a casual one" and that "referral is being made again to verify this * * *." No re-referral was made, and the grant continues.

REFERRAL NOT INDICATED—ACTION SHOULD BE TAKEN BY WORKER—ELIGIBILITY QUESTIONED

Case No. 63

Mrs. S., age 18, applied for assistance September 17, 1958, because of her pregnancy. She said she came to the District in 1957 from North Carolina, because she was not getting along with her husband. She said she had received help from an uncle and aunt and from her boyfriend, Joseph T., from whom she has broken off. In an entry on form No. 246, Mrs. S. said her husband had never contributed toward her support. She has two other children supported by his parents in North Carolina. She had lived with a Mr. T. from April to August 1958 when she left him because he became abusive because of information given by his sister that Mrs. S. was having "other affairs and accepting money from other men." She denied this. She said she was an A student in North Carolina and left school at 14 to marry because she was pregnant. Emergency assistance was authorized and the grant has continued. There is no discussion recorded as to who is the father of her coming baby. There is no record of any discussions with the aunt and uncle with whom Mrs. S. is living. Form No. 258 says Mrs. S. is living with her aunt rent free. However, Payroll Control says the grant is $109, which seems to include shelter. Support was taken over by the agency without question, with no investigation and no communication with the husband or father of the expected child.

CASE SHOULD NOT BE REFERRED—ACTION SHOULD BE TAKEN BY WORKER

Case No. 60

Mrs. S. applied for assistance December 20, 1957. She said Mr. S. is under court order to pay $22 a week. Form No. 258, "Living Arrangements", says the apartment is rented in the name of a friend, David L., who works at the Sanitation Department. There is no recorded information concerning Mrs. S.'s separation from her husband and no request that he be interviewed, although his address is known.

ELIGIBILITY NOT CLEARLY ESTABLISHED—REFERRAL NOT INDICATED

Case No. 31

Miss H. applied October 12, 1950, saying she had one child and was pregnant by Mr. S. She has been working and has never taken Mr. S. to court. He came to the office with Miss H. and agreed to give $20 a month. In January 1952 Miss H. called to say that she was working and asked that her case be closed. She reapplied May 8, 1958, saying that she was ill and could not continue employment. Referral was made to investigation service to locate Mr. S. but no report has been received from investigation service. A medical report dated May 12, 1958, gives Miss H.'s prognosis as "good." Entry on Form No. 246 says Miss H. will continue to work 3 days a week. There is no current medical information.

ACTION INDICATED BY SOCIAL WORKER RATHER THAN REFERRAL TO INVESTIGATION SERVICE ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 8

When Miss C. applied for assistance in 1947 she was 17 years old and had two children. Since 1947 Miss C. has had six additional children. When a home visit was made on January 3, 1952, a 14-year-old cousin appeared to be part of the family. This child was pregnant by Mr. Harry E., who is the brother of Blondell E., the father of one of Miss C.'s children. In May 1952 a report was received concerning a 16-year-old girl with two children living with Miss C. The report also revealed that Miss C. and the 16-year-old girl are both pregnant. The father of Miss C.'s expected child was given as Clarence J. Mr. J. was seen on a number of occasions but his continuing relationship with Miss C. was not discussed or at least not recorded. He said he had three other children born out of wedlock and contributes toward their support. On April 6, 1955, another ADC client reported that her daughter had moved out of her home and had gone to live with Miss C. When this was discussed with Miss C. she said the girl was no longer in her home. She said the girl goes with her brother, Clyde C. In an undated entry on page 41, a young man ran out of the home when the worker visited. Miss C. identified him as Nathaniel M., her boy friend, and said she had been keeping company with him for about 5 months. She said he gave her approximately $25 a month. This was later verified by talking with Mr. M. Both admitted their intimate relationship. She said she usually goes to Mr. M.'s house, leaving the children with a neighbor's daughter. On September 7, 1955, worker told Miss C. that no further assistance could be authorized until the purchase of a television could be cleared. She had said previously that her brother had bought the set for her, paying $99 cash for it. On October 3, 1955, it was verified that Miss C.'s brother had purchased the television set for $299.

On October 10, 1955, Miss C. said Mr. M. had been helping her. She said she had been seeing him about four times a week. She thinks this relationship should not affect her eligibility for assistance. She was told "that we would have to consider her case in every detail before we could make a decision as to her continued eligibility for assistance." It appeared she was not eligible for assistance. On October 14, 1955, another ADC recipient told of staying temporarily in Miss C.'s home and that her brother Clyde and his girl friend were also there. Miss C. denied this but later admitted they were there. On October 20, 1955, the NCHA project manager called. Miss C. had told him that her uncle and his wife from North Carolina were visiting her. The worker remarks in the record—"It seems as if Miss C. finds it as difficult to tell other people the truth as much as she does us." On January 19, 1956, referral was made to investigation service to establish where Mr. M. is actually living. Investigation service reported that Mr. M. lives with his brother. Mr. M. admitted that he is still Miss C.'s boy friend. On February 20, 1956, Miss C. said Mr. M. was very much interested in marrying her. She said she "could not make up her mind as to whether she wanted to continue to receive public assistance for the children or depend upon Mr. M. for the support of them. I told her that it seemed as if she would prefer to have her independence and choose to be supported by a husband rather than by an agency. She agreed with me but said that as long as she had received assistance she had gotten used to the idea and thought

of it as something on which she could depend." The case was closed March 1956. On October 23, 1957, Miss C. reapplied. Reference is made to form No. 25 for details but this form was not found in the record. When the worker talked with Miss C. about her relationship with Mr. M. she hesitated before answering. In the meantime Patricia said that Mr. M. has been to visit and he used to live with them at the present apartment. Miss C. told Patricia to close her mouth because I was talking to her.

Miss C. then told me that Mr. M. has been to visit but did not remain overnight. She said she was not going to let him live in her home again. Referral had been made to investigation service by Intake on October 24, 1957, to establish whether Mr. M. was living in or frequenting the home. On November 27, 1957, investigation service reported not finding Mr. M. On one of the three visits, Miss C. had gone to a movie. On December 23, 1957, investigation service reported Miss C. was not at home when a visit was made on December 13, 1957, at 10 p.m. On November 19, 1957, it was decided that since Mr. M. was not found in the home, assistance would be authorized. The references in the record to investigation service reports indicate only that Mr. M. was not found there. There is no mention of Miss C.'s absences from the home. The last entry in the record dated November 21, 1958, says that Miss C. has told the worker she has given up her relationship with Mr. M., and the agency's policy was emphasized again.

At the time of Miss C.'s last application for assistance, no mention is made of her youngest child, Nathaniel, born August 2, 1956, except that his name appears on the form No. 108 and he is mentioned in the October 24, 1957, referral to investigation service. In an entry dated October 1, 1958, Miss C. said she was keeping four of her brother's children. Miss C.'s situation when her application was accepted in October 1957 seemed no different from the situation when her case was closed in 1956. The three reports concerning the young pregnant girls in Miss C.'s home were apparently unquestioned and no referral was made to the Woman's Bureau to see what was going on in this home. Assistance was authorized and has continued without any effort to communicate with Mr. M.

REFERRAL NOT INDICATED—MOTHER SEEMS TO BE EMPLOYABLE—ELIGIBILITY QUESTIONED

Case No. 32

Mrs. H. has made seven applications and has received assistance continuously since 1950. In 1943 Mrs. H. said her husband had deserted. The case was closed after a neighbor reported that Mr. H. had been in the home all the time and was employed. The neighbor complained of the family's unclean habits and drunken behavior, saying "When the relief checks come the entire family became intoxicated." In 1947 and 1948 complaints were received regarding the care of the children, drinking, sale of "smoke," Mr. H's. employment and the need for a careful investigation. In 1948 referral was made to protective services and the case was closed. In June 1950 CWD referred Mrs. H. because her three daughters, born 1937, 1940, and 1942, were to be returned to her. In 1952 a complaint was received as to Mrs. H.'s drinking and failure to buy food for the children. When the worker visited, Mrs. H. was found "dead drunk." The record refers to many discussions as to employment, beginning in 1954. In 1955 she was to be given 3 months in which to find work and held to this. In March 1956 she was again given 3 months in which to find work, and in June 1956, the record says assistance was to be discontinued as of July 1, 1956. When nothing was heard from Mrs. H., a home visit was made and it was learned she had been sick. The last medical report for Mrs. H. is dated August 11, 1956. No prognosis was given, the disability could be corrected or reduced and it is suggested that we inquire in 3 months as to when she will be able to work.

In 1957 there were only two daughters in the home, B. and G. B. had a baby by a 19-year-old and G. was said to have a heart condition.

An entry dated May 1957, page 77, reads: "Mrs. H., 43 years old, is small, youthful appearing, and very neat. She is now employable and was actually seeking work when Gladys' illness became known. Now Gladys has to have long periods of bed rest and Mrs. H. feels she is needed in the home to care for her child." The last recorded entry is dated December 18, 1957—"Mrs. H. said she is in fairly good health herself and that she has been discharged from the clinic. She said further she has not sought any employment because of her need to care for Gladys." No medical information was found in relation to Gladys' illness.

CHILD CARE PLAN SHOULD BE AVAILABLE

Case No. 52

Mrs. O. applied for assistance September 27, 1955, saying she had no child care plan for her 6-month-old baby and was therefore, unemployable. She gave up her job at Mack's Waffle Shop because of pregnancy and had been collecting unemployment compensation benefits of $19 a week. Her brother and his wife and her father lived at the same address. Many other relatives were listed in the District of Columbia. She said the father of her child, Lester K., works at the Washington Post and that there is no continuing relationship. Intake explained the need for her to get Mr. K.'s address and for the agency to talk with him. On October 7, 1955, she gave Mr. K.'s home address. She said she would ask him to come to the office on October 12, 1955. Apparently he did not keep this appointment because the application was terminated on November 14, 1955. Mrs. O. reapplied October 22, 1956, for herself and two children. She said Lester K. was the father of the baby born March 1956. She was living with her father, her brother, his wife, and two children in an apartment described as "spacious."

From the record there would appear to be no reason why Mrs. O. could not have accepted employment and made a child care arrangement. Employment was discussed with her on a number of occasions. On October 22, 1956, she said she would like to work but could not make enough to pay for a child care plan. On four other occasions employment was discusssed. A child care plan seemed to be available either with the sister-in-law or with one of Mr. K.'s relatives, none of whom was contacted.

CASE SHOULD BE REREFERRED—CHILD CARE PLAN SEEMS TO BE AVAILABLE

Case No. 19

Mrs. F. applied in June 1958 saying she had been separated from Mr. F. for 1 month. On July 2, 1958, referral was made by Intake to determine if Mr. F. had access. An entry on form No. 246 says, "Mrs. F.'s relatives are well known to PAD. See 249." From Form No. 252 it was learned that Mrs. F's. mother receives GPA and three sisters receive ADC. These relatives all live close to her and it would appear they would be available to provide care for the children. Employment was discussed but Mrs. F. gave a number of excuses for not working. On August 27, 1958, Mr. K. was found in the home. He said, "he believes neighbors refer to him as Mrs. F.'s husband because Mr. F. sometimes visits Mrs. F. to see the children." On June 26, 1958, referral was made to investigation service to determine access of Mr. F. or any man. On July 10, 1958, investigation service reported Mrs. F. was not at the address given. Another referral was made on July 14, 1958, giving the new address. This address was also found to be incorrect and investigation service closed its case in September 1958. Rereferral was made on October 27, 1958, to determine access. This referral was made after the social worker had found a man in the home. On December 8, 1958, investigation service reported an accurate check could not be made because of the locked front door. Investigation service also reported that Mrs. F. appeared to be pregnant. A rereferral should have been made to determine access.

EXAMPLE OF CASE REFERRED FOR LOCATION—SHOULD BE REFERRED FOR ACCESS

Case No. 69

The "retired" record could not be found for reading. According to the information on form No. 246, Mrs. W. applied December 1949 because her "husband had been incarcerated for cutting." The case was closed after his release. She reapplied in August 1950 because Mr. W. was "again in jail for fighting her." The case was closed when he returned to the home. Her next application was September 26, 1952. She said she was separated and living with a Mr. Thomas M. and had just given birth to his child. The application was terminated when Mr. W. was interviewed and agreed to support. She reapplied in October 1957 saying she had been employed since 1953 but had to give up her employment to look after her children. The case was closed in September 1958 when it was learned she had given birth to another child and had work. She reapplied November 25, 1958, saying she had to give up her job because her earnings were insufficient and she was no longer intimate with the baby's father. According to the entry on form No. 247, Family Group Sheet, Mrs. W. has eight children; three with relatives out of the home and five with her. Mr. W. is the father of two children; Mr. M., who is now in Lorton, is the father of two and Mr. John K., with whom she is no longer intimate, is the father of the youngest child.

Referral was made to investigation service in November 1957 to locate Mr. W. On December 9, 1957, investigation service reported that Mr. W. was located. On December 15, 1958, re-referral was made to locate Mr. W. Form No. 122, prepared by caseworker No. 152, says: "Case closed. Request to locate Mr. K. withdrawn by previous worker because Mr. K. agreed to support voluntarily and and signed form No. 57 on December 20, 1958." This entry is confusing because there was no referral to investigation service to locate Mr. K. Referral should have been made to determine access.

CASES WHICH SHOULD HAVE BEEN REFERRED BECAUSE OF BEHAVIOR

Case No. 27

Miss G. was 33 years old when she applied for assistance in September 1956. She had received a disciplinary discharge from D.C. General Hospital, T.B. ward, because she failed to return after Labor Day weekend. She was approved for ATD in October 1956. She lived in what has been described by a member of the Woman's Bureau as the "red light district." Her residence was established by taverns and bars. On March 17, 1958, notice was received from R. and F. that Miss G. had given birth to an infant on March 8, 1958. It was at this point that referral should have been made to investigation service to determine access. On April 8, 1958, the Woman's Bureau record was read. Their case opened in 1936 when eight children of Miss G.'s mother were removed after the fatal shooting of the husband. The mother was acquitted after relating a story of abject poverty and abuse. There were many other contacts with Miss G.'s mother regarding neglect of the children and disorderly conduct. Miss G.'s adult record at Woman's Bureau began in 1948. There were

12 arrests for drunken and disorderly conduct and one for assault. Miss G. and her sister were involved with men and alcohol from a very early age. The brother's children were committed to DPW and his daughter accused him of attempted incest.

CASE SHOULD HAVE BEEN REFERRED BECAUSE OF COMPLAINTS AND BEHAVIOR

Case No. 18

On October 15, 1958, Mrs. D. applied for assistance, saying she had to stop work because her husband has stopped supporting. She also said she was needed in the home to care for her mother. In 1954 the family moved to Mr. D's. home in Cleveland. She remained there, except for visits to her mother, until October 1957 when she came back to be with her mother who was ill. She planned to return to her husband but he did not send enough money at any one time for her to make the trip. She said she had learned from friends in Cleveland that he had been "running around with another woman." She does not want to return to him. On November 17, 1958, a letter was written to the DPW in Cleveland. That agency replied on December 4, 1958. Mr. D. told the agency he tried to furnish a home for Mrs. D. and the children in Cleveland but she kept "running back home to see her relatives all the time," which was expensive. He said he had written to Mrs. D. telling her he felt they should get a divorce. One December 4, 1958 a letter was received from Mr. D. He said he and his wife were forced into marriage by someone much older than they. He thought he would fall in love with his wife but she made it impossible by not conducting herself as a wife should. She was unclean about her person and she "went out at night and came back drunk with the baby in her arms." While Mr. D. was hospitalized she went out with other men. When he tried to talk with her she would "get mad and pack her clothes and leave me." He told of trying unsuccessfully to get his wife to come back to him. He said he was "fed up with her" and could not "stand any more." He said he would like to send money for his children to the agency instead of Mrs. D. He enclosed a letter written to him concerning Mrs. D. who was "running wild" and "running crazy." She was described as staying away from her children all night and coming home drunk. She is also described as "about to run her mother crazy." She was said to have gone to Atlantic City with a man for a weekend. The money Mr. D. sent was not spent on the children. It was suggested that Mr. D. come and see for himself on Friday nights about 10 or 10:30. Mr. D. requested an answer to his letter but there is no copy of a reply in the record.

No referral was made to investigation service. There is no verification of age or relationship for the younger child, Don. Form No. 248, living arrangements, says that Mrs. D. is living with her mother rent free. In the record there is a rent receipt for $55 in Mrs. D.'s name dated February 3, 1959.

CASE SHOULD BE REFERRED BECAUSE OF BEHAVIOR

Case No. 73 and case No. 74

Mrs. Y. had received assistance intermittently since 1934 and continuously since 1950. Prior to 1934 she was assisted by the Associated Charities. Mrs. Y. seemed always to live beyond her income and there were two instances of overpayment; one in 1953 and one in 1956. Mrs. Y. moved constantly without advising the agency. It was usually learned that she moved only when a home visit was made or when checks were returned. In May 1956, there was discussion of employment. In the worker's opinion, there were enough adults in the home so that a plan could be worked out whereby Mrs. Y. would not need assistance. As Mrs. Y.'s three daughters entered their teens each became pregnant. The case of one daughter, V., is also part of caseload No. 152. According to form No. 257, the mother, two children, and a brother are all receiving assistance. Mrs. Y. is said to take the pregnancy of her daughters casually. According to an entry dated September 27, 1957, when she learned another daughter, P., was pregnant, Mrs. Y. was "not aware nor upset." She said she expected this daughter's marital relations with the father, who is still in school, to continue. The daughter, V., case No. 74, was 20 years old when she applied for assistance in March 1957. There are two references, March 26, 1957 and February 24, 1958, of referral to investigation service to locate Mr. B., the father of Miss Y.'s youngest child. Investigation service has no record of the referral and no copy was found in the record. The reviewer's decision was that little was to be gained by referral to investigation service of the mother's case but that referral should have been made in the daughter's case because of behavior and to locate the fathers of her children, even though the daughter had made no effort to do so.

REFERRAL SHOULD BE MADE ON BASIS OF BEHAVIOR

Case No. 33

When Mrs. H. applied in June 1954 she said Charles L. did not support his 3-month-old child and was awaiting grand jury action on a narcotics charge. She said she had three children by her husband, who had deserted her in Texas. This was found later to be untrue. These three children are in Alabama with her mother who is also keeping Mrs. H.'s 19-month-old child by Mr. L. Mrs. H. said the whole family was moving to the District of Columbia soon, which they did. The application was terminated because Mrs. H.'s needs were being met by her brother. She reapplied in September 1954 for herself and five children. She said Mr. H. had deserted in Alabama 3 years ago and Mr. L. was in prison on a narcotics charge. On October 6, 1954, she said she met Mr. L. when he was in the Armed Forces in Alabama and did not know he was married until she came to the District of Columbia. An entry dated April 7, 1955, says Mr. L.'s wife, Sylvia, is receiving aid to dependent children, case No. 518-332.0.

On August 19, 1955, a letter was received from the department of public welfare in Athens, Tex., enclosing a letter Mrs. H. had written to Mr. H.'s mother. (In an interview, April 7, 1955, Mrs. H. had said Mr. H.'s mother was dead.) In the letter to Mr. H.'s mother, Mrs. H. explained the "lies" she had told the agency in order to get assistance. On February 14, 1958, Mrs. H. bitterly attacked the agency because she was not able to have boy friends and because of the lack of privacy. In May 1958 a portable phonograph was seen which Mrs. H. said was a gift and she said an uncle wished to provide a telephone and a television.

REFERRAL SHOULD BE MADE ON BASIS OF BEHAVIOR

Case No. 23

Miss G. has received assistance continuously since 1948. When she applied in May 1948 she had one child and was pregnant. She now has seven children. She said she was not married to Mr. G. but had lived with him since 1945. She applied because he was ill. He was admitted to Glenn Dale in 1950 and died in March 1951.

On February 5, 1951, a new baby was seen. Miss G. said she had not reported this because the father of the baby was taking care of it. The worker asked Miss G. to have the father of the baby come to the office to discuss his intentions to support her and the baby. This was not done and the case was closed. However, the check was continued in error. In June 1951 Miss G. said that Comer B. was the father of the child. On May 20, 1952, there was a telephone conversation with Mr. B. who said he was temporarily unemployed. He gave his address and said that he was giving Miss G. $4 a week.

On July 9, 1952, the birth of a new baby by Mr. B. was discussed. She said, "Oh, yes. I did not think you would hold my check, the children need food." The worker reminded her that in an interview on May 20, 1952, she had denied pregnancy. Miss G.'s reply was, "We all tell little white lies once in a while."

March 15, 1954: Miss G. is again pregnant by Mr. B., who came to the office and said that he lives with his wife and five children.

NOTE.—Mr. B. has a long police record dating back to 1927 when he gave his age as 20.

On July 5, 1954, Miss G. gave birth to her third child by Mr. B. In September 1956 Miss G. was again pregnant and was reminded that she had said she had not seen or heard from Mr. B. Meanwhile, Mr. B. has been incarcerated several times. In December 1956 she was told that when Mr. B. was released she would receive no further assistance and that he would be expected to assume support for the entire family. An entry dated February 25, 1957, says that Mr. B. was released and she was told her case would be closed. On April 8, 1957, Mr. B. was held for murder and page 39 of the record says that he is in St. Elizabeths.

Referral was made to investigation service in 1955, 1956 and 1957 to locate Mr. B. The 1957 referral was withdrawn after Mr. B.'s arrest for murder.

In view of Miss G's. past record and behavior, referral should be made to investigation service to determine access.

CASE SHOULD BE REFERRED—NO EFFORT MADE BY MOTHER TO LOCATE FATHER—CHILD CARE PLAN SEEMS TO BE AVAILABLE—ELIGIBILITY NOT CLEARLY ESTABLISHED—ASSISTANCE GRANTED ON A TEMPORARY BASIS, BUT CONTINUED

Case No. 64

Mrs. S. applied for assistance on July 1, 1953. She said she had to stop work due to pregnancy and requested only temporary assistance. She said Mr. S. deserted 6 weeks ago. She said she thought he was in Brooklyn working as a saxophone player. On July 6, 1953, Mrs. S. telephoned to say that her husband had returned home and the application was terminated. On April 9, 1954, Mrs. S. reapplied saying she was pregnant and her husband was in jail for selling narcotics. She said she has been selling insurance and hoped to make this her career. On April 16, 1954, she said she was living in the home with her mother and aunt and that the aunt is willing to provide shelter for her. On May 4, 1954, the aunt verified that she is willing for Mrs. S. to remain in the home rent free. On April 21, 1955, Mrs. S. said she is no longer interested in selling insurance. "It seemed very hard for Mrs. S. to accept the fact that a mother takes over part of the support whenever possible if the husband is not available. I pointed out to Mrs. S. that when she applied for assistance she merely asked for assistance until her baby was born." She said she planned to live with Mr. S. when he was released. On November 17, 1955, the worker pointed out that Mrs. S. did not appear to have done very much about securing employment and wondered if she really wants to work. When the worker visited on April 16, 1956, she noted that Mrs. S. and the children were still in bed when the worker arrived at 10 a.m. Mrs. S. said they never get up before 10 in the morning because they are up late at night and the children take naps. On September 25, 1956, Mrs. S's. mother-in-law came to the office to say that the agency should be interested in knowing how Mrs. S. has been using the money she receives from the agency. She wanted to tell this some time ago but felt that Mrs. S. would improve. Since Mrs. S. has done noth-

ing to try to do better she felt it was her place to notify the agency so that an investigation could be made. She told of Mrs. S. going with a Louis P. and remaining with him for as long as 3 or 4 days. Mr. P. is a musician and does not get off from work until early in the morning.

At 2 or 3 a.m. Mrs. S. goes to his home. The children are left with Mrs. S's. mother who cannot properly care for them because of her paralytic condition. She said she "just could not stand it any longer with her son coming home from prison to someone like Mrs. S." Mrs. S. misuses the money she receives from the agency. She said that Mrs. S. had been working for her as an agent during the summer selling merchandise. She believes Mrs. S. is a callgirl at a house on T Street, across from the Howard Theater and is of the opinion that Mrs. S. uses dope. At times she has smelled whisky on Mrs. S's. breath. She said Mrs. S. manages to get back home about the time she thinks the worker will visit. Mrs. S.'s check was held and on October 5, 1956, a visit was made and there was a long discussion with Mrs. S. The worker told her of reports she stays with a boy friend for 2 or 3 days. Mrs. S. "wondered just why she could not have a boy friend when her husband has been in prison for almost 3 years. Any woman would want a man." She admitted having a boy friend but refused to give his name. She refused to discuss the matter of whether she goes to her boy friend's for 2 or 3 days at a time. When asked about frequently going to the T Street address, she jumped up and screamed that a lie had been told.

On October 11, 1956, the Woman's Bureau telephoned. The Woman's Bureau felt there was something wrong in this situation. Mrs. S.'s mother admitted that Mrs. S. drinks and stays away from home two or three nights at a time. The worker explained to Mrs. S. that assistance would be discontinued because she was not willing to give information nor to have a further investigation made. After the worker explained to Mrs. S. that assistance would be discontinued, she notes that the case was discussed with the supervisor and it was decided that the case should not be closed at this time but that a letter should be written giving her an office appointment. On October 16, 1956, Mrs. S. was interviewed by the supervisor and had decided after discussion with her mother and her aunt that "she would not go through with receiving public assistance." The supervisor pointed out the need for the investigation of all resources. Mrs. S. said her husband would be released about January 25, 1957, and she felt she would be able to support the two children from her employment until that time. On April 4, 1958, Mrs. S. reapplied for assistance. She had given birth to a child on March 20, 1958, and was unable to work. She is still living with her aunt, her mother and three cousins. She said Mr. S. had deserted in February 1957 after she had asked him to leave her mother's home. She said Rudy W. was the father of her last baby. Mr. W. is a musician who travels and did not know of her pregnancy. The baby is now with a family who wants to adopt him. Mrs. S. was told that referral would be made to investigation service to locate her husband. Referral was made to investigation service April 11, 1958, by the Intake worker to locate Mr. S. and to determine access. On July 17, 1958, investigation service reported no man was found present in the home after several visits.

An entry dated May 22, 1958, said that the shelter costs were prorated although the aunt had said on several occasions she would not charge any rent. There is no record of any recent discussion with the aunt. The ADC policy concerning access to the home was discussed. Mrs. S. said she had "done a great deal of growing up in the past year."

CASE SHOULD BE REFERRED—MAN LOCATED—NO ACTION TAKEN—NO EFFORT MADE BY MOTHER TO LOCATE FATHERS—CHILD CARE PLAN SHOULD BE AVAILABLE—ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 38

Miss J's. applications for assistance in 1948 and 1949 were terminated because she was employed or employable. When she reapplied May 25, 1950, she said she was pregnant and could not continue to work. She was told that no assistance could be authorized until she made efforts to locate the father of her unborn child. The application was terminated. She reapplied in December 1950. She gave the last name and address of the man responsible for her last pregnancy. She said she had lived with Frank S. Miss J. was told by Intake that we would need to see the fathers of her children before assistance could be continued. The case was closed in May 1951 after the landlord reported that a man had helped Miss J. move and her address was unknown. Miss J. reapplied July 23, 1951. She was told by Intake it would be necssary for the agency to see Mr. M., the father of her older child; Mr. T., the father of her younger child, and Mr. S. with whom she had been living. The application was terminated in August. On August 28, 1951, she applied again. She said she could not bring the two fathers to the office. No mention was made of Mr. S. at this time and he is not mentioned again in the record. After conference with the supervisor, it was decided Miss J. had made efforts to locate the fathers and a grant was authorized. In April 1952, when Miss J. inquired about renting an apartment, she asked about the privilege of entertaining men. Also in April 1952, child care arrangements were discussed and Miss J. said she preferred to remain on assistance. The record shows that child care plans and employment were discussed in May 1953 and June 1954. At the time of the June 23, 1954 visit, the worker noted that Miss J. was just getting up at the time of the visit which was at 1 p.m. On July 30, 1954, a report was received that Miss J. and the children were being supported by Mr. G., "who gives her everything she wants." In August 1954 this report was discussed with Miss J. and the need to have Mr. G. come to the office. "Miss J. said she was not going to do this because she did not want to have anything to do with him and if we wanted to withhold assistance, that would be all right with her." She came in later "to tell me she had done all she intended to do and wanted her check for September 1954." Under date of August 24, 1954, the following entry is made: "G.G. in office, said they are no longer friends but she has another man. Knows where father of both children are."

On September 27, 1954, Miss J. brought Mr. G. to the office. He said he had known Miss J. only a short while. "He stated that he met her one day while sitting in the park and that she told him of her plight and he felt sorry for her and loaned her $20. * * * He emphatically stated that he was not her boy friend and had nothing at all to do with Miss J." There was no reference in this interview to Mr. G's. statement on August 24 that Miss J. "has another man." On December 16, 1954, employment was discussed and the worker explained that assistance was being put on a temporary basis so that she could put forth efforts to locate work and locate the fathers of her children. On June 23, 1955, it was noted that Miss J. appeared to be pregnant. She denied this. There was also discussion regarding Mr. M. and Mr. T., the fathers of Miss J's. two children. She said she did not know where they were. The worker also noticed a comparatively new 21-inch television. Miss J. said this had been purchased by her sister-in-law's husband. "Miss J. became very upset. She stated that if she had to secure all that information concerning the television she did not see any need of going on accepting assistance. She stated that public assistance has been worrying her about different things for the past 4 years and she was tired of them 'heckling' about everything. She further stated that there was no need to drill on her about the television. She was not going to make any effort to secure any information concerning the television. * * * Miss J. explained that she was not coming to the office to bring information or to do anything further. We could withdraw aid. She did not know how she would manage but she was just tired of being worried to death by PAD." The worker explained that Miss J. would be given until July 15, 1955, to bring in information concerning the fathers of her children and the television. Miss J. said we could set any date we desired, she was not coming to the office and she wanted assistance discontinued. It was recommended that assistance be discontinued but it would appear that the case was not closed. During July 1955 Miss J. was in the office several times to discuss her continued eligibility for assistance. In August the case was closed because Miss J. refused to comply with the agency's policy concerning the television, to clarify her present living arrangements, and to have the fathers of the children visit the office concerning plans for the care and support of the children.

Six other reapplications were terminated during 1956 and 1958. On November 10, 1958, Miss J. made her 13th application for assistance. She said that she was physically unable to work more than 1 day a week. She had been meeting her needs mainly through her paramour, Charles A. An entry on Form No. 258, "Deprivation of Parental Support—ADC," says that Mr. M.'s address is unknown. She said that Earnest T. is under court order to pay $6 a week. His address is also unknown. She said both men are married. On form No. 252, Charles A. is listed as a paramour, address unknown. Miss J. was referred to D.C. General Hospital November 10, 1958, but there is no medical information in the record. Miss J. said that Mr. A. was a "shellshocked drunkard." She said she did not know how to begin looking for him and was afraid to continue any association with him. Emergency assistance was authorized and referral to information service made by Intake to locate Mr. T. and to determine if any man has access to the home. On January 8, 1959 investigation service located Mr. T. in the District of Columbia. Investigation service report of February 5, 1959 was not found in the case record. In this report no man was found in the home but the circumstances were suspicious and re-referral was suggested.

The agency's requirements to which Miss J. had been held at the time of her previous 12 applications were disregarded and the emergency assistance was authorized. The review date was set for October 31, 1959. In the recorded interview December 17, 1958, the reviewer sensed that Miss J. was "settling down on assistance." Nothing was required of her and "she said she was glad that she was able to establish eligibility for assistance again, and believed things would be better for her and the children from now on. She added that she believed that she could keep her eligibility clear by cooperating with agency and maintaining a satisfactory home for her children.

NO EFFORT MADE BY MOTHER TO LOCATE FATHERS—CHILD CARE PLAN SEEMED AVAILABLE—SHOULD BE REFERRED TO DETERMINE ACCESS—ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 12, case No. 13

Miss J. D. and Miss E. D. are sisters, both receiving assistance. Their mother is also

receiving assistance. The three assistance payments for March 1959 totaled $517. The mother's case is not a part of caseload No. 152 and was not read. The CWD record on Miss J. D. was read.

Miss J. D., age 19 applied in May 1957. She had one child, was pregnant and lived with her parents who were receiving ADC. The need to talk with the fathers of her children was explained. She failed to provide information and the application was terminated. She reapplied in November 1957. Her sister, E., was receiving assistance for her four children and Miss D. said the mother wanted the daughters to move away. No discussion regarding need to talk with the fathers is recorded. Assistance was authorized. In January 1958 the J.C. reported a finding of "not guilty" because Miss D's. testimony indicated a pattern of promisculty. She admitted relations with two men prior to and during both pregnancies.

In February 1958 assistance was continued on a temporary basis while Miss D. looked for work. She seemed to make no effort to find employment and the case was closed in June 1958, since both her mother and sister were in the home. She reapplied in December 1958, saying her mother was planning to go to work and her sister had moved away. An EA grant was authorized, and no discussion recorded as to need to talk with fathers. No address was shown on the application form and no information found as to living arrangements. The findings of the reviewer was that referral to investigation service did not appear to be indicated at this time since Miss D. had not been required to make any effort to locate the fathers and since it would seem that either the mother or the sister receiving assistance could be expected to care for the children while Miss D. worked.

The CWD record, No. T15673, was read. Miss D. was committed in 1954 for "revoke of probation". She was placed on probation following a period of truancy. She was disorderly and belligerent in school. The case was in court in November 1955. Miss D. was disorderly in a grill and had been drinking and cursing. She ran away from B. P. in April 1954 and was "lost to the agency until October 1955". She said when she ran away she had been "right at home". (Presumably in the home of her mother receiving ADC). The CWD record made no mention of the mother receiving assistance. The CWD record mentions a Mr. O. Miss D. said she she had known him for a long time and stayed frequently with him at his address. She said he visited her in her home most of the time and she would probably continue going with him. CWD decided J. should return to her home. In August 1956 there was another complaint of drunk and disorderly at 2:30 a.m.

Miss E. D. applied for assistance in June 1955. (She was not yet 19. She had two children. When the record was read in March 1959 she had 4 children and was pregnant.) The children were with relatives. The application was terminated and she was advised to look for work. "The applicant seemed to resent such a suggestion and said she had never worked." She applied again in December 1955 saying she was pregnant by Mr. S., the father of her two children. Mr. S. was incarcerated. The application was terminated since he was to be released in about 2 weeks. She reapplied in May 1957 for herself and 4 children. The father of all the children, Mr. S., was in prison for nonsupport. "Mrs. S. is aware of Mr. S.'s family by Miss D. and both mothers are applying for ADC at this time. Miss D. said Mr. S. keeps regularly employed but finds it impossible to support two growing families. Miss D. seems to be competing with Mrs. S. and wants to believe he will divorce his wife and marry her. She refers to him as her husband and did not deny that their relationship will be resumed upon his release." She said her relationship with Mr. S. began when she was 14 and he was 18. Mr. S. was already married, but made repeated promises to get a divorce and marry her. Miss D. said her life at home had not been good.

In addition she said, "Mrs. D. was so preoccupied with her own love affairs that they had to make their own decisions and grow up as best they could." It was decided in conference with the supervisor and district supervisor "that putting another grant into the D.'s household would not help our applicant." Mr. S. was to be released soon and it was felt that Miss D. should seek employment, and try to acquire some skill. Before the case was closed in June 1957 "Miss D. talked with me at some length about how she perhaps would not find herself in the predicament if she had had the benefit of some guidance. She was not bitter toward her mother but said that her mother had not had the benefit of guidance, either, since her family had begun when she was 14 years old." Miss D. reapplied December 23, 1957. She said she wanted to move out of her mother's home. She said she no longer sees Mr. S. She is pregnant by Mr. R., who came to the office and gave his employer and address. He agreed to support "their children voluntarily." He plans to reunite with his legal family. In view of Miss D.'s past behavior, referral to investigation service should have been made to determine access. Mr. S. was never seen.

CASE SHOULD BE REFERRED—HUSBAND'S ADDRESS KNOWN BUT NO ACTION TAKEN; NO EFFORTS BY MOTHER TO LOCATE THE FATHER; ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 14

At the time of Mrs. D.'s first application October 20, 1954, she had three children and was pregnant. She asked assistance to supplement the court order of $10 a week from her husband. She said that the nurse in the clinic suggested she apply for ADC and stay in the home with her children. She was employed and decided that she would be better off to continue work and find someone to care for her children. She moved, leaving no address, and the application was terminated due to loss of contact. She reapplied in July 1957, saying that her husband had been out of the home for 5 months. The aunt, in whose home she lives, has helped her. She received $2,000 from her father's estate and said she put $800 down on a home. Her husband did not pay the notes on the property but paid on a car instead. She had also been doing some work. On July 19, 1957, Mrs. D. said that Mr. D. was actually her common law husband. He lived with her for 10 years until February 1957 when he left the family. She gave the name of his employer. "She said that she was at her wits' end, that she has tried everything, she has tried to have something, to own a piece of property, to make a future for her children and her husband had just seemed to do everything he could possibly do to destroy all the good that has come out of her efforts." She has made up her mind that he cannot return to the home. He likes to run around and show off and take no responsibility.

On July 29, 1957, when the worker visited the home, Mr. D. was there. He said he was not aware of his wife's application for assistance or that the family had been threatened with eviction. When Mrs. D. had made her application she said he had deserted the family in February 1957 and she did not know where he lived. Mrs. D.'s aunt, Mrs. E., was also present during the interview and she and Mr. D. "hurled accusations at each other." Mrs. D. had made a down payment on the home from an inheritance left by her father. The aunt and uncle moved in supposedly on a temporary basis. They were supposed to share shelter expenses, but Mr. E. was out of work. Mr. D. grew tired of supporting the E. family. After the foreclosure, the house was rented to the E.'s and Mrs. E. told Mr. D. to get out. He left the home in April 1957 and asked Mrs. D. and the children to come with him to a house he had rented. She refused to move with him because she said she thought he might have another woman living there. He said he visits the home three or four times a week, makes repairs, cuts the boys' hair. Mrs. D. spent the night with him in his rooms one night the previous week. He said he was trying to get Mrs. D. away from her relatives. He has brought food each week. He said Mrs. D. had told him he was too old for her. Mrs. D. said she thought she should stay with her aunt so that she could care for the children while Mrs. D. worked. Mr. D. wanted to rent an apartment for the family. On July 31, 1957, Mr. D. said that Mrs. D. had decided to remain in the aunt's home so that she could work and Mrs. E. could look after the children. He thinks Mrs. D. may be interested in a younger man she has permitted to come there. He thinks someone has told Mrs. D. that she could work, obtain support from him and also receive assistance. The application was terminated in August 1957. Mr. D. was to continue to provide food, clothing and incidentals for the family and a share of the shelter expenses. On January 21, 1958, the aunt's employer telephoned to say that Mr. D. had deserted. On February 20, 1958, Mrs. D. reapplied. She said that Mr. D. separated from the family and was not supporting except for occasional small amounts of food. They were evicted and forced to move with Mrs. E. Emergency assistance was authorized "due to emergency need" and the Intake worker noted on form No. 246 that Mr. D.'s absence was to be confirmed through investigation service and that Mr. D. was to be seen regarding support. An undated entry on form No. 246 reads: "Interview with Mr. D. established that absence did not exist. Family was split by eviction. Mr. D. supporting family to the best of his ability. Mrs. D. never able to come in with Mr. D. but admits that Mr. D. not absent at first but does not want him now." Mrs. D. refused her husband's offer of a home. The case was recommended for closing under code 8—"Originally ineligible under State plan."

On May 26, 1958 CWD referred Mrs. D. and the children. The referral states that Mr. D. had deserted in February 1958 and that Mrs. D. and the children were sheltered temporarily by Mrs. E. The referral said that Mr. D's whereabouts were unknown and she did not intend to resume her common law relationship with him. Mrs. D. impressed CWD as a mother who is sincerely interested in her children, who are in Junior Village. On June 9, 1958, Mrs. D. reapplied saying she wanted to re-establish a home for the children. She is working but said she would need to stop work and stay home with the children. She said she would not consider going back with Mr. D. Mrs. D. was told that the agency can assist her when she has a place large enough to accommodate the family. After a conference with CWD on August 12, 1958 emergency assistance was authorized. The following entry is made on form No. 246, "Deprivation of parental support exist because of continued absence. Mr. D., common law husband of Mrs. D and father of all children denied paternity at J.C. on June 23, 1958 and case was referred to Corporation Counsel. See form No. 241. Hearing to be held on August 14, 1958." An entry on form No. 259 reads in part as follows: "Contacts we have had with the father gives picture of sincere intent and acknowledgment of responsibility * * * Was seen in PAD on February 25 after Mrs. D. received EA. He contends children need and want him. He says neglect of children, if any, due to mother's unconcern and desire for immorality."

Although Mrs. D's. statements were found to be untrue on two previous applications, emergency assistance was again authorized and no attempt made to talk with Mr. D. Mrs. D's. grant of $203 continues with a review date set for June 30, 1959. There is no dictation by the present worker and no report on the J.C. hearing set for August 14, 1958. This case was accepted without any attempt to talk with Mr. D., whose address is known and his previous statements concerning support and interest in the children were known. Since the case was accepted, policy requires referral to investigation service. No referral was made.

CASE SHOULD BE REREFERRED—ELIGIBILITY NOT CLEARLY ESTABLISHED, FATHER NOT SEEN ALTHOUGH ADDRESS KNOWN, NO EFFORT MADE BY MOTHER TO HAVE FATHER COME TO OFFICE

Case No. 26

Miss H. was 23 years old when she applied in May 1955 for herself and four children. She said that the children's father, Mr. D., with whom she had been living had left the home. Miss H. knew where he was working and in view of his availability and employability, the application was terminated. She reapplied again in May 1955. She said she could not find Mr. D. and then later said she thought she could find him. This application was terminated due to failure to obtain support. In July 1955 she came in again to apply for ADC. She was pregnant and said that Mr. D. was not the father of the expected child. This application was terminated because of failure to obtain support from the father of the children. She reapplied in September 1955. The two oldest children were in Junior Village. She named Frank H. as the father of her unborn child. She said she sees him twice a week but has no marital relations with him, because he said he would not be responsible for anyone in her present condition. The location of Mr. D. was explained as a condition of eligibility. Mr. H. was seen. He has a wife and three children and was planning to live again with his wife. He said he had not been intimate with Miss H. since September 1955. He confirmed her statements that their intimacies always took place at his home. He was undecided as to continuing his relationship with Miss H. and said he would let the worker know on October 10 what he planned to do about this. On October 21, 1955, Miss H. told a weird story about not knowing who the father of her second child was because she had "a few drinks" and had been dragged into an alley by five men, all of whom were intimate with her. On October 27, 1955, the worker read the woman's bureau record. Miss H. was known to them for drunk and disorderly conduct and was brought in five times from 1953 to 1955. On November 4, 1955, Mr. H. came to the office and said he planned to live with his wife in North Carolina. On December 6, 1955, a visit was made to Mrs. C., who said Miss H. is her adopted daughter. Mrs. C. said that when Miss H. was young she refused to mind and was placed in a home. "Since she has been discharged from the home she has been having children regularly." Mrs. C's. son sees Mr. D. every day. On December 8, 1955, a visit was made to the home of Mrs. C's. son. "He said he did not think Miss H. could ever be a good mother and that whether she got on the welfare or not would not make any difference in her behavior because she likes to live around from hand to mouth and have babies." It seemed to him that Miss H. did not want to work. He thought the children are better off away from Miss H. On December 8, 1955, a conference was held with CWD. "Much discussion went on concerning Miss H.'s behavior as a mother and meeting public assistance requirements. Conclusion: CWD is willing to have the children returned to the home with supervision from their agency provided public assistance is granted". On January 11, 1956, Mr. D. was seen in the juvenile court worker's office. He denied paternity of all but two children. "Mr. D. explained that he would love to live with Miss H. again in order that the whole family could be together even though he knows R. and D. are not his children. This makes no difference to him. He stated he could overlook Miss H.'s faults because he really loved Miss H." He said Miss H. had known where he was and has seen him constantly. He visits at least once a week. He said the father of the coming baby "could be anyone because Miss H. was constantly out in the street."

On January 13 and 18, 1956, there were long interviews with Miss H. and Mr. D. It was pointed out that the Agency did not consider them to be separated. Mr. D. tried to live with Miss H. and wanted to accept all the children but she did not act toward him as a wife should and he was not going to live with her. His decision was accepted and a grant authorized. Later it was decided that the assistance payment could not be approved because Miss H. had not demonstrated that she could be a responsible mother. CWD was notified that the grant was not approved as planned. On March 13, 1956, Miss H. was again in office and there was a long discussion regarding her behavior. She admitted that she had left the children on different occasions. She feels she can be a good mother. She said she had left the children to obtain money for food and rent. She had gone to gambling houses because she knew Mr. D. could be found there and she had on occasions tried her own luck. Her drinking began when she became angry with Mr. D. On March 16, 1956 another visit was paid to Mrs. C., Miss H.'s adoptive mother. Miss H. had recently been in her home but she had to ask her to move. She took Miss H. in because of her pregnancy. Miss H. allowed Mr. D. to come there. Miss H. expected Mrs. C. to stay home with the children while she ran the streets. Miss H. left the children twice and did not return until morning. "She doesn't feel that Miss H. will change as long as she hangs with that group of girls on 7th Street, they only want to drink and stay with one man after another for one meal and later end up with children they cannot support."

Mrs. C. doubts that Miss H. really wants her children. She feels that Miss H. should not have her 8-year-old daughter because of the men Miss H. has coming and going in the home. She believes that this child was attacked by a man when she was left alone. She does not believe Miss H. will stay in the home and care for her children properly. She has always had trouble with Miss H. and that is the reason why she had her committed to CWD some time back. She believes if she works she would not have time to run the streets. She has never worked since she has been grown. She merely drags the children from place to place. On March 21, 1956, there was another conference with CWD who believed that Miss H. has never had a chance to see what she could do if she had financial support. On March 23, 1956, the worker and supervisor decided to approve Miss H.'s grant for a 2-week period "with both CWD and PAD watching the situation very closely to determine Miss H.'s adequacy as a parent." This was explained carefully to Miss H. on March 26, 1956. On April 19, 1956 notation is made that the "case is being referred to investigation service so that Miss H.'s home will be under surveillance night and day to determine whether she is following through on the advice given." It was planned with CWD to have Miss H.'s three children returned to the home with close supervision. Assistance was authorized on a "monthly basis because of Miss H.'s promiscuous behavior and evidence of being a weak parent."

In June 1956 the case was transferred to another worker. An entry dated June 8, 1956, refers to a referral to investigation service to locate Mr. D., but the request to investigation service does not mention this. On July 12, 1956, the Woman's Bureau telephoned to say that Miss H. had left the children alone at 2 a.m. Miss H. said she had gone out to find Mr. D. She was told by PAD that another such report would mean referral to CWD. On September 17, 1956, investigation service reported no man seen in home. On October 3, 1956, Mr. D. was in the office. He told of living with Miss H. and of their frequent separations. He said their last separation was because Miss H. would go out "and stay until the wee hours of morning." He said he has tried hard to provide a home and has begged Miss H. to change. He said she drinks excessively. He talked about how much he loved Miss H. On October 4, 1956, worker told Miss H. of the interview with Mr. D. She said she sees him often, as he is fond of the children and comes to see them. He has proved himself to be an irresponsible person who does not care whether the family has food or not when he gambles. "She told the worker a great deal about the underworld, about gambling, homosexuality, and prostitution. She wanted worker to know though that she had no part in any of these but that she had lived in the environment of people who indulged in all of them. She talked about her many incarcerations and what her life had been like inside of Woman's Bureau and jails. She said she knew she had many weaknesses but felt she could work them out herself." On October 15, 1956, the landlady called to complain about the rent and Miss H.'s neglect of the children. On October 23, 1956, the Woman's Bureau called to say that Miss H. was placed in jail, charged with being drunk and disorderly. This information was given to CWD and the children were placed in Junior Village. The case was closed in January 1957. CWD felt that Miss H. was not ready to have the children returned to her. Miss H. reapplied August 14, 1958, having been referred by CWD. An entry on form No. 25–B says Miss H. is employed as a dishwasher at Normandy Farms and will have to give up her employment when the children are returned home. An entry on form No. 246, dated August 21, 1958, says that Miss H. has an infant born February 15, 1958, and that she is again separated from Mr. D. On August 26, 1958, referral was made by intake to investigation service to establish the absence of Mr. D. Miss H. said she has severed her relationship with her undesirable companions and will try to work toward greater responsibility in regard to the care and supervision of her children. Emergency assistance was authorized with the review date set for September 30, 1959. There is no record of any attempt since the last application to talk with Mr. D., whose relationship with Miss H. began in 1945 and has continued. His address is given on form No. 252–A investigation service report dated September 22, 1958 says: "On September 22, 1958, I was advised by Miss Jones, social worker, that we had no authority to investigate this case and that it should not have been referred, as Miss H. is not receiving a grant until October 1, 1958, and that child care arrangements have been arranged and that Miss H.'s children will not be returned to the home until all arrangements have been completed. In view of the above, investigation service is closing the investigation." The entry on form No. 122, dated November 5, 1958, reads: "Request is withdrawn, knew of employment. Children being returned October 1, 1958. New request will be sent for information as to whether any man has

free access to the home." There is no record of re-referral.

CASES REFERRED FOR ONE REASON SHOULD BE REFERRED FOR ANOTHER—NO EFFORT MADE BY MOTHER TO LOCATE FATHERS—ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 61

Mrs. S. was 23 when she applied for assistance in July 1950. (At the time of application she had two children. She has had three other children since that time.) She said she had separated from her husband 6 months ago.

Then she said she and her husband had never lived together since their marriage, "because of his failure to find a place for themselves." She is living with her mother and Mr. S. is living with his mother in the same block of O Street. This has continued since their marriage. Mrs. S. had two children at the time of application, one by Mr. S. and the older one by Samuel B., who had disappeared Mrs. S.'s mother and Mrs. S. and the children could remain in the home without paying shelter costs. The worker talked with Mr. S.'s mother by telephone and she said she did not know where her son was living. On February 8, 1951, Mrs. S. told worker she had given birth to a son on January 4, 1951. The father of the child was Henry D. She said he lives in the home with her mother and has several other children in the neighborhood. The worker talked with him by telephone on January 19, 1951, regarding support he was giving to another ADC recipient for the support of her two children. He buys milk and clothing for his child by Mrs. S. On October 17, 1952, and July 12, 1953, Mr. S. was arrested for violation of ABC regulations. On March 29, 1954, Mrs. S.'s mother telephoned to say she had to give up her home and is living with a friend. On August 11, 1954, Mr. and Mrs. S. were in the office. At first he said he would be willing to live with his family. Mr. S. said he sees his child and Mrs. S. very often and when worker said that Mrs. S. had advised she had not seen him and that she had no idea where he was living, he just looked at her. After Mr. S said he would be willing to go back and live with Mrs. S. she spoke up and said, "You know you have a girl friend and I have a boy friend," and they asked the worker if it would be all right if they talked a little bit alone. So the worker left the booth for a few minutes. After I returned to the booth Mrs. S. said she did not wish to go back to live with her husband. We then advised her that there was very little doubt that we could continue giving her assistance since her husband said he would be willing to live with her. She said her boy friend is Robert H. and that he comes to see her two or three times a week and usually each weekend. Mr. H. called the worker the following day and said in an angry tone that he is not responsible for the support of Mrs. S. and her children and he did not think it was any of our business to inquire as to his circumstances and that he only helps her out when she runs short. Mrs. S. said she expected a job and had found a woman to look after the children. The case was closed. Mrs. S. reapplied November 15, 1954, and November 18, 1954. These applications were terminated because Mrs. S. was employable. The notice of ineligibility, Form No. 12, dated November 15, 1954, contains the following paragraph: "If you should reapply for assistance it would be necessary for us to have some contact from Mr. Robert H. as to his plans for the family, if any, and some effort would have to be made to try to locate and obtain support from Mr. B. and Mr. D."

On August 22, 1958 Mrs. S. reapplied for assistance. She has been working but had to stop "because the children have been sick." She said she planned to return to work when her children are well again. Since her case was closed, two more children have been born. She named Robert H. as the father. Referred to investigator service was made by intake October 22, 1958, to locate Mr. S. and Samuel B. An entry on form No. 258: Deprivation of Parental Support—ADC, says there is no continuing relationship with any of the fathers of her children. She gave Robert H.'s address. She said she had not seen Mr. B. for several years and did not know his whereabouts. She said she has not seen Mr. S. in 3 or 4 years. Mr. D., she said, was under order to pay for the support of his child. According to longhand notes in the record, dated November 4, 1958, she said she did not know where Mr. S. is living except "in the 2000 block of 14th Street NW." She said his child visits him and she will give him a card asking him to telephone for an interview. "As to the other fathers, Mrs. S. claims no knowledge of their whereabouts. Mr. H. is now said to be in N.Y.C." It was noted that on March 29, 1954, Mrs. S.'s mother had said she was forced to give up her home and was living with a friend. However, her address at the time of this application was given as 936 O Street where she had lived with Mr. S. and had been offered rent free.

The referral by intake to investigation service was for the location of Mr. S. and Mr. B. There was no referral for the location of Henry D. Robert H.'s address is given on form No. 258. Referral should have been made to investigation service to determine access. No effort was required by Mrs. S. to have any of the fathers come to the office.

SHOULD HAVE BEEN REFERRED BECAUSE OF DENUNCIATION—TO LOCATE FATHERS, AND TO DETERMINE ACCESS—NO REAL EFFORT BY MOTHER TO LOCATE FATHERS—ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 55

Mrs. R. applied for assistance in April 1948 for herself and two children. There have been four other pregnancies since she has been receiving assistance. She lived with her mother, Amanda Newman, who was receiving GPA. She worked until she became ill and her mother cared for the children. She returned to work and the application was terminated. She applied again in January 1949 because of pregnancy. She said Laddie B., the father of the expected child, has been helping her. He lives with his wife. She gave Mr. R.'s address in Cleveland and said he was contributing through the D.A.'s office. She gave Mr. B.'s Washington address and assistance was authorized with the understanding that she would contact Mr. B. and have him come to the office. The worker talked with Mrs. N., who was identified as Mrs. R.'s grandmother. She described Mrs. R. as irresponsible and unappreciative of the efforts Mrs. N. had made in caring for the children. She described Mr. B. as "no good." The public health nurse said Mrs. N. had "hinted that Mrs. R. was promiscuous." On February 15, 1951, when the worker talked with Mrs. R. concerning employment, she said she was expecting a child in April. She named Mr. John S. as the father and was told that we would like to talk with him. She said at the time of this interview that Mr. B. lives now in North Carolina. On March 5, 1951, Mr. S. telephoned to say that he would give $10 a week. He came in in April to say that he was not working. In an undated entry on page 13 of the record the worker discussed plans for returning to work and Mrs. R. said she had none. In discussing the situation of the family, it was to be noted that Mrs. R. participated very little in saying anything and even started reading the newspaper, apparently ignoring worker during the interview. * * *

Worker has attempted to impress upon Mrs. R. that the agency will not be able to go along with her unless she attempts to show some cooperation and ambition in assisting her total family picture. Mrs. N. told worker she was very upset at Mrs. R.'s history of illegitimate children. She told of friends who used to be kind to her and give her gifts avoiding her because she lived with Mrs. R. and withholding gifts which they felt would benefit Mrs. R. On March 6, 1952, Mrs. N. telephoned and worker learned that Mrs. R. had had a miscarriage in February. Mr. S. was responsible. Mrs. R. came to the office on March 10, 1952, and was told that assistance could no longer be continued because absence could not be established. Mrs. R. kept the two youngest children with her and the older two remained with Mrs. N., who received ADC for them. Mrs. R. reapplied for assistance in September 1952 saying she was again pregnant by Mr. S. On October 7, 1952, Mrs. R. was advised that we definitely had to see Mr. S. and we left the responsibility to her to secure his cooperation in coming into the office.

On September 11, 1953, worker expressed the opinion that Mrs. R. had "made no considerable effort toward locating Mr. S." In an undated entry on page 29 the worker told Mrs. R. that she would be expected to find employment and care for the children and that the agency would not go along with her previous type of behavior. On December 1, 1955, the landlady telephoned to say that a Mr. James H. was living with Mrs. R. She said that Mrs. R. had requested that Mr. H. be allowed to stay a little longer and she had refused. She said she felt Mrs. R. was going to move in order to continue living with Mr. H. The landlady's statements were discussed with Mrs. R. on December 5, 1955, and she denied that Mr. H. was her boy friend. She said she had not seen Mr. H. but would try and get in touch with him. On December 14, 1955, Mr. H. came to the office. He described the landlady as crazy. He said he had helped Mrs. R. to move and that he had no interest in her. On December 16, 1955, referral was made to RIU to locate Mr. B. and Mr. S. Investigation service located Mr. B. in South Carolina and Mr. S. in District of Columbia General Hospital. On February 29, 1956, Mr. S. was seen in District of Columbia General Hospital. He said he had not seen Mrs. R. for over 2 years. "Mr. S. stated that back in 1953, or whenever they were together, he caught her with a fellow. He stated that it surprised him as this was the fellow that she had gone with before. However, he thought they had discontinued their relationship. He stated that as the result, he sometimes wondered if the children were his. Mr. S. stated that he does not see Mrs. R. and does not plan to because of her conduct when they were together." On May 17, 1956, a letter was received from Mr. R. in Cleveland, Ohio, He said he had not seen Mrs. R. since 1953 or lived with her since 1942. There is no record that this letter was acknowledged. On March 26, 1957, a memorandum was received from the investigation service saying a report had been received that a man was living with Mrs. R. This report was not discussed with Mrs. R. until May 3, 1957. "Mrs. R. received this information jubilantly, laughed and said no man did not live in the home with her * * *." On December 12, 1958, a discussion of the ADC policy is recorded. No referral was made to investigation service in spite of the many complaints of Mrs. R.'s behavior.

CASES SHOULD BE REREFERRED, NO ACTION AFTER LOCATION

Case No. 66

Miss T., age 23, applied November 1, 1951. The father of her expected child was Charles H. She gave his District of Columbia address and said that he worked in Baltimore. She said he stopped seeing her when he learned she was pregnant. In January 1953, the case was closed after it was learned that she was again pregnant by Mr. H. Miss T. requested an appeal and in March 1953 it was decided to accept another application. She said she had not seen Mr. H. since De-

cember 1952 but that she made a child care plan and was looking for work. The application was terminated when she failed to provide information needed to establish eligibility. She reapplied March 18, 1954, saying she was pregnant by Johnny C. She gave his address and social security number. She was told on March 23, 1954, that the agency "would be interested" in talking with Mr. H. as to his plans for his children. She was "informed that the Agency would also have to talk to Mr. C. before any further consideration could be given to her application." In August 1954 she said she wanted help until she could get work. Assistance was authorized on a temporary basis and on July 29, 1955, she was told again that Mr. H. and Mr. C. must be seen. On December 21, 1955, referral was made to investigation service to establish the presence or absence of Mr. C. and Mr. H. On December 29, 1955, investigation service reported they had located both Mr. C. and Mr. H. Mr. C. was advised by investigation service that the social worker would contact him and that Mr. H. would contact the social worker on February 23, 1956. Both these men have police records. Entries dated September 17, 1958, on forms 247 and 248 say that Mr. C. was found not guilty of paternity. The record also contains a voluntary support agreement, form No. 57, dated February 1959 which could not be read but on which the name appeared to be Thomas S.

The agency has had no contact with either Mr. H. or Mr. C. in spite of repeated statements to Miss T. that this was necessary. There was no referral to investigation service regarding access.

CASES WHICH SHOULD BE REREFERRED

Case No. 37

Miss S. applied for assistance March 22, 1957. She was 23. She said she had lived with the father of her children, Mr. E., for 3 years but that he had deserted and left town. She was told by the intake worker that she must make efforts to locate Mr. E. and to support the children. She seemed reluctant to seek employment saying she did not think she could make enough money to support the children and arrange for their care. Referral was made to investigation service by intake April 29, 1957, to locate Mr. E. and on March 18, 1958, he was found by investigation service to be living in the District of Columbia. The record is not clear as to what action was taken in regard to Mr. E. but there is no record of his having been seen. In July 1957 Mr. E. bought a television set giving his wife's name as that of Miss E. According to a April 1, 1959 entry, Miss S. has another television. This record indicates that re-referral should be made to locate Mr. E. and also to determine access.

SHOULD RE REFERRED TO DETERMINE ACCESS NO ACTION AFTER LOCATION

Case No. 53

Mrs. P. has received assistance continuously since 1948. Her husband was drowned in August 1948. He was the father of two of her three children. Three more children have been born since 1948. On March 6, 1950, the worker learned that Mrs. P. had given birth to a child on November 2, 1949. A visit had been made on September 4, 1949, but Mrs. P.'s pregnancy was not noticed or at least not mentioned. William H. was the father of this child and of a child born in 1951. The grant continued with no discussion of the need to see Mr. H. nor of Mrs. P.'s continued relationship with him. On June 29, 1953, the landlord told the agency that Mrs. P. is planning to be married, that her boy friend had "hit the numbers." On July 14, 1953, Mr. Joe W. was in the office saying that he has no intention of marrying Mrs. P. since he already has a wife. There was no discussion recorded of any continuing relationship. On January 20, 1954, a new baby is seen. Mrs. P. named Joseph W. as the father and said she did not tell the agency because her assistance would be stopped. The worker explained the need to talk to Mr. W. and he came to the office January 25, 1954. He said he would support the baby. There was no discussion of a continuing relationship. On November 21, 1956, referral was made to investigation service to locate Mr. H. and Mr. W. Mr. W. was located in the District of Columbia jail in April 1947 and in July 1947 Mr. H. was located in the District of Columbia. Although located by investigation service, Mr. H. was never seen. Referral should have been made to determine access.

CASES REFERRED FOR ONE REASON BUT SHOULD HAVE BEEN REREFERRED FOR ANOTHER REASON—NO ACTION TAKEN AFTER LOCATED

Case No. 70

Miss W. received assistance from 1947 until 1951 when an attorney called regarding arrangements to purchase a home by a Mr. T. and Miss W. who gave her name as Dorothy T. The case was closed because need could not be established. She reapplied for assistance July 24, 1951. Another child was born in December 1951 and she has received assistance continuously since that time. Mr. T. died in October 1951. In July 1956 it was learned that she was pregnant by Mr. P. She said she had known him for 4 years and he had visited "as a regular friend for 1 year." Mr. P. was seen on October 18, 1956. He said he had five children and a mother to support. He said he was not intimate with Miss W. at present and did not "intend to have any more transactions with her." Miss W.'s mother is also receiving assistance and there is difficulty in verifying shelter costs and living arrangements. Miss W. moved constantly and she and her mother live together and then apart. A man always rents the house for them. Referral to investigation service on January 25, 1957, was made by the previous worker to determine resources or roomers and to locate Mr. W. On August 29, 1958, Mr. W. was located in the District of Columbia, but no action was taken to get in touch with him. The fact that he was located was not mentioned in the dictation. This case should have been re-referred to investigation service to determine access.

CASE WHICH SHOULD HAVE BEEN REREFERRED—ELIGIBILITY NOT CLEARLY ESTABLISHED

Case No. 56

Mrs. R. made two applications in 1954, two in 1955, two in 1956 and one in 1957. Each of these applications were terminated because she had done nothing to get support from her paramour, John W., because Mr. W. was able to work or absence of Mr. W. from the home was not established. When she applied for the eighth time on February 13, 1958, she was again pregnant by Mr. W. She said he had not had regular work for several months so she asked him to leave the home. Emergency assistance was authorized. She said she had lived with Mr. W. since 1953 and that he was the father of her two children and the unborn child. She said she and her husband separated in 1953 "because Mr. W. was living in the home and he would not support all of them." Referral was made to investigation service March 10, 1958, to determine if Mr. W. had access to the home. On April 29, 1958, investigation service reported no sign of a man at the time of visits. However, Mr. W. gave Mrs. R.'s address as recently as February 28, 1958, when he was arrested for being drunk. Investigation service suggested re-referral after 3 months but this was not done. Eligibility in this case was not clearly established. From Mrs. R.'s statements it would appear that either absence does not exist or, if Mr. W. is absent, the separation is one of convenience for assistance purposes. Mrs. R. appeared to be no more eligible at the time of the eighth application than when the previous seven applications were made. Since the case was accepted, re-referral should have been made to determine access.

SHOULD HAVE BEEN REREFERRED

Case No. 3

Mrs. B., age 24, applied for assistance in May 1956. She had four children by four different fathers. Referral to investigation service was made in September 1956 to locate the father of one of the children and to determine access. On November 20, 1956, investigation service reported they had located Mr. M. His address and employer were given. The case was closed in April 1957 after Mrs. B. had given false information as to the whereabouts of two of her children. She reapplied May 2, 1957. She said she had never lived with any of the fathers of her children, although when one of them was seen on September 4, 1956, he said he had lived with Mrs. B. for the past 2 years. Referral should have been made to investigation service at that time to determine access. Referral was made to determine access. This was done after the paternal grandmother of one of the children had telephoned to say that Mrs. B. was living with a Mr. A., spending nights at his quarters and had a child by him this past summer. On October 9, 1958, investigation service reported two men in the home. On October 28, 1958, the investigators were admitted by the same man who had opened the door at the time of the previous visit. Mrs. B. cursed violently and threw an object at the investigator. On February 19, 1959, investigation service reported that no men were seen in the apartment but that Mrs. B. appears to have a new baby. On February 2, 1959, investigation service reported a baby was born September 16, 1958, and that the house was rented by Joseph A., whose place of employment showed his address as the same as Mrs. B's, and who claimed a wife and two children for tax purposes.

On February 20, 1959, a letter was written to Mrs. B. saying assistance could not be continued until her living arrangements were clarified. She was seen in February and March 1959. At first she denied having had a child and then said she had given the infant away on the hospital steps to a person whose name she did not know.

Form No. 122, dated February 25, 1959, said the grant continued unchanged as Mrs. B. continues to deny the birth of the baby. A check with payroll control revealed that the March 1, 1959, check was canceled. This case should have been rereferred for access at the time of reapplication in May 1957.

CASE ILLUSTRATIONS—EXAMPLE OF CASE WHERE REFERRAL TO INVESTIGATIVE SERVICE WAS JUSTIFIED—NO ACTION TAKEN ON INFORMATION SUPPLIED BY INVESTIGATIVE SERVICE—ELIGIBILITY QUESTIONED

Case No. 204

When Mrs. B. applied for assistance on February 6, 1951, at the age of 20, she had one child and was pregnant. She said she only wanted assistance until her child was born and she can return to work. She said she had been separated from Mr. B. for 4 years. She named Mr. F. as the father of her child and said that Mr. Lloyd T. was the father of her unborn child. The case was closed in December 1951 when Mrs. B. obtained employment. She reapplied in July 1953 saying she was pregnant by Mr. Samuel T., who was the brother of the father of her last child. The application was terminated because Mrs. B. had made no effort to obtain support from the fathers of her children. When she reapplied in November 1953 she was again pregnant by Samuel T. Mrs. B. said she was really not sure who was the father of her oldest child. She went with Mr. F. and then became intimate with Mr. Lloyd T. Mr. Lloyd T. denied paternity and

the court upheld this. He admitted paternity of the child born in 1951 and was under court order. He had not paid regularly as he became angry with her when she began a relationship with his brother, Mr. Samuel T. Mrs. B. was told in November and December that it would be necessary for Mr. B., her husband, and Mr. Lloyd T., to contact the agency. Mr. Lloyd T. telephoned on February 16, 1954, to say that he was making the payment ordered by the court but his payments were in arrears. "He doubted paternity to the child saying he had been caught and Mrs. B. did not know who actual father is." He said he is married and lived with his family and that his brother, Mr. Samuel T., is also "happily married." On December 17, 1954, Mrs. B. said that she was 7 months pregnant. She said that Mr. F. is also the father of this child. "It was decided that Mrs. B. would receive no further assistance until resource in Mr. F., putative father, was cleared and efforts to secure support from Mr. Samuel T. cleared." Mr. F., father of two of Mrs. B.'s children, was in the office on January 21, 1955. He said his relationship with Mrs. B. was "merely a passing fancy," and that "he considers her as a girl to take to one of the motels or out nightclubing." He said he has a family of his own. Later in the interview, he said he has a common-law wife with whom he has been in a close relationship since 1949 and with whom he spends the night whenever he desires.

On April 12, 1955, Mr. Lloyd T. was in the office. He said he was under court order to pay Mrs. B. $6 a week. He said he has a wife and four children and that he and his wife had tried to help Mrs. B. in 1953 by keeping the children. He said he and Mrs. B. were friends during school days. He planned at one time to marry her but decided against this because of her relationship with his brother. He said that "she will be intimate with any man that comes along." He states that he knows from her previous behavior that she will have another child next year if she meets another man. He has tried to talk to her about her relationship with so many men but it does not seem to help. He was her regular boyfriend for over 4 years. On May 18, 1955, Mr. B. was seen. He said he does not feel any responsibility toward Mrs. B., who left him in 1948 because he was unemployed. He is unable to obtain a divorce because of his religion but considers himself separated. He said he is not willing to do anything for Mrs. B. "because of her unfaithfulness and being a person no one can trust." He saw Mrs. B. 2 weeks ago and there was a boy friend in the home at that time. He said another reason he is not willing to help Mrs. B. was because she had her boy friend forge his name to a loan. He said he had tried to live with Mrs. B. and make a go of it but it seemed to be impossible. He gave his address. In an interview in September 1955, Mrs. B. said she had "no male interests as she is disgusted with men." She said she was not pregnant. On October 21, 1955, a report was received from Mrs. B.'s landlady that she was pregnant. Mrs. B. was reported to have said that she had denied her pregnancy to her worker and had "decided what she would say when her pregnancy is discovered by her worker." On October 26 she denied that she was pregnant.

On November 23, 1955, she admitted her pregnancy and said that Mr. F., whose address she gave, is the father of her expected child. (This is Mrs. B.'s third child by Mr. F., who told the agency on January 21, 1955, that his relationship with Mrs. B. was "merely a passing fancy.") On November 25, 1955, Mrs. B. and Mr. F. were seen. Mr. F. said he could not support two families. They were informed that no further assistance could be issued. Mrs. B. appealed and a hearing was arranged on January 5, 1956, the action of the agency was sustained. On December 30, 1955, referral was made to investigation service to determine if Mr. F. was absent from the home. On January 5, 1956, a five page report was received from investigation service saying that the relationship continues. The investigation service report expressed the opinion that Mrs. B. was untruthful but has the ability of creating the impression that she is telling the truth. The case was closed in January 1956. She reapplied in July 1956 for herself and six children. She said that she was evicted and four of her children were placed in Junior Village. She has been working and continued to work at the Willard Hotel. On August 28, 1956, a telephone call was received from a CWD worker who said that Mrs. B.'s case was new to the agency but had been known to CWD for some time. Child Welfare Division recommended that the mother give up her work and apply for assistance so that she could make a home for the children. The CWD worker said later that the case had been known to the agency and the case had been closed "because of policy 7 but that all of this had been taken care of and the mother had gone to court with all of the fathers available and bench warrants had been issued for the rest of them and that her agency was aware of the circumstances and knew that there was no continuing relationship between the mother and any of the four fathers involved." In an interview with Mrs. B. August 30, 1956, she said she was not having any relations with the fathers of her children. She talked in length about her church attendance, the teachings of the Holy Bible, and her plans "to make a change in her life." The agency policy concerning absence was discussed and she said she understood it fully. She said she did not want to reapply for assistance but was told by CWD that she must do this. On February 1, 1957, she said "I wish I could place these children somewhere so I wouldn't have to be bothered with them. You just don't know how tiresome it is to have to stay at home with these children all the time and not be able to get out." Mrs. B. mentioned a soldier stationed at Fort Belvoir in whom she is interested. On March 3, 1958, the worker discussed with Mrs. B. a report which had been received that she was pregnant. Agency policy was again discussed and she said she was fully aware of it. She emphatically denied that she was pregnant.

On March 17, 1958, form 29 was received saying that Mrs. B. had had an incomplete abortion.

This case was carried by the worker in caseload 223 from September 1958 to February 1959. On September 22, 1958, referral was made to investigation service to determine if Mr. B. or any of the fathers, or any man had access. On October 6, 1958, a report was received that Mrs. B. may be pregnant and on November 17, 1958, investigation service reported that a Mr. K. was found in the home and that Mr. B. came in while the investigators were there. No action was taken on this report. On April 29, 1959, a letter was received from Mrs. K. saying that her husband is keeping company with Mrs. B. On May 12, 1959, investigation service reported a report had been received that Mr. K. lives in Mrs. B.'s home as her paramour. On May 29, 1959, re-referral was made to investigation service by the present worker to establish whether a husband and wife relationship exists between Mrs. B. and Mr. K. and whether he has free access to her home.

REFERRAL JUSTIFIED—NO ACTION TAKEN ON INVESTIGATION SERVICE INFORMATION

Case No. 232

This case was carried by the worker from July 1958 to February 1959. Mrs. R. applied in April 1950 for herself and one child. She said her common-law husband had died in March. She worked as an elevator operator for 5 years and employment was discussed in 1954 and 1956. In February 1956 she said she had a "steady boyfriend, Francis A." She said he had been her boyfriend for the past 3 years. In November 1956 Mr. A. said he had stopped seeing Mrs. R. In September 1957 Mrs. R said she was no longer seeing Mr. A. Referral to investigation service was made in September 1958 to determine access. On October 17, 1958, investigation service found Mr. A. in the home. On November 13, 1958, investigation service reported Mrs. R. said she had not seen Mr. A. since November 3, 1958. The record shows no discussion with Mrs. R. of the investigation service report and no action taken.

REFERRAL JUSTIFIED—ELIGIBILITY QUESTIONED

Case No. 229

Miss P. applied in August 1954 when she was 18 years of age. Prior to her 18th birthday, she had been included in her mother's grant. She had one child and was pregnant. The father of her 3-year-old child was James J. She gave the father of her unborn child as William B., an ATD recipient. In February 1955 she said her relationship with Mr. B. continued and would continue. Her pregnancy was described by her as just "one of those things." In April 1955 Miss P.'s mother complained of her neglect of the children. She sometimes stayed out all night and left the baby all day without food. In April 1955 Mr. B. was seen. He also said his relationship with Miss P. was a continuing one. In May 1955 another man, a barber, rented an apartment for Miss P. In January 1956 she said her relationship with Mr. B. continued and she is again pregnant. In February 1956 Mr. B. uses the same expression Miss P. had used in describing her pregnancy—"It was just one of those things." Mr. B. died in July 1956. In September 1956 referral was made to investigation service by the previous worker to locate Mr. J., father of Miss P.'s oldest child. Investigation service located him and he was interviewed in October 1956. He said he loved Miss P. and wanted to marry her but her mother does not want him to. He said he did not think Miss P. is a decent mother. He said she drinks. He told of seeing her on 4th Street, SW. at 1:30 a.m. He said he would like to have the children. She told Mr. J. she was planning to be married but she denied this in an interview dated October 29, 1956. She had on a "set of wedding rings" which she said came from the 10-cent store. She giggled over this. In June 1957 Miss P. was again pregnant, this time by a Carl S. On August 13, 1958, referral was made to investigation service because of an anonymous complaint of neglect. Investigation service was also asked to identify any man involved and to locate Mr. S. On September 4, 1958 a partial report from investigation service told of serious neglect of the children. They were found alone on four night visits. There was no further report from investigation service in the record and no current dictation.

REFERRAL JUSTIFIED

Case No. 224

Mr. and Mrs. M. applied in January 1958. The application was terminated because Mr. M. was employable. She reapplied in September 1958. Referral was made to investigation service to locate Mr. M. and to ascertain if Mrs. M. is seeing any man other than her husband. This referral was made because of reports that Mrs. M. was having relations with other men. In May, investigation service found a man hiding under the bed and located Mr. M. The check for June 1959 was held.

CASE REFERRED WHICH SHOULD NOT HAVE BEEN REFERRED—ELIGIBILITY QUESTIONED

Case No. 208

According to the entry on form No. 246, dated August 15, 1958, Mrs. C. said she had been separated from her husband for a year.

On September 8, 1958, she said she had been assisted by John M. who had advanced $240 toward her divorce. She was told that the Agency would have to talk with Mr. M. "since the conversation indicated they were cohabiting" and that she was not eligible because of her continuing relationship with Mr. M. She promised to have Mr. M. get in touch with the Agency but he failed to do this. The grant was authorized and continued in spite of Mrs. C's. admitted relationship with Mr. M. Referral to investigation service was made in November 1958 to locate Mr. C. and to determine access of Mr. M. Referral did not appear to be justified between no effort had been made by Mrs. C. or the Agency to locate Mr. C., and because Mrs. C. had admitted her relationship with Mr. M. Eligibility was questioned for the above reasons and also because there was no medical report to indicate the need for Mrs. C. to stay at home and care for the child she said was not "enjoying good health."

CASES WHICH SHOULD HAVE BEEN REFERRED

Case No. 237

Mrs. S. applied November 6, 1952 for herself and two children, saying she was not able to make child-care arrangements. She said she had been divorced from Mr. S. for 14 years and for the past 6 years had lived with Mr. C., the father of her youngest child. The father of the older child was dead. She asked for assistance until she could make child-care arrangements. She had worked as a domestic for the past 6 years. The worker talked with Mr. C. by telephone who said he was fond of Mrs. S. and would be willing for her to return and to continue his relationship with her but he could not get along with her. In August 1954 Mrs. S. was offered a job as head waitress at the Cosmos Club, but could not accept it because she said she had no child-care plan. In January 1957 Mr. C. was again contacted by telephone and said he had no continuing relationship with Mrs. S. In May 1957 a television was seen which Mrs. S. said had been given to her by John P., a casual friend. There is no indication as to how long this record was carried by the worker whose caseload was under study.

CASES WHICH SHOULD HAVE BEEN REFERRED—CHILD-CARE PLAN SEEMED AVAILABLE

Case No. 212

Mrs. F., age 19, applied in December 1956. Mr. F. was in jail for nonsupport. She said they had been separated before he was sentenced. Mr. F. was seen in August 1957 and said he planned a divorce from Mrs. F., who left him in June 1955. Mrs. F. had a child by another man. Mrs. F. admitted this and said the father was James M. She gave Mr. M's. address and employer and said his mother was going to take the baby. In August 1957 she said she did not want to take Mr. M. to court. She said she was working evenings for her uncle and her mother was looking after the children. (On January 9, 1957 Mrs. F. had said she had no relatives other than an aunt.) The case was closed in 1957 because Mrs. F. refused to take Mr. M. to court. She reapplied in December 1957 saying she was willing to go to court and was not continuing her relationship with Mr. M. A baby was born on September 21, 1958. She said the father was Emanuel D. and she had no idea where he was. Referral was made to investigation service in May 1958 by a previous worker to locate Mr. F. On December 17, 1958 Mrs. F. said Mr. F. lives with her mother. On January 6, 1959 referral was made by the subsequent worker to locate Mr. D. Referral should have been made to determine access. There is nothing to indicate how long this case was carried by the worker whose caseload is under study. Child-care arrangement seemed available.

CASES WHICH SHOULD HAVE BEEN REFERRED—CHILD-CARE PLAN SEEMED AVAILABLE

Case No. 219

Mrs. J., age 22, pregnant, applied in July 1956 for herself and two children. Mr. J. has not supported and she has been to J.C. The father of the oldest child was George H. In August 1956 Mrs. J's. mother telephoned to say that one of the children was with her and another one with the paternal grandmother. On August 21, 1956, Mrs. J. said she had not seen Mr. J. since July 1956. On August 29, 1956 the landlady told the worker that Mr. J. was living in the apartment with Mrs. J. and that he was there at the time of the worker's last visit but was hiding in the bathroom. On September 4 the landlady said various men and women frequent the apartment and stay until 4 or 5 a.m. She thinks they "rent out the bed." Later, Mrs. J. said that Mr. J. was not there but had "been coming to see her almost every day." "She was told we would have to see Mr. J. and that he 'will have to prove his absence before another check can be issued'." In September and October 1956 the landlord telephoned to say that Mr. J. was in the home. In June 1957 Mr. J. was sentenced to 8 years on a narcotics charge—release date March 1963.

This case was carried by the worker whose caseload was reviewed, from June 1958 to February 1959. Referral should have been made to locate the father of the oldest child and, in view of Mrs. J's. past behavior, referral should have been made to determine access.

CASES WHICH SHOULD HAVE BEEN REFERRED—HUSBAND NOT CONTACTED ALTHOUGH ADDRESS KNOWN—NO EFFORT BY MOTHER TO LOCATE FATHER

Case No. 241

Mrs. Y., age 21, applied in April 1956. She said Mr. Y. had left the home 3 days ago. The application was terminated because she had not made sufficient effort to locate him. She reapplied in January 1957 saying Mr. Y. had deserted. He is not the father of either of her children. The father of the oldest child was James M., whose address she gave. The father of the younger child is Robert L., who is believed to be living with his mother. Mrs. Y. failed to keep her appointment and the application was terminated. She reapplied in November 1957. The dictation under date of January 30, 1958, says, "Once again 15 or 20 men were lounging in various rooms on the first floor." A 21-inch television was seen which she said her husband had purchased. On March 24, 1958, referral was made to investigation service to locate Mr. L. and Mr. M. On May 13, 1958, investigation service reported Robert S., a "cousin" in the home. The address she gave proved to be fictitious. The length of time this record was carried by the worker could not be determined. The March 1958 referral was not made by him. Referral should have been made to determine access. It is also noted that no effort was made to locate Mr. Y., whose address was known and Mrs. Y. made no effort to locate him or the fathers of her children.

CASE WHICH SHOULD HAVE BEEN REFERRED—FATHER NOT SEEN ALTHOUGH ADDRESS KNOWN, CHILD CARE PLAN SEEMS AVAILABLE—ELIGIBILITY QUESTIONED

Case No. 240

When Miss W. applied for assistance August 1, 1957, she had one child and was pregnant. She said she had been employed until July 1957 when her employer moved out of town. According to the information on form 108 she had done days work from 1953 to 1956, had worked as a maid in a hotel from March 1956 to February 1957 and worked as a nursemaid from March 1957 until July 1957. She said she felt she would need assistance until around November 1957 when her coming baby would be approximately 2 months old. There is no discussion in the record as to the child-care arrangement she made for her child born in 1954 when previously employed.

Miss W. said that Percy D. was the father of her unborn child. She gave his address and said he was employed at the Soldiers' Home. She said Espay T. was the father of Barbara, born in 1954. She gave his address and was referred to J.C. An entry dated January 22, 1958, says that form No. 241 was received, saying that Mr. T. had not supported within the past year, that the child was beyond the age limit and therefore the case was not accepted. Miss W. was asked to contact Mr. T. and to have him come to the Agency. She was also advised to bring Mr. D. to the Agency. Mr. D. telephoned April 3, 1958 making an appointment for April 5, 1958, which he did not keep.

On March 24, 1958, the worker records: "During the interview I asked Miss W. what she had done to return to work, since she indicated at the time of her application she only wanted assistance for such time as to have her baby and then return to work. She seemed very much taken aback by this, and it was obvious that she had not considered this at all. I explained to her that we considered employability as a potential resource. She stated that she has felt that perhaps she could make a child-care plan and then go back to work. She was asked to advise me of this."

In an entry dated July 24, 1958, it was reported that Mr. D. had said he lived with Miss W. in the NCHA project. They were both given an appointment for July 30, 1958, but Mr. D. failed to come. She was told July 24, 1958, that the August check could not be mailed until we talked with them. She was told on July 30, 1958, that we need to discuss with Mr. D. plans for their child as well as their plan regarding their relationship. On August 9, 1958, Miss W. and Mr. D. were in the office by appointment. He said he was under court order to pay $12 a week for the support of his child. The only recorded discussion regarding his relationship with Miss W. is as follows: "No relation with Miss W." The last entry in the record was dated October 13, 1958. It was suggested that Miss W. take some action toward seeking employment. "Miss W. stated that she would begin to look for work after she received her November 1 check." The worker pointed out that she would be expected to resume work as soon as possible and to work out a child-care plan. "It was further pointed out that living in the project where there were so many mothers, it should not be hard to get someone to look after the children while she is employed."

The entry dated October 13, 1958, says the case was transferred to the worker in C.T. 73.5. There is no dictation since that date. The last authorization is from December 1, 1958, to October 31, 1959.

Mr. BYRD of West Virginia. These various reports to which I have alluded made it necessary for the subcommittee to request the Department to take a new look at its program and to submit a new estimate of the needs in the light of the information and the findings which had been developed.

We come before the Senate today with a bill which would have been before the Senate earlier had it not been for the developments in connection with the program administered by the Department of Public Welfare.

The Department, after a period of about 3 weeks, came back before the subcommittee and submitted its revised program. So the bill which we are presenting today embodies some of the recommendations which were included in the revised presentation, as well as additions

which have been put forward by the subcommittee.

Mr. President, the Congress has not been stingy with the Department of Public Welfare of the District of Columbia. I ask unanimous consent to include in the RECORD at this point a table which indicates the percentage of increase in appropriations over the years from 1955 to 1962 for the Department of Public Welfare in the District of Columbia and for all other departments.

The table shows that the Department of Public Welfare has received perhaps the highest percentage of increase in appropriations of any department in the District of Columbia government over the period 1955–62.

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

District of Columbia government trends in operating costs and authorized positions, fiscal years 1955–62

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in position
General operating expenses:				
Executive Office:	*Thousands*	*Thousands*		
1955	$307.5	$209.4	37	
1956	308.0	233.6	43	6
1957	323.0	252.2	43	
1958	370.9	272.6	46	3
1959	399.5	310.4	49	3
1960	590.0	379.2	60	11
1961	599.2	471.5	68	8
1962	716.6	458.3	64	−4
Actual change, 1962–55	(409.1)	(248.9)	(27)	
Percentage change, 1962–55	(133.0)	(118.9)	(73.0)	
Compensation and retirement fund expenses: [1]				
Total appropriation:				
1955	10,207.0			
1956	10,036.0			
1957	11,100.0			
1958				
1959				
1960				
1961				
1962				
Actual change, 1962–55	(−10,207.0)			
Percentage change, 1962–55				
Department of General Administration:				
1955	2,945.5	2,396.3	582	
1956	3,081.8	2,802.5	594	12
1957	3,475.0	3,076.9	597	3
1958	4,542.5	3,191.1	619	22
1959	4,720.0	3,580.5	640	21
1960	5,121.0	3,599.4	662	22
1961	5,719.5	4,073.7	684	22
1962	6,403.4	4,175.0	700	16
Actual change, 1962–55	(3,457.9)	(1,778.7)	(118)	
Percentage change, 1962–55	(117.4)	(74.2)	(20.3)	
Regulatory Agencies:				
1955	918.2	847.8	188	
1956	967.0	913.3	192	4
1957	1,058.4	953.8	198	6
1958	1,207.5	1,059.4	207	9
1959	1,400.0	1,214.1	231	24
1960	1,570.5	1,333.0	232	1
1961	1,629.0	1,458.0	236	4
1962	1,839.0	1,482.3	239	3
Actual change, 1962–55	(920.8)	(634.5)	(51)	
Percentage change, 1962–55	(100.1)	(74.8)	(27.1)	
Occupations and Professions:				
1955	264.0	187.0	43	
1956	248.5	194.2	42	−1
1957	262.0	195.4	42	
1958	294.8	210.1	46	4
1959	299.0	230.7	45	−1
1960	327.0	232.5	45	
1961	342.0	243.6	55	10
1962	480.0	293.2	58	3
Actual change, 1962–55	(216.0)	(106.2)	(15)	
Percentage change, 1962–55	(81.8)	(56.8)	(34.9)	
Public Library:				
1955	1,611.0	1,202.4	352	
1956	1,639.3	1,337.2	361	9
1957	1,783.0	1,370.0	368	7
1958	1,962.0	1,402.8	370	2
1959	2,140.0	1,701.3	372	2
1960	2,493.0	1,806.1	397	25
1961	2,688.0	2,044.5	413	16
1962	3,043.0	2,138.1	431	18
Actual change, 1962–55	(1,432.0)	(935.7)	(79)	
Percentage change, 1962–55	(88.9)	(77.8)	(22.4)	
Veterans' Affairs:				
1955	93.0	82.1	18	
1956	92.2	74.5	18	
1957	98.5	75.3	18	
1958	104.0	77.0	18	
1959	97.0	88.6	16	−2
1960	107.0	92.6	16	
1961	109.5	101.4	16	
1962	118.0	102.1	16	
Actual change, 1962–55	(25.0)	(20.0)	(−2)	
Percentage change, 1962–55	(26.9)	(24.4)	(−11.1)	
Department of Buildings and Grounds:				
1955	1,675.6	946.5	297	
1956	1,687.0	1,010.2	300	3
1957	1,780.0	1,057.5	301	1
1958	2,044.0	1,100.5	307	6
1959	2,135.0	1,194.4	314	7
1960	2,507.0	1,288.3	299	−15
1961	2,538.0	1,372.4	303	4
1962	2,656.7	1,370.2	303	
Actual change, 1962–55	(981.1)	(423.7)	(6)	
Percentage change, 1962–55	(58.6)	(44.8)	(2.0)	
General operating expenses—Con.				
Surveyor's Office:	*Thousands*	*Thousands*		
1955	$149.2	$141.0	37	
1956	153.9	149.5	38	1
1957	170.0	151.9	40	2
1958	180.0	153.7	40	
1959	180.0	170.8	39	−1
1960	200.0	164.4	39	
1961	205.0	173.3	39	
1962	212.0	195.5	36	−3
Actual change, 1962–55	(62.8)	(54.5)	(−1)	
Percentage change, 1962–55	(42.1)	(38.7)	(−.2)	
Total, general operating expenses: [2]				
1955	7,964.0	6,012.5	1,554	
1956	8,177.7	6,715.0	1,588	34
1957	8,949.9	7,133.0	1,607	19
1958	10,705.7	7,467.2	1,653	46
1959	11,370.5	8,490.8	1,706	53
1960	12,915.5	8,895.5	1,750	44
1961	13,830.2	9,938.4	1,814	64
1962	15,468.7	10,214.7	1,847	33
Actual change, 1962–55	(7,504.7)	(4,202.2)	(293)	
Percentage change, 1962–55	(94.2)	(69.9)	(18.8)	
Public safety:				
Office of Corporation Counsel:				
1955	428.6	397.0	65	
1956	442.9	430.4	66	1
1957	480.0	438.1	69	3
1958	544.0	519.5	82	13
1959	660.0	616.3	92	10
1960	755.0	652.4	95	3
1961	798.5	741.9	99	4
1962	902.0	765.2	103	4
Actual change, 1962–55	(473.4)	(368.2)	(38)	
Percentage change, 1962–55	(110.4)	(92.7)	(58.5)	
Metropolitan Police:				
1955	12,837.5	11,635.1	2,473	
1956	12,808.0	12,443.1	2,472	−1
1957	13,773.0	12,538.8	2,698	226
1958	18,160.0	13,715.4	2,709	11
1959	18,460.0	15,153.0	2,697	−12
1960	21,761.0	15,786.6	2,798	101
1961	23,517.0	17,624.3	2,933	135
1962	26,261.5	18,748.1	3,067	134
Actual change 1962–55	(13,424.0)	(7,113.0)	(594)	
Percentage change 1962–55	(104.6)	(61.1)	(24.0)	
Additional municipal services, inaugural ceremonies:				
1955				
1956				
1957	155.0			
1958				
1959				
1960				
1961	200.0			
1962				
Actual change 1962–55				
Percentage change 1962–55				
Fire Department:				
1955	6,266.6	5,578.4	1,128	
1956	6,257.9	6,036.5	1,128	
1957	6,755.0	6,034.3	1,128	
1958	9,007.0	6,296.4	1,184	56
1959	9,187.0	7,057.0	1,185	1
1960	10,557.0	7,259.1	1,185	
1961	10,940.0	7,899.8	1,189	4
1962	11,780.0	8,001.5	1,194	5
Actual change, 1962–55	(5,522.4)	(2,423.1)	(66)	
Percentage change, 1962–55	(88.1)	(43.4)	(5.9)	
Office of Civil Defense:				
1955	150.0	83.0	19	
1956	75.0	60.6	13	−6
1957	78.0	60.9	13	
1958	86.0	61.2	13	
1959	80.0	38.7	13	
1960	60.0	29.9	6	−7
1961	90.0	59.2	10	4
1962	93.5	66.1	10	
Actual change, 1962–55	(−56.5)	(−46.9)	(−9)	
Percentage change, 1962–55	(−37.7)	(−20.4)	(−47.4)	
Courts:				
1955	3,162.4	1,123.2	234	
1956	3,369.7	1,266.8	241	7
1957	3,972.0	1,446.3	282	41
1958	4,534.6	1,633.9	303	21
1959	4,953.0	1,888.4	326	23
1960	5,396.0	1,990.6	326	
1961	5,633.6	2,162.4	332	6
1962	6,065.0	2,183.2	335	3
Actual change, 1962–55	(2,901.6)	(1,060.0)	(101)	
Percentage change, 1962–55	(91.7)	(94.4)	(43.2)	

See footnotes at end of table.

District of Columbia government trends in operating costs and authorized positions, fiscal years 1955–62—Continued

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in position
Public safety—Continued				
Department of Corrections:	*Thousands*	*Thousands*		
1955	$4,374.6	$2,429.2	603	
1956	4,526.8	2,566.5	610	7
1957	4,710.0	2,748.7	633	23
1958	5,275.0	3,099.3	657	24
1959	5,437.0	3,457.5	670	13
1960	6,017.0	3,717.6	693	23
1961	7,000.0	3,752.2	851	158
1962	7,607.0	4,197.1	872	21
Actual change, 1962–55	(3,232.4)	(1,767.9)	(269)	
Percentage change, 1962–55	(73.9)	(72.8)	(44.6)	
Department of Licenses and Inspections:				
1955	1,378.0	1,249.8	296	
1956	1,546.3	1,410.6	311	15
1957	1,658.0	1,432.0	313	2
1958	1,862.0	1,621.8	332	19
1959	2,017.0	1,777.1	350	18
1960	2,294.0	1,885.3	358	8
1961	2,465.0	2,127.3	375	17
1962	2,787.6	2,201.0	400	25
Actual change 1962–55	(1,409.6)	(951.2)	(104)	
Percentage change 1962–55	(102.3)	(76.1)	(35.1)	
National Guard:				
1955	114.8	73.7	21	
1956	119.8	77.5	22	1
1957	136.5	100.1	24	2
1958	155.3	103.8	25	1
1959	155.0	114.0	25	
1960	168.0	115.8	25	
1961	172.7	126.8	25	
1962	185.0	126.3	25	
Actual change, 1962–55	(70.2)	(52.6)	(4)	
Percentage change, 1962–55	(61.1)	(71.4)	(19.0)	
Total, public safety: [3]				
1955	28,713.5	22,569.4	4,839	
1956	29,146.4	24,292.0	4,863	24
1957	31,562.5	24,799.2	5,160	297
1958	39,623.9	27,051.3	5,305	145
1959	40,949.0	30,102.0	5,358	53
1960	47,008.0	31,437.3	5,486	128
1961	50,616.8	34,493.9	5,814	328
1962	55,690.6	36,288.5	6,006	192
Actual change, 1962–55	(26,977.1)	(13,719.1)	(1,167)	
Percentage change, 1962–55	(94.0)	(60.8)	(24.1)	
Education:				
Public schools:				
1955	27,626.6	23,174.4	5,311	
1956	28,130.0	26,929.2	5,392	81
1957	32,515.8	28,119.0	5,619	227
1958	37,450.0	31,166.5	5,803	184
1959	39,948.0	34,073.5	5,988	185
1960	47,113.0	34,929.0	6,159	171
1961	49,232.7	38,923.2	6,436	277
1962	54,206.1	40,163.3	6,632	196
Actual change, 1962–55	(26,579.5)	(16,988.9)	(1,321)	
Percentage change, 1962–55	(96.2)	(73.3)	(24.9)	
Parks and recreation:				
Recreation Department:				
1955	1,641.0	808.8	222	
1956	1,688.5	853.3	228	6
1957	1,903.0	908.1	248	20
1958	2,165.1	1,013.0	258	10
1959	2,250.0	1,154.7	253	−5
1960	2,657.1	1,221.5	261	8
1961	2,855.6	1,373.1	271	10
1962	3,245.1	1,603.4	279	8
Actual change, 1962–55	(1,604.1)	(794.6)	(57)	
Percentage change, 1962–55	(97.7)	(98.2)	(25.7)	
National Capital Parks (Park Service):				
1955	2,344.0	1,773.7	522	
1956	2,389.0	2,023.7	545	23
1957	2,535.0	2,058.1	545	
1958	2,844.9	2,245.0	584	39
1959	2,850.0	2,780.7	596	12
1960	3,194.0	2,924.9	602	6
1961	3,260.0	3,106.0	602	
1962	3,749.7	3,201.0	602	
Actual change, 1962–55	(1,135.7)	(1,427.3)	(80)	
Percentage change, 1962–55	(48.4)	(80.5)	(15.3)	
National Zoological Park:				
1955	645.0	466.9	137	
1956	669.3	512.3	137	
1957	720.0	516.1	137	
1958	784.0	580.1	144	7
1959	898.0	695.4	158	14
1960	1,160.0	839.4	186	28
1961	1,250.0	975.1	197	11
1962	1,379.8	1,041.8	205	8
Actual change, 1962–55	(734.8)	(574.9)	(68)	
Percentage change, 1962–55	(113.9)	(123.1)	(49.6)	
Total, parks and recreation:				
1955	4,630.0	3,049.4	881	
1956	4,746.8	3,389.3	910	29
1957	5,158.0	3,482.3	930	20
1958	5,794.0	3,838.1	986	56
1959	5,998.0	4,630.8	1,007	21
1960	7,011.1	4,985.8	1,049	42
1961	7,365.6	5,454.2	1,070	21
1962	8,104.6	5,846.2	1,086	16
Actual change, 1962–55	(3,474.6)	(2,796.8)	(205)	
Percentage change, 1962–55	(75.0)	(91.7)	(23.3)	

See footnotes at end of table.

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in position
Health and welfare:				
Vocational Rehabilitation:	*Thousands*	*Thousands*		
1955	$120.0	$22.5	32	
1956	140.0	42.4	34	2
1957	147.0	45.7	34	
1958	208.5	73.6	40	6
1959	224.8	78.8	42	2
1960	247.0	101.1	42	
1961	300.0	54.7	47	5
1962	376.0	68.4	50	3
Actual change, 1962–55	(256.0)	(45.9)	(18)	
Percentage change, 1962–55	(213.3)	(204.0)	(56.2)	
Department of Public Health:				
1955	22,636.0	8,997.7	2,759	
1956	23,592.0	9,787.9	2,757	−2
1957	25,503.4	10,202.8	2,852	95
1958	28,285.3	10,552.2	2,993	141
1959	30,730.0	12,759.3	3,205	212
1960	35,063.0	13,839.3	3,344	139
1961	36,910.5	15,123.8	3,382	38
1962	40,518.0	15,520.0	3,556	174
Actual change, 1962–55	(17,882.0)	(6,522.3)	(797)	
Percentage change, 1962–55	(79.9)	(72.5)	(28.9)	
Department of Public Welfare:				
1955	8,765.1	3,468.3	1,035	
1956	9,600.0	4,317.5	1,212	177
1957	10,642.5	4,854.6	1,345	133
1958	13,168.0	5,665.8	1,598	253
1959	15,140.0	6,889.2	1,713	115
1960	17,450.0	7,315.6	1,861	148
1961	19,145.0	8,679.5	1,988	127
1962	21,401.1	9,628.8	2,061	73
Actual change, 1962–55	(12,636.0)	(6,160.5)	(1,026)	
Percentage change, 1962–55	(144.1)	(177.6)	(99.1)	
Total, health and welfare:				
1955	31,521.1	12,488.5	3,826	
1956	33,332.0	14,147.8	4,003	177
1957	36,292.9	15,103.1	4,231	228
1958	41,661.8	16,291.6	4,631	400
1959	46,094.8	19,727.3	4,960	329
1960	52,760.0	21,256.0	5,247	287
1961	56,355.5	23,858.0	5,417	170
1962	62,295.1	25,217.2	5,667	250
Actual change, 1962–55	(30,774.0)	(12,728.7)	(1,841)	
Percentage change, 1962–55	(97.6)	(101.9)	(48.1)	
Highways and traffic:				
Department of Highways and Traffic:				
1955	5,768.6	3,413.7	939	
1956	5,967.0	3,809.0	1,053	114
1957	6,535.0	4,043.5	1,059	6
1958	7,207.0	4,568.2	1,209	150
1959	7,907.0	5,392.5	1,277	68
1960	8,178.0	5,714.4	1,293	16
1961	8,441.0	6,419.1	1,314	21
1962	9,204.6	7,684.7	1,418	104
Actual change, 1962–55	(3,436.0)	(4,271.0)	(479)	
Percentage change, 1962–55	(59.6)	(125.1)	(51.0)	
Department of Motor Vehicles:				
1955	1,003.0	704.9	191	
1956	1,107.0	819.7	200	9
1957	1,303.0	844.7	203	3
1958	1,438.0	873.2	209	6
1959	1,042.0	854.2	190	−19
1960	1,202.0	885.4	194	4
1961	1,291.6	987.8	199	5
1962	1,502.0	1,029.4	211	12
Actual change, 1962–55	(499.0)	(324.5)	(20)	
Percentage change, 1962–55	(49.7)	(46.0)	(10.5)	
Motor Vehicle Parking Agency:				
1955	235.4	39.6	13	
1956	350.0	57.8	18	5
1957	295.0	51.7	18	
1958	519.0	53.6	18	
1959	310.0	60.3	17	−1
1960	230.0	65.0	14	−3
1961	187.0	67.1	14	
1962	197.5	74.9	14	
Actual change, 1962–55	(−37.9)	(35.3)	(1)	
Percentage change, 1962–55	(−16.1)	(89.1)	(7.7)	
Total, highways and traffic:				
1955	7,007.0	4,158.2	1,143	
1956	7,424.0	4,686.5	1,271	128
1957	8,133.0	4,939.9	1,280	9
1958	9,164.0	5,495.0	1,436	156
1959	9,259.0	6,307.0	1,484	48
1960	9,610.0	6,664.8	1,501	17
1961	9,919.6	7,474.0	1,527	26
1962	10,904.1	8,789.0	1,643	116
Actual change, 1962–55	(3,897.1)	(4,630.8)	(500)	
Percentage change, 1962–55	(55.6)	(111.4)	(43.7)	
Sanitary engineering:				
Department of Sanitary Engineering:				
1955	9,732.7	8,789.8	2,781	
1956	10,285.0	9,503.5	2,785	4
1957	10,896.2	10,255.8	2,799	14
1958	12,759.0	11,002.9	2,943	144
1959	13,590.0	12,217.5	2,959	19

District of Columbia government trends in operating costs and authorized positions, fiscal years 1955–62—Continued

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in position
Sanitary engineering—Con.				
Department of Sanitary Engineering—Con.	*Thousands*	*Thousands*		
1960	$15,707.0	$13,176.4	2,962	3
1961	15,860.0	13,625.8	2,960	−2
1962	17,337.6	14,517.5	3,023	63
Actual change, 1962–55	(7,604.9)	(5,727.7)	(242)	
Percentage change, 1962–55	(78.1)	(65.2)	(8.7)	
Washington Aqueduct:				
1955	2,127.0	1,526.3	369	
1956	2,120.0	1,605.5	369	
1957	2,137.0	1,623.3	369	
1958	2,322.0	1,606.8	369	
1959	2,322.0	1,633.8	332	−37
1960	2,480.0	1,608.5	325	−7
1961	2,616.0	1,699.0	325	
1962	2,742.0	1,792.4	325	
Actual change, 1962–55	(615.0)	(266.1)	(−44)	
Percentage change, 1962–55	(28.9)	(17.4)	(−11.9)	
Total, sanitary engineering:				
1955	11,859.7	10,316.1	3,150	
1956	12,405.0	11,109.0	3,154	4
1957	13,033.2	11,879.1	3,168	14
1958	15,081.0	12,609.7	3,312	144
1959	15,912.0	13,851.3	3,291	−21
1960	18,187.0	14,784.9	3,287	−4
1961	18,476.0	15,324.8	3,285	−2
1962	20,079.6	16,309.9	3,348	63
Actual change, 1962–55	(8,219.9)	(5,993.8)	(198)	
Percentage change, 1962–55	(69.3)	(58.1)	(6.3)	
Judgments and claims:	*Thousands*	*Thousands*		
1955				
1956				
1957				
1958				
1959				
1960				
1961				
1962	$17.2			
Actual change, 1962–55	(17.2)			
Percentage change, 1962–55				
Total, District of Columbia:				
1955	129,529.0	$81,768.5	20,704	
1956	133,397.9	91,268.8	21,181	477
1957	146,900.3	95,455.6	21,995	814
1958	159,480.4	103,919.4	23,126	1,131
1959	169,531.3	117,182.7	23,794	668
1960	194,604.6	122,953.3	24,479	685
1961	205,996.4	135,466.5	25,363	884
1962	226,766.0	142,828.8	26,229	866
Actual change, 1962–55	(97,237.0)	(61,060.3)	(5,525)	
Percentage change, 1962–55	(75.1)	(74.7)	(26.7)	

[1] Beginning in fiscal year 1958, compensation and retirement fund expenses have been reflected in the operating budgets of the respective departments.
[2] Excludes "Compensation and retirement fund expenses" appropriation account.
[3] Excludes "Additional municipal services, inaugural ceremonies" appropriation account.

Mr. BYRD of West Virginia. Mr. President, I take time that I would not otherwise take here because I desire the RECORD to be complete and clear. Last year there was put into effect by the committees and the Congress an administrative reduction in grants to large families. The reduction affected 2,587 families. Families with four and more children took a reduction amounting to $2 per family of four, and an increased reduction of $4 per additional child. Nine hundred and seventy families had a reduction of $2 in their grants. Seven hundred and six families had a reduction of $6. Four hundred and twenty families had a reduction of $10. One family had a reduction of $42. Two families had a reduction of $38. Two families had a reduction of $36.

Mr. President, I ask unanimous consent to include a chart showing the number of cases included in the administrative reduction in grants.

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

Number of cases	Number of children	Rate of reduction	Amount of reduction
970	4	$2	$1,940
706	5	6	4,236
420	6	10	4,200
246	7	14	3,444
141	8	18	2,538
63	9	22	1,386
25	10	26	650
11	11	30	330
2	12	34	68
2	13	38	76
1	14	42	42
Total (2,587)			18,910

Mr. BYRD of West Virginia. Mr. President, I point out that no request for a restoration of that reduction was submitted to the subcommittee or the full committee in the Senate.

I wish to say only a few words about the special investigation of the ADC category. A scientific sampling of 280 cases, or 5 percent of the 5,601 cases in the ADC category as of September 1, 1961, were selected for the investigation. Two hundred and thirty-six cases were actually investigated. Forty-four of the 280 cases were not investigated. Forty-two cases had been closed prior to the review by the investigative unit. In one case the mother of the ADC children was in training at the Residential Training Center, so that case was not included. Another case was not included because the PAD inadvertently furnished the investigators with a case record pertaining to a previous award which had been discontinued. That left 236 cases. Of the 236 cases, 133 cases were found to be ineligible on the basis of the investigative findings and 8 cases on the basis of events occurring subsequent to the investigation making a total of 141 cases out of the 236 cases that were found ineligible. That was 59.7 percent of the cases.

Ninety-five cases, or 40.3 percent of the 236 cases were found eligible. I point out that of the 95 cases that were found eligible, only 23 cases, or 9.7 percent of the cases, were absolutely clean and without any infractions. Twenty of the cases that were found eligible required adjustments in the monthly grants, so that even though they were eligible for continued assistance, the monthly assistance payments had to be adjusted.

Two of the cases had to be adjusted upward, and the remainder of the 20 cases had to be adjusted downward because their payments were in excess of the payments for which they qualified. In 52 of the cases administrative action had to be taken to fully put the cases in proper order.

In the light of these findings, the Comptroller General recommended to the subcommittee that there be an investigation of the entire ADC caseload. Later, when the GPA investigation had been completed, the Comptroller General recommended to the subcommittee that the entire GPA caseload be investigated. So on the basis of the recommendations of the Comptroller General, the subcommittee recommended to the full committee, and the full committee accepted the recommendations, that the Office of Investigations and Collections be increased from 31 positions to 154 positions. This investigative force will complete a full investigation of the GPA and the ADC caseloads over the next 3 years.

Members of the subcommittee and the full committee feel that the Comptroller General's recommendation is justified. We feel that it is imperative that these caseloads be cleaned up in order that the welfare program may enjoy the community respect which it deserves. We realize that there will be an impact upon the community as a result of these investigations.

The Junior Village is overcrowded. But it has been overcrowded for some time. It was overcrowded before the special investigation was inaugurated. But, I think the growth in the population there can be laid to the fact that the releases from the institution have not kept pace with the admissions. The admissions have maintained virtually a constant level over the past 4 years.

In 1959, 1,103 children were admitted to Junior Villege; and 1,056 were dis-

charged; in 1960, 1,137 were admitted and 1,037 discharged; in 1961, 1,130 were admitted and 1,101 discharged; in 1962, 1,110 were admitted and 1,004 discharged.

So the discharges have not kept pace with the admissions, and consequently that condition has contributed to a growth in population at the Junior Village.

The committee has sought to deal with this problem. I talked with Mr. Jack Bindeman, president of the Public Welfare Council in the District of Columbia, a few days ago. He suggested additional social workers. Consequently, I have recommended the addition of 21 social workers in the Public Assistance Division. These were not included in the requests submitted to the subcommittee by the Department. We have added these with the desire that the social workers may be able to get into the homes and give attention to the families who are on the welfare rolls. We were told that the average social worker could spend only about 5 hours a year in the homes. With the addition of 21 social workers in this division we believe that social workers can spend more time in the homes, so that they will be able to see for themselves the situations that prevail there. Accordingly, where families are no longer eligible, the social worker might be able to determine that fact as a result of their being able to spend more time visiting the homes. I ask unanimous consent to include in the RECORD at this point a letter from Mr. Donald D. Brewer, Deputy Director of Public Welfare, which has reference to the additional social workers.

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

SEPTEMBER 14, 1962.

Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR BYRD: In regard to your request that we add 21 social work positions to the public assistance staff to help reduce the average caseload per worker, so that they can have more frequent contacts with recipients and a special unit to work on cases requiring intensive short-time followup to insure that they do not remain on the rolls longer than is necessary to remedy the situation, the cost for 6 months of this fiscal year would be as follows:

2 GS–9 evaluators	$4,870
11 GS–9 social workers (regular unit)	20,548
1 GS–9 supervisor, 7 GS–7 social workers, 1 unit clerk	17,127
Total	42,545

Included in this as you will note, are two GS–9 casework evaluators to review all closings which are of a questionable nature to insure that we do not violate Federal requirements.

The 13 unit clerks and 4 dictaphone operators which you have suggested be included in the public assistance budget, will materially reduce the clerical load of the social worker and will further guarantee closer contact with recipients.

Your suggestion that these positions be included is greatly appreciated and if approved will, we are convinced, be of tremendous assistance to the agency in insuring that funds and services are directed toward those recipients who are eligible.

Very truly yours,
DONALD D. BREWER,
Acting Director of Public Welfare.

Mr. BYRD of West Virginia. Mr. President, it was stated at the hearings that the social workers had to spend too much time doing clerical work. Therefore, the committee has added a considerable number of clerical positions, so as to facilitate social worker visits into homes.

I have recently had a talk with Mr. Donald Brewer and with a Mrs. Smith, who is the head of the Child Welfare Section, at which time I urged that the Child Welfare Section increase its efforts to get children out of Junior Village and into foster homes and back into the homes of natural parents and relatives. In order to assist in this effort, I have recommended additional social workers in that section.

I ask unanimous consent that a letter dated September 14, 1962, from Mr. Gerald M. Shea, with reference to these additional positions for Child Welfare, be included in the RECORD at this point.

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

SEPTEMBER 14, 1962.

Hon. ROBERT C. BYRD,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR BYRD: This is in regard to your suggestions in your discussion with Mr. Brewer on this date to the effect that it is highly essential to strengthen child welfare services so that children can be removed from Junior Village as fast as possible, and thus, to provide additional positions for child welfare.

We think your suggestion to add two additional GS–10 social work positions to the Intake Service and an additional GS–10 foster home recruiter for the Foster Home Study Unit, will give us an opportunity to make immeasurable progress on this problem. This, together with your suggestion that the GS–5 administrative clerk request in the Foster Care Services Section be provided under the Executive Direction Section, will accomplish the desired purpose.

The cost of the three additional GS–10 positions will amount to $13,162 for a 6-month period.

Your interest and help is appreciated.

Very truly yours,
GERARD M. SHEA,
Director of Public Welfare.

Mr. BYRD of West Virginia. The children, as I have indicated, have not been gotten out of the village and back into the homes of relatives and natural parents. Therefore, we are trying to give the Department the tools with which to do the job.

The mean average length of stay at Junior Village is about 7 months, and the median is from 1 to 3 months.

I believe these facts will show that if the welfare section can increase its efforts, and can do a better job, it can alleviate the crowded condition of Junior Village.

The committee has recommended the addition of $557,000 for 3 more cottages at Junior Village, each of which will house 80 children. These should be completed within 15 months. Three additional cottages will be available within the next few days.

For foster home care, the committee has added $369,000 and recommends that the average monthly rate be increased from $53 to $57 to meet increasing costs for board and care, so as to aid in the location of foster homes for children.

We are appropriating $5,529,345 for grants and gratuities. This is $1.4 million under the appropriation for last year. This is the full appropriation for grants and gratuities that was requested by the Department, based on the new estimates, which take into consideration the picture of ineligibility as it was developed in the course of the investigation.

We have included $224,603 to make possible the passing on to recipients in the old-age-assistance category, the aid-to-the-blind category, and the aid-to-the-totally-disabled category of the benefit payments resulting from passage of the 1962 Public Welfare Amendments Act. The recipients in these three categories should immediately be given the advantage of the increased payments.

I believe that, overall, we have made adequate provision for cleaning up the welfare caseload in the District of Columbia. Last September there were 5,601 cases in the ADC category. In July the caseload had dropped to 4,849 cases.

The committee feels that we should provide assistance to people who qualify, but we feel just as strongly that those who can shift for themselves and who do not deserve assistance should not take a free ride at the expense of the taxpayers.

The Comptroller has pointed out that the administration of the program in the District of Columbia is marked with many inefficiencies. There is a lack of strong central control. We have added money for a new Comptroller in the Office of the Director. We believe this Comptroller should be a man who has a warm heart but a firm mind, a man who has had financial management training, a man who has administrative ability, a man who can put the Department on a straight course, who can streamline it, and who can give it proper administrative integrity and efficiency. We do not believe this individual should come from within the Department itself.

We have made provisions for reallocation of grades for social workers, so that good social workers can be attracted and retained by the Department.

A final word about the Department of Public Welfare. I fear that in the past it has been the practice of departments to come up the Hill, make their presentation, march down again, forget the matter for another year, and go on in their usual way.

We have had long and arduous hearings, and the members of my subcommittee have not accepted this responsibility as a chore. We love our Federal city, the city that was named in honor of the first President of this country, a city where the paths of statesmen, kings, diplomats, princes, shahs meet, a city which should be an example for the rest

of the Nation and for the rest of the world. We have done our best to improve at least one department in this Federal city. We do not intend that our hours of work and our efforts shall be in vain.

But, Mr. President, we have given them the tools with which to work. Incidentally, we have allowed $27,950 for a day-care program. The Department presented to the committee a request for $50,000, but a few days ago I received from the Director of the Department a letter indicating that the total need was $27,950; so we have allowed this amount of money for the inauguration of the pilot project.

I ask unanimous consent that the letter from the Director of Public Welfare be printed at this point in the RECORD.

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

SEPTEMBER 17, 1962.

Hon. ROBERT C. BYRD,
U.S. Senate, Washington, D.C.

My DEAR SENATOR BYRD: This is with reference to the request for $50,000 for the day-care program referred to in our testimony before your committee Friday, September 7, 1962.

We regret that we inadvertently overstated the cost of this program to the extent of $22,050. In computing the estimate for the $50,000, we provided for the care of 130 children, who represent the total number of children to be cared for during the 6 months. This means an average of only 70 children in care per day. The error resulted from using the total of 130 as the average number of children rather than the 70.

The adjusted amount for this program should be $27,950 which will provide for an average of 40 children at $3.50 per day (age 3 to 12 years) or $18,200 for this particular group; 30 children at $2.50 per day (age 1 to 3 years) for $9,750, making a total of $27,950.

We expect that the Department of Vocational Rehabilitation will expand their training opportunities now to include the socially and economically disabled as well as the physically handicapped. In a telephone conversation with Mr. Leonard Hill, Deputy Director of the District of Columbia Department of Vocational Rehabilitation, we were given tentative assurance that more mothers could be given work training by them with $50,000 available for this program.

Very truly yours,

GERARD M. SHEA,
Director of Public Welfare.

Mr. BYRD of West Virginia. Mr. President, it can thus be seen that the Department is receiving the tools it needs. We are providing additional social workers and are providing a reallocation of grades. We are providing three additional cottages at Junior Village, and we are providing increased money for boarding rates for children. We have provided investigators. We have provided a pilot project day care program.

We shall insist that those tools be used. If the tools are not used, if progress is not made to clean up the caseloads by next year, if the administration of the program is not made more efficient, and if considerable overall improvement is not shown, the time will have come to demand a change in the administration of the Department. I do not believe the taxpayers will longer tolerate wholesale deceit, misrepresentation, lying, and cheating, such as we have found to exist in the District of Columbia.

I do not believe we would be fair if we did not give the Department the tools with which to do the job.

I have not sought to make anyone a whipping boy; but if this were any other city in the country, someone would lose his job.

I think we should provide the Department with additional time; and it is my desire to be considerate in all things but I would not wish the Department to be inadequately forewarned. With the passage of another year, if real progress is not shown, there will be a request that appropriate changes be made.

The bill provides all funds requested for the surplus food program.

As to capital outlay, the bill appropriates $52,251,000. We have eliminated $61,000 for furniture and equipment at the Garrison Elementary School. We took out $760,000 upon the recommendation of the Highway Department, that amount having been allowed by the House of Representatives for the Southeast Freeway, between 13th Street SE. and Barney Circle. The House had taken out $546,000 for interchange C, and the Highway Department took the position that without interchange C, it could not go forward with the Southeast Freeway.

Those are the only items we removed from capital outlay.

The House had previously eliminated, in addition to interchange C, $170,000 for the east leg of the inner loop and $450,000 for the Northeast Freeway. There was no request for restoration of these items.

The House allowed $300,000 for the Three Sisters Bridge and $1,876,000 for the Potomac River Freeway. The Senate has gone along with the House in allowing $300,000 for the Three Sisters Bridge and $1,876,000 for the Potomac River Freeway.

I shall not discuss these items except to say that the subcommittee wrote into the report these words:

In approving the item of $300,000 for construction of the Three Sisters Bridge, the Senate Committee on Appropriations takes this action with the understanding that the District of Columbia Highway Department will not proceed with the project until the report of the National Capital Transportation Agency has been submitted in November 1962, and if that report is against the Three Sisters Bridge, the Commission shall not proceed with the construction of the bridge before getting the approval of the Committees on Appropriations of the Senate and House of Representatives. Furthermore, it is the view of this committee that no funds allocated to the District of Columbia's highway program shall be used for the construction of the Glover-Archbold Parkway. The committee further recommends that the District of Columbia cooperate in the preservation of this natural park.

The full committee struck out the words:

If that report is against the Three Sisters Bridge, the Commissioners shall not proceed with the construction of the bridge before getting approval of the Committees on Appropriations of the Senate and House of Representatives.

It was the feeling of those of us who wished to strike out such language that if it were to remain, it would, practically speaking, give the National Capital Transportation Agency a veto over the location and construction of the Three Sisters Bridge and, indirectly, over the design and construction of the Potomac River Freeway. So the full committee has stricken those words and has inserted in lieu thereof the following:

And if that report is against the Three Sisters Bridge, the Commissioners shall proceed with the construction of the bridge unless before March 1, 1963, action to negate such construction shall have been taken by either the Senate Committee on Appropriations or the House Committee on Appropriations.

We believe that the action taken by the full committee yesterday in striking out the earlier language removes a straitjacket which had been applied to the freeway program in the District of Columbia and yesterday's action makes it mandatory for the Commissioners to proceed with the construction of the Three Sisters Bridge if by March 1, 1963, in the event of a possible recommendation against the Three Sisters Bridge by the National Capital Transportation Agency's report, neither the Senate Committee on Appropriations nor the House Committee on Appropriations has taken action to prohibit construction of the bridge.

Mr. President, that completes my statement so far as the bill is concerned. Before I take my seat, I wish to pay tribute to the capable clerk, Mr. Harold E. Merrick, and the other members of the staff of the Committee on Appropriations who have so ably assisted the chairman and other members of the subcommittee and the full committee in their deliberations.

I also wish to pay tribute to the members of the subcommittee and of the full Committee on Appropriations.

I now yield to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I thank the Senator from West Virginia.

At the request of the senior Senator from Massachusetts [Mr. SALTONSTALL], and on his behalf, I ask unanimous consent to have printed at this point in the RECORD a statement with respect to the pending District of Columbia appropriation bill.

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

STATEMENT OF SENATOR SALTONSTALL

All of the members of the Senate Appropriations Committee have been high in their praise of Senator BYRD of West Virginia, chairman of the subcommittee, for the long hours and careful consideration he has put into the District of Columbia appropriation bill. I would be remiss if I did not again express the sentiments which I have made in the subcommittee and before the full committee in praise of Senator BYRD.

There are two matters which deserve brief comment. While I support the bill and the committee report fully I would like for the record to show my reasoning in these matters. First, as to the proposed bridge which will cross the Potomac River at the Three Sisters Islands, I believe that the action

which has been taken to defer final approval or disapproval until March 1, 1963, is a good solution. By that time we will have all of the facts before us and we will be able to make an intelligent decision. Next, let me say a word about the schools in the District of Columbia. There is money in this bill for an additional junior high school to be built in the northwest section of the city, in the vicinity of Kansas and North Dakota Avenues. It has been brought to my attention that the McFarland Junior High School will have this year 16 divisions of the seventh grade with 40 students in each class. I have been approached by a number of groups who desire to see the new junior high school built closer to McFarland Junior High School in order to alleviate the crowded condition there. Of course I realize that many considerations go into the decision as to where schools shall be placed, and I know, too, that the District of Columbia school authorities will see to it that something is done promptly to correct the situation which presently exists at McFarland Junior High School.

This is a good bill and worthy of the support of all Members of the Senate.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield to the distinguished majority leader.

Mr. MANSFIELD. Many things have been said about the distinguished Senator from West Virginia on the floor of the Senate this afternoon, all of them good, all of them merited, all of them deserved. There is not much else I can say.

The Senator from West Virginia knows of my affection and high esteem for him and of the great regard I have for his integrity, ability, and devotion to duty.

We have very good chairmen of the subcommittees on appropriations, and we have an outstanding chairman of the Committee on Appropriations itself. But this afternoon, for the first time in my experience, I have seen a chairman of a subcommittee on appropriations come to the Chamber and, without the use of notes, make a presentation which I believe is unparalleled in the history of the Senate. His facts and figures were at his ready disposal. He knew whereof he spoke and made a magnificent presentation of a most difficult subject. I commend and congratulate him for his outstanding work.

Mr. BYRD of West Virginia. I thank the distinguished majority leader.

Mr. JOHNSTON. Mr. President——

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Does the Senator from West Virginia yield to the Senator from South Carolina?

Mr. BYRD of West Virginia. I yield to the senior Senator from South Carolina.

Mr. JOHNSTON. Mr. President, I wish to join in the remarks made by the majority leader in commendation of the chairman of the Subcommittee for District of Columbia Appropriations, the junior Senator from West Virginia [Mr. BYRD]. He has done an exceedingly good job in handling the bill on the floor of the Senate and in the work preparatory to the presentation of the bill here.

For a number of years I served on the District of Columbia Committee, and I know that the work in connection with District of Columbia appropriations is most difficult.

I am very glad that the Federal Government is awakening to its responsibilities to the District of Columbia. In my opinion, Congress should provide increased funds for the District of Columbia. In view of the very large number of Federal Government buildings in the Nation's Capital, it is obvious that the District of Columbia government has a difficult task in providing the necessary police and fire protection.

I also wish to commend the chairman of the subcommittee for his work in connection with cleaning up the District of Columbia public welfare program. It should have been cleaned up years ago. It is obvious that if an improper situation is allowed to continue in the welfare program of the District of Columbia, it will act like a cancer, and not only will ruin the District of Columbia welfare program, but also will have a very harmful effect on the welfare programs in the various States.

The Senator from West Virginia is to be greatly commended for the fine work he has done; and I, for one, want him to know that we realize and very greatly appreciate the excellent job he is doing.

Mr. BYRD of West Virginia. I thank the senior Senator from South Carolina very much.

Mr. RANDOLPH. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from West Virginia yield to his colleague?

Mr. BYRD of West Virginia. I yield to my senior colleague.

Mr. RANDOLPH. Mr. President, I desire to couple my compliments to my colleague with a relatively brief observation in regard to the highway and bridge situation existing within the District of Columbia and the attempts to cope with it.

I am interested in regard to the provisions of the bill which pertain to the development of highways and freeways in the District of Columbia and possible revisions of the District of Columbia road system. I wish, first, to pose a question. I ask the esteemed Senator whether it is true that the National Capital Transportation Agency is to make a report on this subject matter to Congress.

Mr. BYRD of West Virginia. The National Capital Transportation Agency is to submit a report to the President on November 1, 1962.

Mr. RANDOLPH. I thank my colleague for his factual response. Will he also state the date on which the House and the Senate Appropriations Committees must act affirmatively, if that is desired, in regard to the report which, as my colleague has indicated, will be filed on November 1, 1962?

Mr. BYRD of West Virginia. Either of the Appropriations Committees has until March 1, 1963, to take action.

Mr. RANDOLPH. I again thank my colleague, and I wish to add that I trust the committees will not call for a stoppage of the Three Sisters Bridge project. We know that there are differences of opinion in regard to the subject of this bridge, and of transportation facilities within and adjacent to the District of Columbia. On September 13, I addressed a communication to the able chairman of the Subcommittee on District of Columbia Appropriations, dealing with this transit and/or transportation problem. That communication is a part of the printed hearings, and is noted on pages 2476–2477, part II, of the hearings on the District of Columbia appropriations bill, H.R. 12276. I did so because I felt that within the subcommittee, under his leadership, the most careful, painstaking, and objective study of this subject was being made.

At this point I wish to emphasize what I have said; namely, that my colleague, ROBERT C. BYRD, of West Virginia, is serving with legislative skill and acumen in a most difficult assignment, as he performs the duties which have been placed upon him.

In referring to my complete appreciation of the very demanding task which has been placed upon my colleague, I can speak about this matter with particular knowledge because of the fact that for 14 years I was a member of the House Committee on the District of Columbia. For 7 years I was chairman of that committee; and it is clear that one who has dealt with District problems is in an advantageous position to comment, on the basis of the experienced background, on the complex questions dealt with and on the committee labor done.

Mr. President, I consider that the work being accomplished in this area by my very capable colleague and his associates not only should result in support for the appropriations bill he has brought before the Senate, but also should result in general appreciation and approval by all Members of the Senate. I am grateful for my colleague indulging me further comment on this phase of his committee action.

Mr. President, on September 13, 1962, during consideration of S. 3615, the Urban Mass Transportation Act of 1962, I spoke of the problem growing out of the existing situation in the Washington metropolitan area where, as a Washington Post article stated:

> Highway and transit partisans have been locked in a bitter dispute that has brought the city's freeway program to a near standstill.

There has been no reason in the intervening period to change the views I expressed on Septemebr 13 in this forum, including those set forth in a letter I wrote on that date to my effective colleague, Senator ROBERT C. BYRD, who is performing in a noteworthy manner, as I have earlier said, as chairman of the Appropriations Committee's Subcommittee on the District of Columbia.

I continue to believe it would be a mistake to create roadblocks against a consistent moving forward with the freeway program for the District of Columbia and the adjoining areas of the Metropolitan Washington complex. I feel that, to a degree, some recognized errors have been made—not by the subcommittee, not by the Appropriations

Committee, but I feel there has been a slowing down of the highway and bridge and freeway program—at least by some persons. I am sure they felt their position was well taken but, I repeat, they have argued it almost to a complete standstill.

I repeat my earlier view that while there is delay and postponement of positive work toward solutions, the volume of highway traffic—both commercial and passenger—continues to increase and to become snarled in the web of confusion here.

Since I discussed this subject in the Senate, I have noted editorials in two of the Washington, D.C., newspapers, and a news article on the subject which appear to be especially pertinent.

The article was published in the Wednesday, September 26, 1962, issue of the Evening Star, Washington, D.C., with the headline "Moses Fears Transit May Delay Highways," and the first paragraph reads:

It is against the public interest to delay highway construction in the Washington area for a highly problematical rapid transit system, transportation veteran Robert Moses said last night.

That statement came from an expert, a knowledgeable person in this transit field. Mr. Moses felt very strongly that there must be no delay in providing the vital arteries of travel by highway and freeway and necessary bridges for the District of Columbia.

The news story identified Mr. Moses as a man "who has coordinated construction for hundreds of millions of dollars worth of transportation facilities for New York City in the past 40 years," and said that his remarks on the controversy surrounding the traffic problems of the District of Columbia were made to the 11th annual Commissioner's and Governor's Conference on Metropolitan Washington Traffic Problems at the Marriott Motor Hotel.

Mr. President, because the published matter discusses the problem so cogently, I request unanimous consent to have printed in the RECORD, in connection with my remarks, an editorial from the Washington Post, September 22, 1962; an editorial from the Sunday Star, Washington, D.C., September 23, 1962; and the news article from the Evening Star, Washington, D.C., September 26, 1962, to which I have made reference.

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

[From the Washington Post, Sept. 22, 1962]

ROADS AND THE BUDGET

Any basic highway system for Washington requires, at its western end, the Three Sisters Bridge and the Potomac River Freeway. At its eastern end it requires Interchange C and, over one route or another, the east leg of the Inner Loop. The necessity for these roads lies, ultimately, in the growth of the suburbs. It is difficult, for example, to regard the rate of development in western Fairfax County, and the great roads being cut from there toward the city, without realizing the need for another major river crossing upstream from the Key Bridge. Neither the District nor, for that matter, Congress, can control the pattern of population in the suburbs. They can only hope to adapt the city to it. They can build transit lines for commuters, to reduce the pressure on the roads. But there is a rising volume of traffic not adaptable to rail travel. The construction of the new highways is an urgent matter for this city. When the economic viability of a city is shadowed by a crisis in local transportation, the city progressively loses its ability to deal with all its other troubles.

As the Senate Appropriations Subcommittee considers the District's budget for the current year, it ought certainly replace the funds for Interchange C and the Inner Loop. The House withheld the appropriations as a protest against the discord within the District government itself. The money was pointedly left in the budget as an unallocated surplus. If the Senate replaces these two projects, the conference committee will be able to consider them and to set the conditions of agreement under which they will be permitted to proceed.

The chief objection to the highway projects, over the past year, has been the absence of a transit plan. Transit and highways are obviously complementary systems that must be carefully fitted together. But the National Capital Transportation Agency's proposals will be presented to the President within 6 weeks. To hold up all decisions on highway construction for another year, particularly on such insubstantial grounds, would do the city genuine damage. If Congress wishes to insure coordination between transit and highway builders, the committees certainly have the authority to require it.

[From the Washington Sunday Star, Sept. 23, 1962]

HIGHWAY DISRUPTION

Last June, the House Appropriations Committee made plain that its decision to withhold construction funds for the eastern section of the inner loop freeway resulted mainly from the concern expressed by the Commissioners over rehousing displaced families. It emphasized, however, that this action was not to be construed as an effort to "destroy the freeway system" in Washington. Accordingly, the House cleared funds for the planning and construction of other District freeway projects, including the Three Sisters Island Bridge.

Now however, pressure is being exerted on the Senate to block the Three Sisters Bridge as well—to accomplish, in other words, that which the House agreed should not be done.

Fortunately, the Senate District Appropriations Subcommittee, headed by Senator BYRD of West Virginia, has before it ample evidence of the need to advance this project. In a recent letter to Chairman BYRD, Senator RANDOLPH, of West Virginia, writing as a member of the Senate Roads Subcommittee, made the valid point that the present highway program—including the Three Sisters Bridge—fully anticipates the construction of new bus and rail transit facilities and, indeed, that if these should not be built, it would be necessary to expand the Washington area freeway program as now planned. In urging the imperativeness of keeping the highay program on an orderly schedule, Senator RANDOLPH had this to say: "If the present highway program is suspended until there is a determination of what can be done with a subway system, no provisions will have been made for the ever-mounting motor vehicle traffic that is not and never will be susceptible to subway travel."

These are meaningful words. For no evidence has been produced by anyone to contradict the assertion of District officials that, regardless of transit proposals, more bridge capacity across the Potomac is essential for motor vehicular traffic. Nor has there been evidence of a location other than the Three Sisters Island site which would be as suitable from the viewpoints of topography, traffic service, residential dislocation, or cost.

There is another consideration, barely mentioned, which we think also argues persuasively against unnecessary delay. It is simply that an orderly program of highway construction, stretched over a number of years, will greatly minimize the disruption to daily traffic. The fact is that relatively few major highway improvement projects are underway in Washington today. Yet any motorist who has encountered them during rush hours can attest to the frustrating and time-consuming traffic jams they create. An intolerable mess would result if it should become necessary to concentrate the bulk of the massive interstate freeway construction program, which must inevitably be built, within a brief period of time.

The Byrd subcommittee is expected to complete its deliberations on the District budget within the next few days. We hope that its report will serve to expedite the unduly delayed freeway construction program.

[From the Evening Star, Washington, D.C., Sept. 26, 1962]

MOSES FEARS TRANSIT MAY DELAY HIGHWAYS

It is against the public interest to delay highway construction in the Washington area for a highly problematical rapid transit system, transportation veteran Robert Moses said last night.

Acceptance and financing for rapid transit is doubtful because in a city the size of Washington, the initial cost is too great, he said. Subsidies are hard to come by and no fare structure can be visualized that will pay for the system, he added.

Mr. Moses, who has coordinated construction for hundreds of millions of dollars worth of transportation facilities for New York City in the past 40 years, spoke to the 11th Annual Commissioners' and Governors' Conference on Metropolitan Washington Traffic Problems at the Marriott Motor Hotel.

In reference to recent congressional postponements of several District highway projects, Mr Moses said:

"It is not in the public interest to delay this program on the theory that an as yet undisclosed and undetermined rapid transit system will make such highway arterials unnecessary, or materially alter the proposed network."

One of the strongest arguments for the new expressway system is that it will aid movement of buses, Mr. Moses said. "Washington is a car and bus town," and these methods of transportation should be improved, he added.

But prospects for rapid transit were not completely discounted by Mr. Moses, who also said:

"There are locations where rapid transit can be combined with vehicular lanes with the same right-of-way, but not many. No doubt commuter subsidies of some kind are inevitable, but they should depend on superior rail service after the relative roles of the train, bus, car, and aircraft have been determined by experts concerned only with the truth."

Government officials, traffic safety experts, and a group of citizens from Maryland, Virginia, and the District were brought together for the meeting. The conference was sponsored by the Regional Transportation Advisory Broad, which was founded in 1951 as the Metropolitan Washington Traffic Council in a pioneer attempt to bring about regional cooperation for traffic matters.

Mr. RANDOLPH. So, Mr. President, I compliment my colleague and those on his subcommittee. Also, I congratulate members of the Appropriations Committee as a whole, who realize that we must be realistic in this matter. I think they have been realistic. We must all realize this is a growing city. The number of visitors to this city will increase by the millions in the years ahead.

I have spoken because I felt there could not be a disregard of the needs of the city, particularly highway construction. Again I congratulate my colleague.

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

Mr. BYRD of West Virginia. I yield to the capable chairman of the Senate Committee on the District of Columbia, the senior Senator from Nevada [Mr. BIBLE].

Mr. BIBLE. I want to add my word of commendation for the painstaking job well done on the Appropriations Subcommittee for the District of Columbia by the able Senator from West Virginia, the members of his committee, and the members of the staff.

From my experience in the short few years I have been here, I say without hesitation that this is one of the most thorough jobs of examining into the District of Columbia's financial needs and wants and taking the fat out of the budget that I have ever seen done. It represented many, many man-hours of hard work.

I express to the Senator from West Virginia the hope that next year there will be an opportunity, upon a proper showing and a good case being made, for increasing the Federal payment. I have felt for some time that the Federal payment is inadequate. It is now $30 million. There has been an authorization of $32 million. There is pending in the legislative committee of which I am privileged to serve as chairman a bill which would reduce the Federal payment to a formula-type approach. I have long advocated it. I regret that the bill did not move along this year as I would have hoped.

Next year and in the next session it is my firm purpose to help write into legislation some type of directive and formula for setting a Federal payment that will avoid the constantly recurring problem of what the Federal share should be.

I think an excellent case can be made for the payment of far more than $30 million by the Federal Government, based upon withdrawal from the tax base of Federal property which is nontaxable, both real and personal, and the many exemptions which are granted to other embassies and other tax-exempt organization located in the Nation's Capital.

I think we all have a common goal, which is to make the Nation's Capital the showplace of the world. We must travel a little before we reach that goal. As the distinguished Senator from West Virginia realizes so well, one of the troublesome areas is the field of transportation. I know it is a field in which there are many problems. It will have a terrifically high price tag. But it has to be faced by this metropolitan area, just as it has to be faced by metropolitan areas all over the United States.

I close simply by commending the Senator from West Virginia for a job unusually well done.

Mr. BYRD of West Virginia. I thank the Senator from Nevada. I appreciate his kind remarks.

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

Mr. BYRD of West Virginia. I yield to the Senator from Nebraska.

Mr. HRUSKA. I should like to join my colleagues in paying tribute to the Senator from West Virginia for his work on the appropriations bill now before the Senate. His efforts have been diligent. They have been long in duration. I especially commend his admirable mastery of details and statistics. He had them at his fingertips, and they flowed from his lips so readily.

After all, the bill involves all facets of municipal government, in addition to the many other considerations that arise, since this is the Nation's Capital.

My colleague's mastery of facts and figures is even more remarkable for that reason.

I was particularly impressed with the overall efforts and objectives of the Senator from West Virginia to give full meaning to what most of us so earnestly desire; that is, to maintain a Federal city which is a source of pride for the entire Nation.

I join in the commendations which have been given so freely and so deservedly to the chairman of this subcommittee of the Committee on Appropriations.

I wish to make a few comments about the health and welfare activities of the District, and particularly the aid to dependent children program. This is a difficult field. It moves into the households of many people. It is a field in which it becomes easy, at a very low boiling point, to "emote." And there has been a great deal of "emoting" about it in the past 12 months. The Senator from West Virginia has found himself in the center of all this and has been "getting his lumps" quite regularly—and more than his share.

It is easy for people to criticize when the rules of law are applied, yet all of us are aware of the necessity for such rules. The business of welfare, whether for dependent children or otherwise, consists of two parts. The first is, to see that those who are entitled to the benefits receive them. The other is more painful and requires more diligent efforts. It is to keep benefits from being paid to those who are not justly entitled to them.

The second part is vital, if we expect the system to function and not be subjected to such criticism that the entire program is endangered.

There is one item of appropriations for the operations of the welfare division which is especially worthwhile, in my judgment. Here I refer to the funds for Junior Village.

In view of the overcrowded situation there, the increased funds which will provide 50 more positions than were approved by the House and allow for the construction of three additional cottages are certainly justified. This represents a sound investment, not only for the future of these youngsters, but also for the District of Columbia. Having lived near Boys Town, Nebr., and being familiar with the outstanding work which is carried on there, I personally feel that we should make every effort to encourage and assist the type of program that is being conducted at Junior Village. The committee should be commended for the attention it has given to an area that has so frequently been neglected.

If the Senator from West Virginia will permit, I should like to propound an inquiry about one phase of the welfare program. I refer to the Office of Investigations and Collections. The sum of $500,000—a half million dollars—is to be allowed for that office, and there is to be an increase in the number of positions from 31 to 154. I ask the chairman of the subcommittee whether the increase to 154 positions is intended to be a permanent increase.

Mr. BYRD of West Virginia. No, it is not looked upon as a permanent increase. It is intended to provide sufficient working personnel to permit a thorough investigation of the ADC caseload and the GPA caseload, and, if the results of a pending special investigation so indicate, of the APTD caseload. It is intended that these two or three caseloads be thoroughly investigated and cleaned up, leaving on the lists only those people who are needy and deserving and who meet the qualifying criteria.

Following that, it is our hope and our intention that the investigative force be again reduced, though it would not be reduced to present size, because 31 positions simply are not sufficient. We have insisted upon a strengthening of the intake procedures. We have insisted upon a more frequent determination of continuing eligibility. Consequently, we think there should be a continuing investigative force sufficient in number to implement these innovations which have been recommended by the committee.

But certainly there would be no necessity for continuing an investigative force of the size presently recommended.

Mr. HRUSKA. It is the hope of the Senator from Nebraska that it will not be necessary to retain these 154 positions indefinitely. I also hope that when the time comes to reduce this number, an effort will be made to retain investigators and others who have been trained for field work. Rather than maintaining a large office force, the major emphasis should be upon those positions which involve active investigation in the field. I know from the comments of the Senator from West Virginia that unfortunately such a condition had crept into the welfare program and that more work was being done paperwise than was being done in the field. I hope the situation will be reversed.

Again I commend the Senator for his excellent work.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator for his statement and for his expression of concern with reference to the maintenance of an investigative force at the level which would be created as a result of our action. Again I assure the Senator that I shall be as interested as he in seeing to it that the investigative force is leveled off once the job is done. I believe the forces of natural attrition will take care of some of the problem. I assure the Senator it is my desire only

that we give the department the investigative force it needs. At this time it needs a force of 154. Three years from now I hope it will need a force considerably smaller.

I assure the Senator I shall be very watchful in this regard.

I am glad the Senator reminded me of the action taken by the committee in connection with the Junior Village. There are 190 positions there now. The House added 77. We recommend adding 50. This would make a total of 317 positions at the Junior Village.

Mr. ERVIN. Mr. President, will the Senator yield for an observation?

Mr. BYRD of West Virginia. I yield to the senior Senator from North Carolina.

Mr. ERVIN. In my judgment, the Senate owes the Senator from West Virginia a deep debt of gratitude for the exceedingly fine work which he has done as chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations in this area of our activities.

Mr. BYRD of West Virginia. I thank the senior Senator from North Carolina.

Mr. President, this completes my statement on the bill.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

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

The bill (H.R. 12276) was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 12276) was passed.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion 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.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate insist upon its amendments and request a conference thereon with the House of Representatives; and that the Presiding Officer appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD of West Virginia, Mr. HAYDEN, Mr. KEFAUVER, Mr. MCGEE, Mr. SMITH of Massachusetts, Mr. JAVITS, Mr. CASE, and Mr. BEALL conferees on the part of the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. METCALF in the chair). Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1552) to amend and supplement the laws with respect to the manufacture and distribution of drugs, and for other purposes, with amendments, in which it requested the concurrence of the Senate; that the House insisted upon its amendments, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROBERTS of Alabama, Mr. O'BRIEN of New York, Mr. ROGERS of Florida, Mr. BENNETT of Michigan, Mr. SCHENCK, and Mr. NELSEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 11793) to provide criminal penalties for trafficking in phonograph records bearing forged or counterfeit labels.

The message further announced that the House had passed a joint resolution (H.J. Res. 897) making continuing appropriations for the fiscal year 1963, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 513. Concurrent resolution for printing additional copies of hearings; and

H. Con. Res. 574. Concurrent resolution authorizing the printing of a wall map of the United States, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12529) to provide for the free entry of one nuclear magnetic resonance spectrometer and one mass spectrometer for the use of the University of Illinois, and it was signed by the President pro tempore.

AMENDMENT AND SUPPLEMENTATION OF LAWS WITH RESPECT TO THE MANUFACTURE AND DISTRIBUTION OF DRUGS

Mr. MANSFIELD. Mr. President, on behalf of the chairman of the Judiciary Committee, the Senator from Mississippi [Mr. EASTLAND], I ask that the Chair lay before the Senate the message from the House of Representatives amending S. 1552, an act to amend and supplement the laws with respect to the manufacture and distribution of drugs, and for other purposes.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1552) to amend and supplement the laws with respect to the manufacture and distribution of drugs, and for other purposes, which were, to strike out all after the enacting clause and insert:

That this Act, divided into titles and sections according to the following table of contents, may be cited as the "Drug Amendments of 1962".

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TITLE I—DRUGS

Part A—Amendments to assure safety, effectiveness, and reliability

Requirement of Adequate Controls in Manufacture

SEC. 101. Clause (2) of paragraph (a) of section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351) is amended to read as follows: "(2) (A) if it has been prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health; or (B) if it is a drug and the methods used in, or the facilities or controls used for, its manufacture, processing, packing, or holding do not conform to or are not operated or administered in conformity with current good manufacturing practice to assure that such drug meets the requirements of this Act as to safety and has the identity and strength, and meets the quality and purity characteristics, which it purports or is represented to possess;".

Effectiveness and Safety of New Drugs

SEC. 102. (a) (1) Section 201(p) (1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(p)(1)), defining the term "new drug", is amended by (A) inserting therein, immediately after the words "to evaluate the safety", the words "and effectiveness", and (B) inserting therein immediately after the words "as safe", the words "and effective".

(2) Section 201(p)(2) of such Act (21 U.S.C. 321(p)(2)) is amended by inserting therein, immediately after the word "safety", the words "and effectiveness".

(b) Section 505(b) of such Act (21 U.S.C. 355(b)) is amended by inserting therein, immediately after the words "is safe for use", the words "and whether such drug is effective in use".

(c) Section 505(d) of such Act (21 U.S.C. 355(d)) is amended to read as follows:

"(d) If the Secretary finds, after due notice to the applicant in accordance with

subsection (c) and giving him an opportunity for a hearing, in accordance with said subsection, that (1) the investigations, reports of which are required to be submitted to the Secretary pursuant to subsection (b), do not include adequate tests by all methods reasonably applicable to show whether or not such drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof; (2) the results of such tests show that such drug is unsafe for use under such conditions or do not show that such drug is safe for use under such conditions; (3) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to preserve its identity, strength, quality, and purity; (4) upon the basis of the information submitted to him as part of the application, or upon the basis of any other information before him with respect to such drug, he has insufficient information to determine whether such drug is safe for use under such conditions; or (5) evaluated on the basis of the information submitted to him as part of the application and any other information before him with respect to such drug, there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof; or (6) based on a fair evaluation of all material facts, such labeling is false or misleading in any particular; he shall issue an order refusing to approve the application. If, after such notice and opportunity for hearing, the Secretary finds that clauses (1) through (6) do not apply, he shall issue an order approving the application. As used in this subsection and subsection (e), the term 'substantial evidence' means evidence consisting of adequate and well-controlled investigations, including clinical investigations, by experts qualified by scientific training and experience to evaluate the effectiveness of the drug involved, on the basis of which it could fairly and responsibly be concluded by such experts that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling or proposed labeling thereof."

(d) Section 505(e) of such Act (21 U.S.C. 355(e)) is amended to read as follows:

"(e) The Secretary shall, after due notice and opportunity for hearing to the applicant, withdraw approval of an application with respect to any drug under this section if the Secretary finds (1) that clinical or other experience, tests, or other scientific data show that such drug is unsafe for use under the conditions of use upon the basis of which the application was approved; (2) that new evidence of clinical experience, not contained in such application or not available to the Secretary until after such application was approved, or tests by new methods, or tests by methods not deemed reasonably applicable when such application was approved, evaluated together with the evidence available to the Secretary when the application was approved, shows that such drug is not shown to be safe for use under the conditions of use upon the basis of which the application was approved; or (3) on the basis of new information before him with respect to such drug, evaluated together with the evidence available to him when the application was approved, that there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof; or (4) that the application contains any untrue statement of a material fact: *Provided*, That if the Secretary (or in his absence the officer acting as Secretary) finds that there is an imminent hazard to the public health, he may suspend the approval of such application immediately, and give the applicant prompt notice of his action and afford the applicant the opportunity for an expedited hearing under this subsection; but the authority conferred by this proviso to suspend the approval of an application shall not be delegated. The Secretary may also, after due notice and opportunity for hearing to the applicant, withdraw the approval of an application with respect to any drug under this section if the Secretary finds (1) that the applicant has failed to establish a system for maintaining required records, or has repeatedly or deliberately failed to maintain such records or to make required reports, in accordance with a regulation or order under subsection (j), or the applicant has refused to permit access to, or copying or verification of, such records as required by paragraph (2) of such subsection; or (2) that on the basis of new information before him, evaluated together with the evidence before him when the application was approved, the methods used in, or the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to assure and preserve its identity, strength, quality, and purity and were not made adequate within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of; or (3) that on the basis of new information before him, evaluated together with the evidence before him when the application was approved, the labeling of such drug, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of. Any order under this subsection shall state the findings upon which it is based."

Records and Reports as to Experience on New Drugs

SEC. 103. (a) Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end thereof the following new subsection:

"(j)(1) In the case of any drug for which an approval of an application filed pursuant to this section is in effect, the applicant shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such applicant with respect to such drug, as the Secretary may by general regulation, or by order with respect to such application, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to determine, or facilitate a determination, whether there is or may be ground for invoking subsection (e) of this section.

"(2) Every person required under this section to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records."

(b) Section 505(i) of such Act (21 U.S.C. 355(i)) is amended (1) by inserting "the foregoing subsections of" immediately after "operation of"; (2) by inserting "and effectiveness" immediately after "safety"; and (3) by adding at the end thereof the following new sentences: "Such regulations may provide for conditioning such exemption upon—

"(1) the submission to the Secretary, before any clinical testing of a new drug is undertaken, of reports, by the manufacturer or the sponsor of the investigation of such drug, of preclinical tests of such drug adequate to justify the proposed clinical testing;

"(2) the manufacturer or the sponsor of the investigation of a new drug proposed to be distributed to investigators for clinical testing obtaining a signed agreement from each of such investigators that patients to whom the drug is administered will be under his personal supervision, or under the supervision of investigators responsible to him, and that he will not supply such drug to any other investigator, or to clinics, for administration to human beings; and

"(3) the establishment and maintenance of such records, and the making of such reports to the Secretary, by the manufacturer or the sponsor of the investigation of such drug, of data obtained as the result of such investigational use of such drug, as the Secretary finds will enable him to evaluate the safety and effectiveness of such drug in the event of the filing of an application pursuant to subsection (b).

Such regulations shall provide that such exemption shall be conditioned upon the manufacturer, or the sponsor of the investigation, requiring that (1) experts using such drugs for investigational purposes inform any human beings to whom such drugs, or any controls used in connection therewith, are being administered, or their representatives, that such drugs are being used for investigational purposes and obtain the consent of such human beings or their representatives, and (2) such experts certify to such manufacturer or sponsor that such consent will be obtained. Nothing in this subsection shall be construed to require any clinical investigator to submit directly to the Secretary reports on the investigational use of drugs."

(c) Section 301(e) of such Act (21 U.S.C. 331(e)) is amended to read as follows:

"(e) The refusal to permit access to or copying of any record as required by section 703; or the failure to establish or maintain any record, or make any report, required under section 505 (i) or (j), or the refusal to permit access to or verification or copying of any such required record."

(d) Subsection (a) of section 302 of such Act is amended by striking out "(e),".

New Drug Clearance Procedure

SEC. 104. (a) Section 505(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(a)), is amended to read as follows:

"(a) No person shall introduce or deliver for introduction into interstate commerce any new drug, unless an approval of an application filed pursuant to subsection (b) is effective with respect to such drug."

(b) Section 505(c) of such Act (21 U.S.C. 355(c)) is amended to read as follows:

"(c) Within one hundred and eighty days after the filing of an application under this subsection, or such additional period as may be agreed upon by the Secretary and the applicant, the Secretary shall either—

"(1) approve the application if he then finds that none of the grounds for denying approval specified in subsection (d) applies, or

"(2) give the applicant notice of an opportunity for a hearing before the Secretary under subsection (d) on the question whether such application is approvable. If the applicant elects to accept the opportunity for hearing by written request within thirty days after such notice, such hearing shall commence not more than ninety days after the expiration of such thirty days unless the Secretary and the applicant otherwise agree. Any such hearing shall thereafter be conducted on an expedited basis and the Secretary's order thereon shall be issued within ninety days after such hearing is completed."

(c) Section 505(f) of such Act (21 U.S.C. 355(f)) is amended to read as follows:

"(f) Whenever the Secretary finds that the facts so require, he shall revoke any previous order under subsection (d) or (e) refusing, withdrawing, or suspending approval of an application and shall approve such application or reinstate such approval, as may be appropriate."

(d)(1) The first four sentences of section 505(h) of such Act (21 U.S.C. 355(h)) are amended to read as follows:

"(h) An appeal may be taken by the applicant from an order of the Secretary refusing or withdrawing approval of an application under this section. Such appeal shall be taken by filing in the United States court of appeals for the circuit wherein such applicant resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia Circuit, within sixty days after the entry of such order, a written petition praying that the order of the Secretary be set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose, and thereupon the Secretary shall certify and file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition such court shall have exclusive jurisdiction to affirm or set aside such order, except that until the filing of the record the Secretary may modify or set aside his order."

(2) The ninth sentence of such section 505(h) is amended to read as follows: "The judgment of the court affirming or setting aside any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code."

(3) The amendments made by this subsection shall not apply to any appeal taken prior to the date of enactment of this Act.

(e)(1) Section 301(l) of such Act (21 U.S.C. 331(l)) is amended by (1) inserting "approval of" before "an application", and (2) striking out "effective" and inserting in lieu thereof "in effect".

(2) Clause (C) of section 503(b)(1) of such Act (21 U.S.C. 353(b)(1)) is amended by striking out "effective" and inserting in lieu thereof "approved".

(f)(1) Clause (A) of paragraph (3) of section 409(c) of such Act (21 U.S.C. 348(c)) is amended by inserting before the semicolon at the end thereof the following: ", except that this proviso shall not apply with respect to the use of a substance as an ingredient of feed for animals which are raised for food production, if the Secretary finds (i) that, under the conditions of use and feeding specified in proposed labeling and reasonably certain to be followed in practice, such additive will not adversely affect the animals for which such feed is intended, and (ii) that no residue of the additive will be found (by methods of examination prescribed or approved by the Secretary by regulations, which regulations shall not be subject to subsections (f) and (g)) in any edible portion of such animal after slaughter or in any food yielded by or derived from the living animal".

(2) Subparagraph (B) of paragraph (5) of section 706(b) of such Act (21 U.S.C. 376(b)) is amended by inserting before the period at the end of the subparagraph a colon and the following proviso: *"Provided,* That clause (i) of this subparagraph (B) shall not apply with respect to the use of a color additive as an ingredient of feed for animals which are raised for food production, if the Secretary finds that, under the conditions of use and feeding specified in proposed labeling and reasonably certain to be followed in practice, such additive will not adversely affect the animals for which such feed is intended, and that no residue of the additive will be found (by methods of examination prescribed or approved by the Secretary by regulations, which regulations shall not be subject to subsection (d)) in any edible portion of such animals after slaughter or in any food yielded by or derived from the living animal".

Certification of All Antibiotics

SEC. 105. (a) The heading of section 507 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357) is further amended to read "Certification of Drugs Containing Antibiotics", and the first sentence of subsection (a) of such section 507 is amended to read as follows: "The Secretary of Health, Education, and Welfare, pursuant to regulations promulgated by him, shall provide for the certification of batches of drugs composed wholly or partly of any kind of penicillin, streptomycin, chlortetracycline, chloramphenicol, or bacitracin or any derivative thereof, and of drugs intended for use by man and composed wholly or partly of any other kind of antibiotic substance (including the chemically synthesized equivalent of any such substance)."

(b) Such section 507 is further amended by adding at the end of such section the following new subsection:

"(h) In the case of a drug for which, on the day immediately preceding the effective date of this subsection, a prior approval of an application under section 505 had not been withdrawn under section 505(e), the initial issuance of regulations providing for certification or exemption of such drug under this section 507 shall, with respect to the conditions of use prescribed, recommended, or suggested in the labeling covered by such application, not be conditioned upon an affirmative finding of the efficacy of such drug. Any subsequent amendment or repeal of such regulations so as no longer to provide for such certification or exemption on the ground of a lack of efficacy of such drug for use under such conditions of use may be effected only if (1) such amendment or repeal is made in accordance with the procedure specified in subsection (f) of this section and (2) the Secretary finds, on the basis of new information with respect to such drug evaluated together with the information before him when the application under section 505 became effective or was approved, that there is a lack of substantial evidence (as defined in section 505(d)) that the drug has the effect it purports or is represented to have under such conditions of use."

(c) Section 502(l) of such Act (21 U.S.C. 352(l)) is amended to read as follows:

"(l) If it is, or purports to be, or is represented as a drug composed wholly or partly of any kind of penicillin, streptomycin, chlortetracycline, chloramphenicol, or bacitracin, or any derivative thereof, or a drug intended for use by man and composed wholly or partly of any other kind of substance within the purview of section 507, unless (1) it is from a batch with respect to which a certificate or release has been issued pursuant to section 507, and (2) such certificate or release is in effect with respect to such drug: *Provided,* That this paragraph shall not apply to any drug or class of drugs exempted by regulations promulgated under section 507 (c) or (d)."

Records and Reports as to Experience on Antibiotics

SEC. 106 (a) Section 507 of such Act (21 U.S.C. 357) is amended by adding at the end thereof the following new subsection:

"(g)(1) Every person engaged in manufacturing, compounding, or processing any drug within the purview of this section with respect to which a certificate or release has been issued pursuant to this section shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such person with respect to such drug, as the Secretary may by general regulation, or by order with respect to such certification or release, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to make, or to facilitate, a determination as to whether such certification or release should be rescinded or whether any regulation issued under this section should be amended or repealed.

"(2) Every person required under this section to maintain records, and every person having charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records."

(b) Section 507(d) of such Act (21 U.S.C. 357(d)) is amended by adding at the end thereof the following new sentences: "Such regulations may provide for conditioning the exemption under clause (3) upon—

"(1) the submission to the Secretary, before any clinical testing of a new drug is undertaken, of reports, by the manufacturer or the sponsor of the investigation of such drug, of preclinical tests of such drug adequate to justify the proposed clinical testing;

"(2) the manufacturer or the sponsor of the investigation of a new drug proposed to be distributed to investigators for clinical testing obtaining a signed agreement from each of such investigators that patients to whom the drug is administered will be under his personal supervision, or under the supervision of investigators responsible to him, and that he will not supply such drug to any other investigator, or to clinics, for administration to human beings; and

"(3) the establishment and maintenance of such records, and the making of such reports to the Secretary, by the manufacturer or the sponsor of the investigation of such drugs, of data obtained as the result of such investigational use of such drug, as the Secretary finds will enable him to evaluate the safety and effectiveness of such drug in the event of the filing of an application for certification or release pursuant to subsection (a).

Such regulations shall provide that such exemption shall be conditoned upon the manufacturer, or the sponsor of the investigation, requiring that (1) experts using such drugs for investigational purposes inform any human beings to whom such drugs, or any controls used in connection therewith, are being administered, or their representatives, that such drugs are being used for investigational purposes and obtain the consent of such human beings or their representatives, and (2) such experts certify to such manufacturer or sponsor that such consent will be obtained. Nothing in this subsection shall be construed to require any clinical investigator to submit directly to the Secretary reports on the investigational use of drugs."

(c) Section 301(e) of such Act (21 U.S.C. 331(e)), as amended by section 103(c) of this Act, is further amended by striking out "505 (i) or (j)" and inserting in lieu thereof "505 (i) or (j), or 507 (d) or (g)".

Effective Dates and Application of Part A

SEC. 107. (a) Except as otherwise provided in this section, the amendments made by the foregoing sections of this part A shall take effect on the date of enactment.

(b) The amendments made by sections 101, 103, 105, and 106 of this part A shall, with respect to any drug, take effect on the first day of the seventh calendar month following the month in which this Act is enacted.

(c) The amendments made by this Act to the Federal Food, Drug, and Cosmetic Act, insofar as such amendments relate to the effectiveness of drugs (except clause (3) of the first sentence of section 505(e) of such

Act), shall not apply to any drug with respect to which an application under section 505 of the Federal Food, Drug, and Cosmetic Act was effective on the day immediately preceding the date of enactment of this Act, so long as amendment of such application is not proposed and approval of such application has not been suspended or withdrawn under section 505 of such Act, as amended by this Act. An application filed pursuant to section 505(b) of such Act which was effective on the day immediately preceding the date of enactment of this Act shall, upon the date of enactment of this Act, be deemed to be an application approved by the Secretary. If an application filed with respect to a new drug pursuant to such section 505(b) prior to the date of enactment of this Act is still pending before the Secretary on such date, the running of the period within which the Secretary must act on such application pursuant to section 505(c) of such Act, as amended by this Act, shall be deemed to have commenced on the day immediately following the date on which such application was in fact filed.

(d) The amendments made by this Act to section 201(p) of the Federal Food, Drug, and Cosmetic Act shall not apply to any drug which, on the day immediately preceding the date of enactment of this Act, (1) was commercially used or sold in the United States, (2) was not a new drug as defined by section 201(p) of the Federal Food, Drug, and Cosmetic Act as then in force, and (3) was not covered by an effective application under section 505 of that Act, when intended solely for use under conditions prescribed, recommended, or suggested in labeling with respect to such drug on that day.

Part B—Standardization of drug names

Authority To Standardize Names

SEC. 111. (a) The Federal Food, Drug, and Cosmetic Act, as amended by this Act, is further amended by adding at the end of chapter V the following new section:

"AUTHORITY TO STANDARDIZE NAMES

"SEC. 508. Whenever in the judgment of the Secretary such action is necessary or desirable in the interest of achieving usefulness or simplicity of drug nomenclature, or because of the existence of two or more nonproprietary names (other than the systematic chemical name) for the same drug (or for two or more drugs which are identical in their active ingredients and substantially identical in their pharmacological action, strength, quality, and purity), or because the common or usual name of a drug is misleading, confusing, or not sufficiently informative, or because there exists no common or usual name for a drug, he may promulgate regulations establishing a single standard name for such drug (or for such identical drugs), together with any related or additional information which in the judgment of the Secretary is desirable to facilitate the corrective and effective use of such standard name. In no event, however, shall the Secretary establish a standard name so as to infringe a valid trademark."

(b) This section shall take effect on the date of its enactment.

Name To Be Used on Drug Label

SEC. 112. (a) Section 502(e) of such Act (21 U.S.C. 352(e)) is amended by—

(1) inserting the subparagraph designation "(1)" after "(e)";

(2) striking out the words "If it is a drug and is not designated solely by a name recognized in an official compendium unless its label bears (1) the common or usual name of the drug, if such there be; and (2), in case it is fabricated from two or more ingredients, the common or usual name of each active ingredient", and inserting in lieu thereof "If it is a drug, unless (A) its label bears, to the exclusion of any other nonproprietary name (except the applicable systematic chemical name or the chemical formula), (i) the established name (as defined in subparagraph (2)) of the drug, if such there be, and (ii), in case it is fabricated from two or more ingredients, the established name and quantity of each active ingredient";

(3) striking out the words "the name" and inserting in lieu thereof the words "the established name";

(4) inserting therein, immediately after the colon following the words "contained therein", the following: "*Provided*, That the requirement for stating the quantity of the active ingredients, other than the quantity of those specifically named in this paragraph, shall apply only to prescription drugs; and (B) for any prescription drug the established name of such drug or ingredient, as the case may be, on such label (or on any labeling therefor) is printed prominently and in type at least half as large as that used thereon for any proprietary name or designation for such drug or ingredient (or, in the case of labeling, is so printed at the first place, and at the most conspicuous place if other than the first place, at which such proprietary name for such drug or ingredient, as the case may be, is used):";

(5) striking out the words "clause (2) of this paragraph" in the proviso to such paragraph and inserting in lieu thereof "clause (A)(ii) or clause (B) of this subparagraph"; and

(6) adding at the end of such paragraph the following new subpargraph:

"(2) As used in this paragraph (e), the term 'established name', with respect to a drug or ingredient thereof, means (A) the applicable standard name established pursuant to section 508, or (B), if there is no such name and such drug, or such ingredient, is an article recognized in an official compendium, then the official title thereof in such compendium, or (C) if neither clause (A) nor clause (B) of this subparagraph applies, then the common or usual name, if any, of such drug or of such ingredient: *Provided further*, That where clause (B) of this subparagraph applies to an article recognized in the United States Pharmacopoeia and in the Homoeopathic Pharmacopoeia under different official titles, the official title used in the United States Pharmacopeia shall apply unless it is labeled and offered for sale as a homoeopathic drug, in which case the official title used in the Homoeopathic Pharmacopoeia shall apply."

(b) Section 502(g) of such Act (21 U.S.C. 352(g)) is amended by inserting immediately before the period at the end thereof a colon and the following proviso: "*Provided further*, That, in the event of inconsistency between the requirements of this paragraph and those of paragraph (e) as to the name by which the drug or its ingredients shall be designated, the requirements of paragraph (e) shall prevail".

(c) This section shall take effect on the first day of the seventh calendar month following the month in which this Act is enacted.

Nonapplicability to Cosmetics

SEC. 113. Chapter V of the Federal Food, Drug, and Cosmetic Act, as amended by section 111 of this Act, is further amended by adding at the end thereof the following:

"NONAPPLICABILITY TO COSMETICS

"SEC. 509. This chapter, as amended by the Drug Amendments of 1962, shall not apply to any cosmetic unless such cosmetic is also a drug or device or component thereof."

Part D—Amendments as to advertising

Prescription Drug Advertisements

SEC. 131. (a) Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is further amended by adding at the end thereof the following new paragraph:

"(n) In the case of any prescription drug distributed or offered for sale in any State, unless the manufacturer, packer, or distributor thereof includes in all advertisements and other descriptive printed matter issued or caused to be issued by the manufacturer, packer, or distributor, with respect to that drug a true statement of (1) the established name as defined in section 502(e), printed prominently and in type at least half as large as that used for any trade or brand name thereof, (2) the formula showing quantitatively each ingredient of such drug, and (3) such other information in brief summary relating to side effects, contraindications, and effectiveness as shall be required in regulations which shall be issued by the Secretary in accordance with the procedure specified in section 701(e) of this Act: *Provided*, That (A) except in extraordinary circumstances, no regulation issued under this paragraph shall require prior approval by the Secretary of the content of any advertisement, and (B) no advertisement of a prescription drug, published after the effective date of regulations issued under this paragraph applicable to advertisements of prescription drugs, shall, with respect to the matters specified in this paragraph or covered by such regulations, be subject to the provisions of sections 12 through 17 of the Federal Trade Commission Act, as amended (15 U.S.C. 52–57)."

(b) No drug which was being commercially distributed prior to the date of enactment of this Act shall be deemed to be misbranded under paragraph (n) of section 502 of the Federal Food, Drug, and Cosmetic Act, as added by this section, until the earlier of the following dates: (1) the first day of the seventh month following the month in which this Act is enacted; or (2) the effective date of regulations first issued under clause (3) of such paragraph (n) in accordance with the procedure specified in section 701(e) of the Federal Food, Drug, and Cosmetic Act.

TITLE II—FACTORY INSPECTION AUTHORITY

Factory inspection

SEC. 201. (a) Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) is amended to read as follows:

"(a) For purposes of enforcement of this Act, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which food, drugs, devices, or cosmetics are manufactured, processed, packed, or held, for introduction into interstate commerce or after such introduction, or to enter any vehicle being used to transport or hold such food, drugs, devices, or cosmetics in interstate commerce; and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle and all pertinent equipment, finished and unfinished materials, containers, and labeling therein. In the case of any factory, warehouse, or establishment in which prescription drugs are manufactured, processed, packed, or held, the inspection shall extend to all things therein (including records, files, papers, processes, controls, and facilities) bearing on whether prescription drugs which are adulterated or misbranded within the meaning of this Act, or which may not be manufactured, introduced into interstate commerce, or sold, or offered for sale by reason of any provision of this Act, have been or are being manufactured, processed, packed, transported, or held in any such place, or otherwise bearing on violation of this Act. No inspection authorized for prescription drugs by the preceding sentence shall extend to (A) financial data, (B) sales data other than shipment data, (C) pricing data, (D) personnel data (other than data as to qualifications of technical and professional personnel performing functions subject to this Act), and (E) research data (other than data, relating to new drugs and antibiotic drugs, subject to

reporting and inspection under regulations lawfully issued pursuant to section 505 (i) or (j) or section 507 (d) or (g) of this Act, and data, relating to other drugs, which in the case of a new drug would be subject to reporting or inspection under lawful regulations issued pursuant to section 505(j) of the Act) pertinent sanitation methods, analytical reports on unfinished materials, quantitative formula data for active ingredients, qualitative formula data for inactive ingredients, facilities for weighing and measuring, packaging facilities, sterility controls, active ingredient assay controls, coding systems, facilities for maintaining separate identity for each drug, cleaning of equipment, methods for quarantine of drugs until after clearance with control laboratory and file of complaints from licensed medical practitioners and licensed medical institutions, shipping records, and data as to qualifications of technical and professional personnel performing functions subject to this Act. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness. The provisions of the second sentence of this subsection shall not apply to—

"(1) pharmacies which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs, upon prescriptions of practitioners licensed to administer such drugs, or patients under the care of such practitioners in the course of their professional practice and which do not, either through a subsidiary or otherwise, manufacture, prepare, propagate, compound, or process drugs for sale other than in the regular course of their business of dispensing or selling drugs at retail;

"(2) practitioners licensed by law to prescribe or administer drugs and who manufacture, prepare, propagate, compound, or process drugs solely for use in the course of their professional practice;

"(3) persons who manufacture, prepare, propagate, compound, or process drugs solely for use in research, teaching, or chemical analysis and not for sale;

"(4) such other classes of persons as the Secretary may by regulation exempt from the application of this section upon a finding that inspection as applied to such classes of persons in accordance with this section is not necessary for the protection of the public health."

(b) Section 302(a) of such Act (21 U.S.C. 332(a)) is amended by striking out "(f),".

(c) Nothing in the amendments made by subsection (a) of this section shall be construed to negate or derogate from any authority of the Secretary existing prior to the enactment of this Act.

Confidentiality of information obtained by inspection

SEC. 202. Section 301(j) of such Act (21 U.S.C. 331(j) is amended by—

(1) inserting "or as authorized by law," after "Act,";

(2) striking out the following: "concerning any method or process which as a trade secret is entitled to protection"; and

(3) inserting immediately before the period at the end thereof the following: ": *Provided*, That nothing in this Act shall authorize the withholding of information from the duly authorized committees of the Congress."

Effect on State laws

SEC. 203. Nothing in the Federal Food, Drug, and Cosmetic Act, as amended, shall be construed as invalidating any provision of State law which would be valid in the absence of such Act unless there is a direct and positive conflict between such Act and such provision of State law.

Effective date

SEC. 204. The amendments made by this title shall take effect on the date of enactment of this Act.

And to amend the title so as to read: "An Act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, effectiveness, and reliability of drugs, authorize standardization of drug names, and clarify and strengthen existing inspection authority; and for other purposes."

Mr. MANSFIELD. Mr. President, again on behalf of the chairman of the Judiciary Committee, the Senator from Mississippi [Mr. EASTLAND], I move that the Senate disagree to the amendments of the House to S. 1552, agree to the conference asked by the House on the disagreeing votes of the two Houses, and that conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. KEFAUVER, Mr. JOHNSTON, Mr. DIRKSEN, and Mr. HRUSKA conferees on the part of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 897) making continuing appropriations for the fiscal year 1963, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The concurrent resolution (H. Con. Res. 513) for printing additional copies of hearings, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Appropriations, House of Representatives, twenty thousand additional copies of the hearings entitled "Education for All Children—What We Can Learn From England".

The concurrent resolution (H. Con. Res. 574) authorizing the printing of a wall map of the United States, and for other purposes, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be compiled and printed fifty-eight thousand eight hundred copies of a wall map of the United States prepared for the Bureau of Land Management, Department of the Interior, by the Geological Survey, Department of the Interior, showing the extent of public surveys, national parks, national forests, Indian reservations, national wildlife refuges, and reclamation projects, size six and a half feet by four and a half feet, of which fifteen thousand copies shall be for the use of the Senate; and forty-three thousand eight hundred copies shall be for the use of the House of Representatives.

TEMPORARY EXTENSION OF PROVISIONS OF LAW RELATING TO FREE IMPORTATION OF PERSONAL AND HOUSEHOLD EFFECTS—CONFERENCE REPORT

Mr. BYRD of Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12180) 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. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 21, 1962, p. 20241, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXEMPTION OF FOWLING NETS FROM DUTY—CONFERENCE REPORT

Mr. BYRD of Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6682) to provide for the exemption of fowling nets from duty. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 21, 1962, p. 20244, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VICKSBURG NATIONAL MILITARY PARK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2130, Senate bill 765.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 765) to consolidate Vicksburg National Military Park and to provide for certain adjustment necessitated by the installation of a park tour road, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the bill was introduced by the distinguished Senator from Mississippi [Mr. STENNIS]. It would consolidate certain land within Vicksburg National Military Park in Vicksburg, Miss. The bill had the careful consideration of the Subcommittee on Public Lands. Field hearings were conducted by the distinguished Senator from Utah [Mr. Moss]. The bill was reported favorably by the subcommittee and the full committee, without objection. I urge passage of 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, in order to preserve and protect the essential historical features of Vicksburg National Military Park in the State of Mississippi and to enhance visitor enjoyment and safety by means of a park tour road and through the consolidation of park lands, the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he determines are in the public interest—

(a) to quitclaim to the city of Vicksburg, Mississippi, approximately one hundred and fifty-four acres of land, including the roads thereon and the park land abutting said roads, in exchange for the city's agreeing to place the roads in its road system and thereby assume jurisdiction and maintenance thereof, and upon the further agreement of the city to maintain the parklike character of so much of the park land conveyed to it and abutting the road as the Secretary may prescribe, said land being generally that part of Vicksburg National Military Park lying south of Fort Garret with the exception of Navy Circle, South Fort, and Louisiana Circle: *Provided,* That title to so much of said abutting park land prescribed by the Secretary and covered by said agreement of the city to maintain the parklike character thereof shall revert to the United States if its parklike character is not maintained; to quitclaim to Warren County, Mississippi, upon like terms and conditions approximately twenty-four acres of land, including the road and abutting park land, being known as Sherman Avenue and the Sherman Avenue spur; to release or quitclaim to Warren County or any other appropriate political subdivision of the State all interest which the United States of America has, if any, in those portions of any public road located on park land which are no longer required for park purposes: *Provided,* That the United States shall reserve from the conveyance or conveyances made pursuant to this subsection title to all historical monuments, means of access thereto, and such other easements as the Secretary determines are required for the continued administration of said monuments as a part of Vicksburg National Military Park; and

(b) to acquire not in excess of five hundred and forty-four acres of land, or interests in land, for addition to Vicksburg National Military Park, such authority to include purchase and condemnation with appropriated funds but not to constitute a limitation upon existing authority to accept donations; and

(c) to enter into agreements with duly authorized officials of the city of Vicksburg and Warren County relative to the effect which the installation of a one-way park tour road with controlled access will have upon the existing local road systems; subject to the availability of funds, to obligate the United States to make provision for such alterations, relocations and construction of local roads, including procurement of rights-of-way therefor and the subsequent transfer thereof to the State or its appropriate political subdivisions which shall thereupon assume jurisdiction and maintenance, as the Secretary and said officials agree are directly attributable to the installation of the park tour road; and to transfer to the city or county jurisdiction and maintenance of service roads which the Secretary constructs on park lands to properties that otherwise would be denied access because of the installation of the park tour road.

The Secretary of the Interior shall not, without first obtaining the consent of the city and county officials referred to in subsection (c), convert the portion of the existing road known as Confederate Avenue lying between Graveyard Road and Fort Garret into a one-way park tour road with controlled access, or otherwise limit the use of such portion by local traffic, until the United States has provided for such alterations, relocations, and construction of local roads (including procurement of rights-of-way) as the Secretary and said officials agree are directly attributable to the installation of such park tour road.

SEC. 2. Upon the delivery and acceptance of the conveyances herein authorized, any jurisdiction heretofore ceded to the United States by the State of Mississippi over the lands and roads transferred shall thereby cease and thereafter vest in the State of Mississippi.

SEC. 3. Funds required for the purposes of this Act are hereby authorized to be appropriated.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

CONVEYANCE OF CERTAIN LANDS TO COLORADO RIVER COMMISSION OF NEVADA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the 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, which was, on page 1, strike out all after line 7, over through and including line 2, page 2, and insert:

(1) in section 2, strike out "five years" and insert in lieu thereof "ten years";

(2) in section 3, strike out "five-year" and insert in lieu thereof "ten-year"; and

(3) at the end of section 4(c) add: "The appraisal shall be of the fair market value of the lands as of the effective date of this Act."

Mr. BIBLE. Mr. President, as the author of the bill, I believe the amendment made by the House of Representatives is a fair and just amendment and does equity to the State of Nevada. It merely provides that the purchase price to be paid by the State shall be the appraised value at the time the 1958 act for the selection and purchase of the property was enacted.

This proposal has been cleared on both sides of the aisle, and has been discussed with the two ranking minority members of the committee, the Senator from California [Mr. KUCHEL] and the Senator from Colorado [Mr. ALLOTT]. They agree to the House amendment.

I move that the Senate concur in the amendment made by the House to S. 3089.

The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ESTABLISHMENT OF INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2138, H.R. 11099.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 11099) to amend the Public Health Service Act to provide for the establishment of an Institute of Child Health and Human Development and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, at the top of page 7, to insert a new section, as follows:

SEC. 4. (a) Section 704 of the Public Health Service Act is amended by striking out "six" and inserting in lieu thereof "nine".

(b) Section 705(a) of such Act is amended by striking out "1962" and inserting in lieu thereof "1965".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

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

The bill was read the third time and passed.

The title was amended, so as to read: "An Act to amend the Public Health Service Act to provide for the establishment of an Institute of Child Health and Human Development, to extend for three additional years the authorization for grants for the construction of facilities for research in the sciences related to health, and for other purposes."

Mr. MANSFIELD subsequently said: Mr. President, I move that the vote by which House bill 11099 was passed be reconsidered.

Mr. MORSE. 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.

ADMITTANCE OF VESSEL "CITY OF NEW ORLEANS" TO AMERICAN REGISTRY

The Senate resumed the consideration of the bill (S. 3115) to authorize the admittance of the vessel *City of New Orleans* to American registry and to permit the use of such vessel in the coastwise trade.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. BARTLETT obtained the floor.

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

Mr. BARTLETT. I yield.

Mr. MANSFIELD. Mr. President, it seems to me that we are having a considerable amount of difficulty with this bill, and it also seems impossible to arrive at a meeting of minds concerning a time limitation with a view to bringing about a final vote on the bill.

In all good faith I suggest to the distinguished Senator from Alaska that he consider the possibility of not pursuing action any further on the bill at this session, on the basis of a commitment or promise that the proposal will be heard in the appropriate committee during the first month of the next session and, if at all possible, considered by the Senate during the first month of next year.

Mr. BARTLETT. That is to say, if the bill in identical or substantially the same form were to be reported by the Committee on Commerce in the first month, or shortly thereafter, of the first session of the next Congress, the majority leader would schedule it for early consideration on the floor?

Mr. MANSFIELD. If I happen to be the majority leader at that time, the Senator can be assured that it will be brought up at the earliest opportunity before the policy committee, and recommendation will be made that it be brought to the floor as rapidly as possible.

Mr. BARTLETT. I do not qualify my question in the manner the majority leader did. The bill was fully considered in the Commerce Committee. It was reported from committee with only two dissenting votes.

I believe this is a good bill, particularly because it is the only mechanism available, so far as I am aware, which will afford protection to American transportation, American workmen, and American industry from the competition offered by Canadians since May. I think we are required to provide some protection such as the bill affords.

In the past several days I have had many conversations with the majority leader. I have been most desirous and have pressed to have the consideration of the bill resumed. The bill was debated for an hour or two the other day. However, I appreciate the position in which the majority leader finds himself. Time is running short; no action has been taken by the House committee and the opponents of the bill are not only extraordinary men, but are reasonably vocal. I appreciate the fact that the majority leader cannot provide time for the bill, which is incorrectly considered by some to be of a somewhat local interest.

So with the understanding reached with the majority leader, I acquiesce, but with extreme reluctance, in the suggestion he has just made.

Mr. MANSFIELD. Mr. President, it has taken about 4 days to bring the distinguished Senator from Alaska around to this particular point of view. However, I believe it is in the best interests of good legislation to agree to the conditions laid down. Otherwise, in the remaining days of the session, the bill would have to be set aside from time to time, thereby creating a lack of continuity; whereas if we wait until the first month, or thereabouts, of the first session of the next Congress, the bill can be called up and the debate can continue until the issue is decided one way or the other.

The Senator from Alaska has been most diligent in his handling of the bill and has been ably supported by the Senator from Washington [Mr. MAGNUSON] and the two Senators from North Carolina [Mr. ERVIN and Mr. JORDAN], who have made a sizable contribution to the work on behalf of the bill.

Mr. BARTLETT. I appreciate the support of those Senators.

Mr. ENGLE. Mr. President, I concur in the statement of the distinguished majority leader. It is seldom that I disagree with the Senator from Alaska. When I disagree with him, it is with deep regret and great reluctance. In this instance, it has been necessary for me to oppose the bill. I propose to oppose it with great vigor. I have pending at least four amendments which would require lengthy discussion.

The distinguished Senator from Maryland [Mr. BUTLER] has a number of amendments pending. So I think it was perfectly obvious that the discussion on this measure could not be extended at this time without interfering with or interrupting the consideration of other measures having high priority. Even if we resume the consideration of the bill this afternoon at this hour, we could not possibly complete action on it.

As a consequence, the Senator from Alaska has acted with his usual good judgment and moderation, so that consideration of the bill may be postponed.

Both the Senator from Alaska and I are members of the Committee on Commerce. I completely concur in the statement which has been made about the consideration of the bill. We shall be very happy to arrange for early hearings on the bill.

My only regret is that if and when a similar bill is again reported, in the controversy next year I shall miss the strong arm, persuasive voice, and vigorous help of my very dear friend the distinguished senior Senator from Maryland [Mr. BUTLER], who has sided with me in this particular controversy.

I express my appreciation to the majority leader and to the Senator from Alaska.

Mr. BUTLER. Mr. President, will the Senator from California yield?

Mr. ENGLE. I yield.

Mr. BUTLER. I thank my good friend from California for his kind remarks.

I wish to say also to my good friend from Alaska that he has done his very best to have action taken on the bill with a view to its enactment. But the time element being what it is, he has not had an opportunity to see it to a conclusion.

I deeply regret that I shall not be here next year with my colleagues when the bill is again discussed.

Mr. BARTLETT. That is the only reason why I am glad the Senator will not be back.

Mr. HRUSKA. Mr. President, I should like to inquire of the majority leader what disposition will be made of the bill, so far as the calendar is concerned.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further action on S. 3115 be indefinitely postponed.

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

Mr. BARTLETT. Mr. President, also on the calendar are two other maritime bills. In my opinion, they are very important and highly complex and technical. They are Calendar No. 1562, S. 2314, to limit the liability of shipowners, and for other purposes; and S. 2313, to unify apportionment of liability in cases of collison between vessels, and related casualties.

The bills relate to the proposed adherence by the United States to interna-

tional conventions on the maritime liability of shipowners and apportionment of this liability, and would bring our maritime liability law into conformity with international conventions reached by other maritime nations of the world, but not by the United States, at Brussels in 1910 and in 1957.

I have been informed—and authoritatively, I feel quite certain—that the situation concerning these bills is quite the same as that which pertained to the bill which was just indefinitely postponed, namely, that if they are brought to the floor for debate now, the discussion may be, to put it by way of underemphasis, prolonged; and that once more the majority leader will be faced with the dilemma of whether to take up the bills and proceed to their conclusion, so that they may be voted up or down, or to defer action on them until the next session of Congress, let them first receive committee consideration, and then take floor action on them when they are reported.

I think the bills should have been passed at this session. I know that at least one Senator disagrees with me. So I ask the majority leader if he has reached any conclusion as to the immediate fate of these bills from the standpoint of the parliamentary situation.

Mr. MORSE. Mr. President, will the Senator yield, so that I may give the majority leader some information on which he may base his opinion?

Mr. BARTLETT. I yield.

Mr. MORSE. These two bills, S. 2314 and S. 2313, have aroused some objection on the part of interested groups who were not fully informed about the bills at the time they were considered in the committee. I have examined the evidence, and I believe they are entitled to an opportunity to testify on the bills at the next session of Congress. If the bills are not postponed indefinitely, I shall have to testify for these groups by proxy on the floor of the Senate. The testimony is voluminous, and the exhibits I would have to introduce and explain to the Senate are many times more voluminous. So I fear the explanation would take a considerable amount of time.

Therefore, I think it would be better if new bills were introduced early at the next session. I assure the Senator from Alaska, and the majority leader, that I shall say to the interested parties that I do not believe they should be as guilty of laches as they were at this session of Congress, because I have not been very kind in my comments to them. I have said to them, in effect, "I think you have a meritorious case, but you should not have waited until now to make known your objection. You ought to be on the job and not let these bills get out of committee and onto the calendar of the Senate, and then come to me and tell me you were not aware of all the problems involved in the bills."

So, if they are not on the job, come January or February, we can proceed with the consideration of the bills on the basis of the record already made.

Mr. MANSFIELD. Mr. President, on the basis of the statements made by the Senator from Alaska [Mr. BARTLETT], and the Senator from Oregon [Mr. MORSE], it appears to me that in the interest of discretion it might be well to consider these bills on the same basis as we considered the previous bill, which has been indefinitely postponed. I think better consideration will be accorded the bills next year. They can be reported at an early date, and the Senate can then have uninterrupted debate and consideration. I think such action would be in the best interests of all concerned.

Mr. President, I therefore ask unanimous consent that S. 2314 and S. 2313 be indefinitely postponed.

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

Mr. BARTLETT. Mr. President, I shall take only a minute more.

It is with the greatest reluctance that I agree to this course, because the testimony given before the committee on these two bills was, I am sure, at least as voluminous as the testimony which the Senator from Oregon suggested would be offered later, and I was influenced to a very great extent by the fact that these bills had the support of the Maritime Law Association, the American Bar Association, and every interested Government agency. I wish we could proceed with them now and could vote on them. But I understand the realities of this situation.

Mr. MANSFIELD. I thank the Senator from Alaska for his unfailing courtesy and consideration.

ESTABLISHMENT OF LIBRARY OF MUSICAL SCORES IN LIBRARY OF CONGRESS

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 3408; and I shall ask that the Senate concur in the amendment of the House.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3408) to establish in the Library of Congress a library of musical scores and other instructional materials to further educational, vocational, and cultural opportunities in the field of music for blind persons, which was, to strike out all after the enacting clause and insert:

That (a) the Librarian of Congress shall establish and maintain a library of musical scores, instructional texts, and other specialized materials for the use of blind residents of the United States and its possessions in furthering their educational, vocational, and cultural opportunities in the field of music. Such scores, texts, and materials shall be made available on a loan basis under regulations developed by the Librarian or his designee in consultation with persons, organizations, and agencies engaged in work for the blind.

(b) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CONSTRUCTION AND MAINTENANCE OF OROVILLE-TONASKET UNIT OF OKANOGAN-SIMILKAMEEN DIVISION, CHIEF JOSEPH DAM PROJECT, WASHINGTON

Mr. JACKSON. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 1060, to authorize the Secretary of the Interior to construct, operate, and maintain the Oroville-Tonasket unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington. This bill passed the Senate on September 15, 1961, and was passed by the House of Representatives on September 20, 1962, with amendments.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1060) to authorize the Secretary of the Interior to construct, operate, and maintain the Oroville-Tonasket unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes, which were, on page 2, strike out lines 11 through 19, inclusive, and insert:

SEC. 2. The basic period provided in subsection (d), section 9, of the Reclamation Project Act of 1939, as amended (43 U.S.C. 485h), for repayment of the construction cost properly chargeable to any block of lands may be extended to fifty years, exclusive of any development period, from the time water is first delivered to that block. Power and energy required for irrigation pumping for the Oroville-Tonasket unit shall be made available by the Secretary from the Chief Joseph Dam powerplant and other Federal plants interconnected therewith at rates not to exceed the cost of such power and energy from the Chief Joseph Dam taking into account all costs of the dam, reservoir, and powerplant which are determined by the Secretary under the provisions of the Federal reclamation laws to be properly allocable to such irrigation pumping power and energy.

On page 2, line 21, strike out ", but not limited to,", and on page 3, strike out lines 17 through 19, inclusive, and insert:

SEC. 4. There are hereby authorized to be appropriated for construction of the works authorized by this Act not to exceed $3,210,000, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations from January 1961 construction costs as indicated by engineering cost indices applicable to the type of construction involved herein, and not to exceed $400,000 for carrying out the provisions of section 3 of this Act, in addition to the cost of fish screens, when the Secretary finds that conditions justify such expenditures. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works.

Mr. JACKSON. Mr. President, as Senate bill 1060 was passed by the Senate, it would make the provisions of section 2 of the act of July 27, 1954, applicable to the Oroville-Tonasket unit and thereby provide authority for, first, establishing a 50-year repayment period; second, adopting a variable payment formula in the contract which reflects existing economic conditions; third, providing financial assistance from Chief Joseph project power revenue; and,

fourth, making available Chief Joseph project energy for project pumping at rates not exceeding the cost of generation.

The general reclamation law now carries authority for the adoption of a variable payment formula in repayment contracts. The House felt that specific authority was no longer required. The House also amended the bill to remove the provision for financial assistance from the Chief Joseph power project as unnecessary. Testimony before the House Interior Committee indicated that the water users could repay the cost of the project without power revenue assistance. An additional amendment was adopted to eliminate the Department of the Interior's proposal to eliminate rough fish such as carp and suckers. The committee took the position that Federal funds should not be expended for this purpose on this specific project. A final amendment by the House limited the authorization for appropriation to the estimated cost of the project, or $3,210,000.

The House amendments have been discussed with the Senator from California [Mr. KUCHEL], the ranking minority member of the Senate Interior and Insular Affairs Committee. These amendments are acceptable to the sponsors, and there is agreement that the House amendments should be accepted by the Senate.

Therefore, I move that the Senate concur in the House amendments to S. 1060.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington that the Senate concur in the amendments of the House of Representatives to Senate bill 1060.

The motion was agreed to.

PRIMARY MARKETING AREA OF BONNEVILLE POWER ADMINISTRATION

Mr. JACKSON. Mr. President, on August 8, the Senate passed S. 3153, a bill defining the primary marketing area of the Bonneville Power Administration. On August 16, the Senator from South Dakota [Mr. MUNDT] questioned, on the floor of the Senate, the accuracy of two statements made during the debate on S. 3153. His remarks appear beginning on page 16725 of the RECORD. The statements in the debate on S. 3153 which were challenged by the Senator from South Dakota are: First, the statement that power valued at $30 million a year is now being spilled over the dams and wasted into the ocean; and second, the statement that the legislation was necessary to permit the Bonneville Power Administration to sell its surplus energy safely outside the Pacific Northwest without giving preference to distant public agencies which could disrupt its established marketing arrangements.

Since the accuracy of the statements has been challenged, a brief review of the facts is appropriate, in order to show whether they do support the statements made during the debate. The $30 million figure was questioned by drawing attention to an estimate of a maximum of $15 million in the Department of the Interior task force report. Only two observations need be made concerning the validity of that comparison. First, the task force report was prepared on a very conservative basis. For example, it assumes that all industrial plants in the Pacific Northwest are operating at full capacity.

For various reasons, including swings in the business cycle, the plants do not operate to capacity, and large blocks of energy become available for limited periods, in addition to the energy for which there is no use in the Pacific Northwest and no plant capacity in that region to absorb it.

Second, the benefits described in the report are limited to those available under the interconnection which the report recommends. In other words, the estimated revenues of up to $15 million are based, not on the amount of power available for sale in the Pacific Northwest, but on the capacity of the recommended interconnection and the other uses to which it would be put. Transmission capacity, not the availability of power, is the limiting factor, and accounts for the difference between the two figures.

The amount of revenues lost in fiscal years 1960 and 1961, the most recent years for which figures are now available, by spilling water over the dams, instead of running it through the generators, is as follows:

[Dollars in millions]

Unrealized revenues	Fiscal year—	
	1960	1961
1. Curtailment of firm power by industries	$0.3	$0.9
2. Short-term firm power not sold	9.0	12.3
3. Interruptible power not sold	5.6	7.1
4. Other secondary not sold	16.8	10.0
Total	31.7	30.3
5. Peaking capacity not sold	4.6	7.2
Total	36.3	37.5
Total energy unsold (billions of kilowatt-hours)	15.7	14.1
Total peaking capacity unsold (thousands of kilowatts)	760	1,200

Industrial customers of Bonneville Power Administration have the right to curtail their firm power deliveries under certain circumstances; and they do so from time to time for various reasons, including poor business conditions. They pay only a portion of their normal power bills during periods of curtailment. Item 1 is the net revenue lost from such curtailments, being the difference between their full power bills if they had not curtailed power deliveries and the smaller amounts which they paid.

Bonneville has firm power, in excess of its contractual obligations, available for various short periods. None is available beyond 1965. For that reason, it cannot be sold for industrial use, the only possible additional market in the Pacific Northwest during the years in question, inasmuch as a prospective industrial customer cannot justify the construction of a plant on a short-term power supply. Item 2 is the value of the short-term power supply that was not sold. Revenues from interruptible power, a form of secondary power, are subject to two limitations—customers' needs and availability of water to generate the power. Customers may stop deliveries of interruptible power at any time, and are not required to make any payment during periods of interruption. Item 3 is the difference between the revenues the interruptible customers actually paid and the amount they would have paid had they operated their plants at full capacity during all times that water was available to generate the power the plants require. Item 4 is the value of the remaining secondary power for which there was no market in the Pacific Northwest during the respective periods.

While there are varying reasons why power in the several categories was available, the fact remains that in each year more than 14 billion kilowatt-hours of energy, with a value of more than $30 million, were unsold and were wasted into the sea. It is on those figures that the statements during the debate on S. 3153 were based.

As a matter of fact, those statements were quite conservative. In addition to unsold energy, 760 and 1,200 megawatts of machine capacity, usable and marketable in other regions for peaking purposes, were surplus to the needs of the Pacific Northwest in the respective years. This capacity, at $6 per kilowatt-year at the generating plant, had a value of $4,600,000 and $7,200,000. In each fiscal year then, power with a value of more than $36 million was wasted. This waste of power and dollars must stop; and the Bonneville Administration has proposed a program to stop it. S. 3153 will help, by permitting the power to be made available for sale in California, without prejudicing the power supply of customers in the Pacific Northwest.

No one contends that all the power could be sold and that the last dollar of revenue could be realized. It is impossible to control that closely the operation of any hydroelectric system, and I so stated in the debate prior to passage of S. 3153. But a substantial part of the wasted power could be sold in California, to the benefit of both areas, the entire country, and the U.S. Treasury.

The marketability of the power also was questioned, on the ground that it was offpeak. Actually, very little of it is offpeak. When the power is available, it will be available without interruption, for extended periods of time, usually from 3 to 5 months. A further indication of the existence of a market can be derived from the task force report, the recommendations of which were based on letters of intent received from prospective California purchasers. In addition, the offer of Pacific Gas & Electric Co. to purchase a portion of the power is a matter of record before the Congress—hearings before the Senate Subcommittee on Irrigation and Reclamation, June 15, 1960, page 101.

Let us turn to the second statement, the necessity of this legislation in order to permit Bonneville Power Administration to sell its surplus energy outside the Pacific Northwest without endangering the power supply of its Pacific Northwest customers through the operation of a

statutory preference in favor of public bodies outside the Pacific Northwest. During the debate I stated:

S. 3153 would not affect any existing contracts and it applies only to sales of Columbia River power to be used outside the Northwest marketing area—and presently there are no such contracts.

The accuracy of that statement is challenged by assertions that Bonneville is selling energy to a utility in Canada and that Bonneville is selling energy to utilities operating in Wyoming and Montana, and that these utilities in turn are selling power to REA cooperatives in Wyoming and eastern Montana.

What are the facts? The present arrangements with the British Columbia utility is not a contract for the sale of power. It is an exchange agreement calling for the exchange of power between the Bonneville system and the British Columbia system. Bonneville Power Administration is now in the process of executing a contract with the British Columbia utility for the sale of secondary power for a few months. Of course the preference clause does not extend to foreign customers. Furthermore, the power will be delivered over facilities which were erected at the Canadian border under a Presidential permit which provides:

Article 6. The facilities herein authorized shall not be operated so as to impair the sufficiency of electric supply within the United States unless specific authorization therefor be obtained.

This permit, by limiting exports to power that is surplus to the needs of the United States, will serve the same purpose with respect to sales outside the United States that this bill will serve with respect to domestic sales outside the Pacific Northwest. It affirms the principle of the bill.

Bonneville Power Administration has no contract with the Montana Power Co. for the sale of secondary energy for steam displacement. It has a firm power contract with that utility under the Montana preference in the Hungry Horse Project Act, and the amount of firm power sold thereunder is less than one-fourth of the company's load in western Montana. Bonneville also has an exchange arrangement with Montana Power Co. for the holding of water in the company's Kerr project reservoir and contracts for wheeling Federal power to cooperatives in western Montana.

The Wyoming system of Pacific Power & Light Co., which presumably is the one to which reference is made, is a segregated system entirely separate from the company's main system in the Pacific Northwest. The two can be tied together only by a means of light interconnection through the systems of two other utilities. Bonneville does not have any contract for the sale of power to Pacific Power & Light Co. for its Wyoming system or for any customer served by the Wyoming system. The assertions apparently were based on statements of a former Assistant Secretary of the Interior who was discussing sales outside the marketing area of various power marketing agencies in the Department of the Interior. He may have become confused because of that situation, as it is difficult to relate parts of his testimony to any particular system. However, the fact remains that Bonneville does not now have, and to the best of my knowledge never has had, a contract for the sale of power for use in this country outside its marketing area by either a preference customer or a nonpreference customer.

The accuracy of my statement was further questioned by the assertion that the November 4, 1959, opinion of the Portland regional solicitor of the Department of the Interior was applicable only to power sold over a Federal line connecting the two regions. That assertion is erroneous. There is not one word in the opinion relating to the ownership of an interconnecting line. Its conclusion that all policies of the Bonneville Act, including preference to public bodies and cooperatives, must be followed regardless of the area in which the power may be sold or used, is equally applicable whether the interconnecting line is federally or nonfederally owned.

I find it curious that the assertion currently made is not the language of the regional solictor's opinion. Rather it is the interpretation or position of the Pacific Gas & Electric Co. with respect to that opinion. See the statement of the executive vice president of that company—hearings before the Senate Subcommittee on Irrigation and Reclamation, June 15, 1960, page 102.

The Comptroller General agreed with the conclusions expressed in the regional solicitor's opinion—committee print of the Senate Committee on Interior and Insular Affairs, 86th Congress, 2d session, May 3, 1960, page 79. So did the attorneys general of the States of California, Oregon, and Washington—hearings before the Senate Subcommittee on Irrigation and Reclamation, June 15, 1960, page 105. It is quite true that the Solicitor of the Department of the Interior indicated that the then proposed sale of secondary energy to Pacific Gas & Electric Co. at Yamsay, Oreg., or at the Oregon-California border, would not establish any preference rights to power sold under that contract over any Bonneville customer in the Pacific Northwest. The conclusion also is correct, but contrary to the implication now sought to be made, it is not inconsistent with the regional solicitor's opinion.

The distinction lies in the matter of access to the interconnecting transmission line. The regional solicitor's opinion assumed that if physical facilities for transmitting power between the two regions existed, all applicants would have access to it. The solicitor's statement referred to a sale only to Pacific Gas & Electric Co. over its own line. Such a sale by itself would establish no preference rights, but it necessarily would result in the existence of an interconnecting transmission line.

If the Pacific Gas & Electric Co. agreed either with Bonneville or with a preferred customer in California to wheel power from the Pacific Northwest to California, the preference would attach, and power sold by Bonneville to a preference customer in California could not be withdrawn for use by nonpreference customers in the Pacific Northwest. Even the vice president of Pacific Gas & Electric Co., a lawyer, agreed with that conclusion—hearings before the Senate Subcommittee on Irrigation and Reclamation, June 15, 1960, page 106.

Pacific Gas and Electric Co. stated it had no intention of entering into wheeling arrangements. Frankly, the Pacific Northwest does not desire to have the power supply of its private utilities and industries dependent upon the whim of the Pacific Gas & Electric Co. as to whether or not it will wheel power to a preference customer in California.

Obviously an interconnecting line constructed by a public body in California would give one or more preference applicants in California access to the Bonneville system, and the preference would attach to sales to such applicants over that line. It follows that whether the interconnecting transmission line is owned by the United States, a public agency or a private utility, S. 3153 is needed before sales can be made for use outside the Pacific Northwest without jeopardizing the power supply of the purchasers of more than half of the power from the Federal plants in the Pacific Northwest.

The opponents of this bill have criticized it on the alleged grounds that it is a breach of the policy of preference and priority to public bodies and cooperatives. One cannot help but have doubts concerning their motivation in donning the mantle of the protectors of the preference agencies. The defeat of this legislation, which they claim to seek on behalf of the preference agencies, actually will tend to create a monopoly. If the Pacific Gas & Electric Co. has its way, it will be either the only purchaser or in a tollgate position where it can exact a charge on all power sold to anyone else.

S. 3153 will establish a reasonable marketing area even in the light of today's technology. When the Bonneville Act became law in 1937, maximum economic transmission distance was 200 to 300 miles. Today it is 2,000 miles and its limitations no longer afford the regional protection they did in 1937. The Pacific Northwest is an exceptionally large area of 259,000 square miles by itself and would be one of the largest marketing areas of any utility in the country. The Tennessee Valley, where a marketing area has been prescribed, is only about one-third as large.

Federal and non-Federal plants in the Pacific Northwest are tied together and are operated as a single system. The plants thereby achieve the greatest capability for carrying the region's loads. Each plant helps the others in such a way that their total load-carrying capability is greater than the sum of the individual parts supplied by each plant. If energy is taken out of the region at the time it is required in the coordinated operation, the Pacific Northwest will suffer a loss greater than the individual part which is exported.

If the Bonneville marketing area is not confined to the Pacific Northwest, the situation would be chaotic to say

the least. Bonneville would be marketing power throughout the western part of the country. But it could not meet the loads of so great an area. It could not meet even the loads of only the preference customers within a thousand miles of the Pacific Northwest, let alone the needs of preference customers 2,000 miles away. There just is not that much power to be developed in the Pacific Northwest. From an economic point of view it would be absurd to close an industrial plant now served by Bonneville in order to serve a new customer 1,000 or 2,000 miles away.

The marketing area proposed by this legislation was selected because it is essentially a large river basin and makes economic sense. Despite its size, it is one Bonneville can continue to serve economically and yet not be spread so thin that it could do no one any good.

The expansion of the marketing area to the western half of the United States would result in a tremendous loss to the Government, to the ratepayers, to the Pacific Northwest and to the people and industries whose jobs and investments depend upon power from the Federal system. The United States has invested over $500 million in the Bonneville transmission system. It has been designed and constructed to integrate the Federal plants and to carry their power to the load centers of the Pacific Northwest. If the power from the Columbia River plants were to be sold only to public agencies in the western half of the United States, a great deal of the present transmission system would not be required or used. The investment would be an economic waste, the bill for which would be presented to the ratepayers.

Industrial plants receiving direct service from Bonneville represent an investment of approximately $450 million. These plants employ more than 40,000 Pacific Northwest citizens, directly or indirectly. This huge investment and these jobs are dependent upon a continuation of their Federal hydroelectric power supply. Closing these plants in order to serve preference customers a thousand or more miles away does not make economic sense.

There is nothing new in the proposal for a regional marketing area. The precedents Congress has established in the past were brought out in the debate, and I will not repeat them here. But I must observe how short the memory of some people appears to be. Just a few years ago some of the opponents of this bill were arguing that the TVA marketing area should be established by Congress. I do not recall their opposing that action because it would deprive preference customers outside that area of their right to receive TVA power—power from plants that were built with money from all taxpayers throughout the country. Actually, they opposed the extension of TVA power to additional municipalities and cooperatives. They were doing their best to convince the Congress it should limit TVA's marketing area.

The opponents of the legislation charge that its supporters have confused the issue. Just the reverse is true. The opponents seek to keep the situation so confused that Bonneville will remain constantly in financial difficulty. They criticize the deficits that have been incurred recently but they rush to block every move which Bonneville proposes to improve its operation and financial position.

If this country is to advance and realize its full potential, reasonable solutions for its power problems must be found. The Nation cannot afford disputes between factions in the power segment of our economy—factions who, in order to achieve ideological gains, would sacrifice benefits such as those this bill seeks to make possible. The United States is falling behind in power technology. Other countries, including Russia and those in the Common Market area, have advanced far beyond us in the integration of their generating plants and the development of lower cost, extra high voltage, transmission systems. We cannot afford the luxury of ideological opposition at the expense of economic progress.

Everyone should examine carefully this legislation and the record that has been developed concerning it. That study will disclose that this bill will not harm anyone. It will help to stop the inexcusable waste of power and dollars now flowing into the Pacific and at the same time will benefit everyone by providing lower costs and greater revenues and by saving exhaustible resources. I commend the bill to my colleagues in the Congress, and urge that they join in achieving its enactment.

LUNCHEON WITH MEXICAN TEACHERS

Mr. MORSE. Mr. President, today I, and several of my colleagues including members of the American Republics Affairs Subcommittee of which I am chairman, had the great pleasure and opportunity of lunching in the Foreign Relations Committee room with the Mexican Ambassador, His Excellency Antonio Carrillo Flores, and 12 representatives of the Mexican Teachers Association, headed by Mr. Alberto Larios Gaytan, general secretary of the Mexican Teacher's Professional Association.

Mr. Larios and his party are visiting the United States for a 5-week period under the program of the Inter-American Education Foundation. The tour began with a visit to New York, including the United Nations; they are spending 3 days in Washington; they will tour the United States until October 19.

The Inter-American Education Foundation, under the presidency of Mr. John E. Penery, Jr., has as its purpose the development of programs designed to bring critically needed better understanding between the peoples of the American Republics. Under the program the educators who are brought to the United States for short-term visits are selected on the basis of their ability to influence the broadest coverage of students in their home area, and from their records and reputations in their educational organizations and programs.

I was most favorably impressed with the outstanding group whom we met today. I am sure as they travel in the United States they will gain a personal understanding and friendship of our people from what they see and hear, with a corresponding development of understanding and friendship on the part of the people they meet here.

We had a very interesting and heartening discussion with Mr. Larios and his group. I wish them well.

I ask unanimous consent that there be printed at this point in the RECORD a list of the members of the visiting group, along with an indication of the position held by each member.

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

REPRESENTATIVES OF THE MEXICAN TEACHERS ASSOCIATION—NAME AND PRESENT POSITION

Larios Gaytan, Alberto: Elementary school teacher, teacher in a technological school. General secretary of the Mexican Teacher's Professional Association.

Benitez, Roberto: School supervisor in the State of Michoacan. Recording secretary in the national committee.

Calderon, Victor O.: High school teacher and principal of a private high school.

Contreras Duenas, Luis: Primary school principal in Mexico City. Assistant to Prof. Alberto Larios Gayton, general secretary of the national committee.

Espinosa, Aurora: Elementary school teacher.

Espinosa, Dr. Javier: Physician. Representative of the national committee to the social security (for Government employees).

Hernandez, Amador: Elementary schools supervisor and secretary in charge of economical problems in the national committee.

Robledo, Edgar: Private secretary to Professor Larios.

Sanchez, Felipe: Teacher of literature. President of the promotions commission for high school teachers.

Verdugo, Ernesto: Principal of a school of technology.

Zavaleta, Sara: Teacher of literature in the National Teachers College. Secretary of relations in the national committee.

Duenas, Hector: Legal adviser for SNTE. Representative on the ISSTE (social security for Federal employees of all categories).

Penery, John E., Jr.: President of the Inter-American Education Foundation, Inc., of Lemon Grove, Calif.

Penery, John E., III: Assistant to the president of the Inter-American Education Foundation.

SOUTHERN UTE INDIAN RESERVATION EXCEPTED FROM 25-YEAR LEASE LIMITATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar 2135, Senate bill 3714.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the bill (S. 3714) to amend the act of August 9, 1955, for the purpose of including the Southern Ute Indian Reservation among reservations excepted from the 25-year lease limitation was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended

(25 U.S.C. 415), is hereby further amended by deleting the words "and on" and inserting in lieu thereof the words ", the Southern Ute Reservation, and".

Mr. MANSFIELD. Mr. President, enactment of Senate bill 3714 is to permit Indian lands on the Southern Ute Reservation to be leased for business and various other purposes for a term of 99 years or less instead of, as at present, for 25 years with right of renewal for an additional 25 years. Grazing leases, if any, will continue to be for a term of 10 years or less.

NEED

Enactment of S. 3714 will encourage the type of commercial development which, it is expected, will materialize on the Southern Ute Reservation following construction of Navajo Dam and Reservoir, a project which was authorized several years ago and is now under construction. Some of the sites upon which development is anticipated adjoin land included in the reservoir. Potential business firms insist on having sufficiently long leases to justify the construction of substantial buildings and improvements and to permit borrowing of funds for this purpose. Many lending agencies are unwilling or unable to negotiate with lessees under present leasing limitations.

H.R. 8113 extends to the Southern Ute Reservation 99-year leasing provisions which have already been made applicable to the Agua Caliente, Navajo, Dania, and Colorado River Reservations.

Assurance was given by Interior Department representatives that the Secretary will not approve full 99-year leases in any case in which a shorter term would be in the best interests of the Indians concerned.

DISPOSITION OF JUDGMENT FUNDS OF CHEROKEE NATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2137, House bill 11590.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 11590) to provide for the disposition of judgment funds of the Cherokee Nation or Tribe of Indians of Oklahoma, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 4, line 2, after the word "fund", where it appears the second time, to strike out "first, but there are authorized to be appropriated not to exceed $500,000 to reimburse the judgment fund and the interest fund." and insert "first.".

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a portion of the report having to do with the purpose and need for this measure be printed at this point in the RECORD.

There being no objection, the excerpt from the report (No. 2173) was ordered to be printed in the RECORD as follows:

PURPOSE

The principal purpose of H.R. 11590 is to provide for the per capita distribution of an appropriation heretofore made in satisfaction of a judgment awarded the Cherokee Tribe of Indians of Oklahoma by the Indian Claims Commission.

NEED

The fund to be distributed amounts to nearly $14,800,000 minus attorneys' fees and expenses which have yet to be determined and approximately $1,400,000 which is being held to satisfy possible offsets which may be due the United States. About 42,000 enrollees or their heirs are potentially entitled to share in the distribution. The net amount available for distribution will thus average about $283 for each enrollee. (Such part, if any, of the amount set aside for offsets and expenses as is not so used will be available for tribal use in accordance with general law.)

Enactment of H.R. 11590 is needed to simplify distribution problems, to eliminate the necessity of distributing shares which are so small as not to warrant the expense involved, to free recipients of distributive shares from the possibility of income tax liability, and to limit the effects which the distribution might otherwise have on social security eligibility.

The bill provides that proportional shares of deceased heirs amounting to $10 or less shall not be distributed and that no inherited share amounting to $5 or less shall be paid. Such shares will revert to the tribe. This provision is in recognition of the fact that the cost of distributing very small shares to a large number of persons would be unwarrantably great. The reverted shares, together with interest and income therefrom, may be used in any manner recommended by the principal chief of the tribe and approved by the Secretary of the Interior.

The PRESIDING OFFICER. The question 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 was read the third time and passed.

CONSERVATION OF ANTHRACITE COAL RESOURCES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2139, House bill 4094.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 4094) to amend the act of July 15, 1955, relating to the conservation of anthracite coal resources.

Mr. MANSFIELD. Mr. President, House bill 4094 would amend Public Law 162, 84th Congress—69 Stat. 352—by broadening the Federal-State program authorized by it to include filling or sealing abandoned anthracite coal mines in Pennsylvania. The present law authorizes only drainage of such mines on a matching funds basis.

Mr. President, I ask unanimous consent that additional material covering the background and purpose of this measure be printed at this point in the RECORD, in connection with my remarks; also, I point out to the Senate that no new appropriations are required.

There being no objection, the excerpt from the report (No. 2175) was ordered to be printed in the RECORD, as follows:

PURPOSE OF MEASURE

H.R. 4094 would amend Public Law 162, 84th Congress (69 Stat. 352), by broadening the Federal-State program authorized by it to include filling or sealing abandoned anthracite coal mines in Pennsylvania. The present law authorizes only drainage of such mines on a matching funds basis.

Federal funds for the program are authorized under the 1955 act: the present legislation to amend that act would expand their use to meet a critical situation which threatens public health, public safety, and the loss of substantial natural resources.

BACKGROUND OF LEGISLATION

The act of July 15, 1955, above cited, variously known as the Mine Dewatering Act and the Anthracite Mine Water Control Act, authorized Federal participation with the State of Pennsylvania in a program for control and drainage of water in anthracite coal mines. The act set forth the following policy declaration:

"It is hereby recognized that the presence of large volumes of water in anthracite coal formations involves serious wastage of the fuel resources of the Nation, and constitutes a menace to health and safety and national security. It is therefore declared to be the policy of the Congress to provide for the control and drainage of water in the anthracite coal formations and thereby conserve natural resources, promote national security, prevent injuries and loss of life, and preserve public and private property."

Federal appropriations, to a maximum of $8.5 million, on a matching funds basis with the State, were authorized for drainage of the mines. The committee was informed, however, by both Senators CLARK and SCOTT at its hearings, as well as by Interior Department officials, that the provisions of the 1955 act are not broad enough to accomplish the declared congressional purpose.

Sealing or filling of underground mines and leveling and filling of open pit mines on the surface have been found to be necessary, in addition to drainage. Subsidence of the surface as a result of underground mining in certain areas already has become a clear and present danger; much larger areas are threatened.

Also, important water resources are being polluted through acid mine drainage. Attention is directed to the report of the Department of Health, Education, and Welfare on the Senate bills, set forth in full below.

Still another serious aspect of the situation is that of mine fires, the hazards of which are fully as great in the anthracite fields as in the bituminous, if not greater. Such fires constitute a menace to life and property, and result in the loss of an irreplaceable natural resource.

NO NEW APPROPRIATIONS REQUIRED

The committee is convinced that enactment of H.R. 4049 would assist materially in meeting the increasingly critical situation in the anthracite areas. No new appropriations of Federal funds are anticipated to be required. There presently are available approximately $10 million in the fund established by the joint Federal-State program—$5 million from Pennsylvania and $5 million from the Federal Government. The committee was informed that this amount, already appropriated and available, will go a long way toward solving the more critical aspects of the problem.

The situation with which H.R. 4049 deals is peculiar to the anthracite fields in Pennsylvania. Highly developed areas are threatened with destruction, public health and safety in a populous region of our country are endangered, and the loss of substantial reserves of an important natural resource imminent unless the program envisioned by the bill is put into effect. In the emergency, the committee believes that the expansion of the basic Anthracite Conservation Act is amply justified.

It should therefore be emphasized that the committee does not regard this as a precedent for similar legislation in other areas or in other States unless equal need and equal participation by the States involved are shown.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 4094) was ordered to a third reading, was read the third time, and passed.

WAIVER OF CERTAIN TIME LIMITATIONS IN CHAPTERS 33 AND 35 OF TITLE 38, UNITED STATES CODE

Mr. YARBOROUGH. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2697.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2697) to waive certain time limitations prescribed in chapters 33 and 35 of title 38, United States Code, in the case of certain veterans and eligible persons ordered to active duty with the Armed Forces, or whose period of duty with the Armed Forces was involuntarily extended, on or after August 1, 1961, which were to strike out all after the enacting clause and insert:

That section 1613 of title 38, United States Code, is amended by inserting "(a)" immediately before "No", and by adding at the end thereof the following new subsection:

"(b) In computing the three-year period referred to in section 1612(a) of this title and the eight- and five-year periods referred to in subsection (a) of this section, the Administrator shall disregard in the case of any eligible veteran any period of active duty performed by such veteran, before August 1, 1962, pursuant to (1) a call or order thereto issued to him as a Reserve after July 30, 1961, or (2) an extension of an enlistment, appointment, or period of duty with the Armed Forces pursuant to section 2 of Public Law 87–117."

SEC. 2. (a) Section 1712(a) of title 38, United States Code, is amended by redesignating paragraph (4) as paragraph (5), and by striking out paragraph (3) and inserting in lieu thereof the following:

"(3) if the death of the parent from whom eligibility is derived occurs after the eligible person's eighteenth birthday but before his twenty-third birthday, then (unless paragraph (4) applies) such period shall end five years after the death of such parent;

"(4) if he serves on duty with the Armed Forces as an eligible person after his eighteenth birthday but before his twenty-third birthday, then such period shall end five years after his first discharge or release from such duty with the Armed Forces (excluding from such five years all periods during which the eligible person served on active duty before August 1, 1962, pursuant to (A) a call or order thereto issued to him as a Reserve after July 30, 1961, or (B) an extension of an enlistment, appointment, or period of duty with the Armed Forces pursuant to section 2 of Public Law 87–117); however, in no event shall such period be extended beyond his thirty-first birthday by reason of this paragraph; and".

(b) Section 2 of Public Law 86–236, and section 5 of Public Law 86–785, are each amended by inserting "(a)" immediately before "In the case of", and by adding at the end thereof the following:

"(b) In computing the five-year period prescribed in subsection (a), the Administrator of Veterans' Affairs shall disregard all periods of active duty performed by such individual before August 1, 1962, pursuant to a call or order thereto issued to him as a Reserve after July 30, 1961, or pursuant to an extension of an enlistment, appointment, or period of duty with the Armed Forces pursuant to section 2 of Public Law 86–117."

SEC. 3. Paragraph (26) of section 101 of title 38, United States Code, is amended (1) by striking out "Reserves" and inserting in lieu thereof "Reserve", and (2) by striking out "members" and inserting in lieu thereof "a member".

SEC. 4. Section 624(b) of title 38, United States Code, is amended by striking out "temporarily".

SEC. 5. Section 230 of title 38, United States Code, is amended by adding at the end thereof the following:

"(c) The Administrator is authorized to establish and maintain an office in Europe, at such location as he deems appropriate, to render technical advice and assistance in the administration of veterans' programs in that area."

SEC. 6. (a) The text of section 235 of title 38, United States Code, is amended by inserting "or to the Veterans' Administration office established in Europe pursuant to section 230(c) of this title" immediately after "Republic of the Philippines" both places it appears.

(b) The catchline of section 235 of title 38, United States Code, and item 235 of the analysis of chapter 3 of title 38, United States Code, are each amended by striking out "in the Republic of the Philippines" and inserting in lieu thereof "at oversea offices".

And to amend the title so as to read: "An Act to amend title 38, United States Code, to provide an extension of the period within which certain educational programs must be begun and completed in the case of persons called to active duty during the Berlin crisis, and for other purposes."

Mr. YARBOROUGH. Mr. President, I move that the Senate concur in the House amendments to S. 2697 with an amendment which I now send to the desk.

The PRESIDING OFFICER. The amendment of the Senator from Texas will be stated.

The CHIEF CLERK. It is proposed:

On page 4, after line 8, of the House engrossed amendments, to insert a new section as follows:

Sec. 7. (a) Section 1502(a) of title 38, United States Code, is amended to read as follows:

"(a) Every veteran who is in need of vocational rehabilitation on account of a service-connected disability which is, or but for the receipt of retirement pay would be, compensable under chapter 11 of this title shall be furnished such vocational rehabilitation as may be prescribed by the Administrator, if such disability—

"(1) arose out of service during World War II or the Korean conflict; or

"(2) arose out of service after World War II, and before the Korean conflict, or after the Korean conflict, and is rated for compensation purposes as 30 per centum or more, or if less than 30 per centum is clearly shown to have caused a pronounced employment handicap."

(b) The first sentence of section 1502(c)(3) of title 38, United States Code, is amended to read as follows:

"(3) Vocational rehabilitation may not be afforded to a veteran on account of post-World War II service after nine years following his discharge or release; except vocational rehabilitation may be afforded to any person until—

"(A) August 20, 1963, if such person was discharged or released before August 20, 1954, or

"(B) Nine years after the date of the enactment of this subparagraph if such person is eligible for vocational rehabilitation by reason of a disability arising from service before such date of enactment, but either after World War II, and before the Korean conflict, or after the Korean conflict."

(c) Section 1502(c)(4) of title 38, United States Code, is amended (1) by striking out "Korean conflict service" and inserting in lieu thereof "post-World War II service"; and (2) by striking out "his service during the Korean conflict" and inserting in lieu thereof "such service."

(d) Section 1502(d) of title 38, United States Code, is repealed.

Mr. YARBOROUGH. Mr. President, sections 1, 2, and 3 of the House amendments are identical in purpose to the provisions contained in S. 2697 which was passed by the Senate on March 29, 1962. As Senators will recall, these provisions preserved the educational rights of reservists and National Guardsmen called to active duty last year in connection with the Berlin crisis.

The other parts of House amendment sections 4 through 6 involved two substantive proposals, both of which have been approved and recommended by the Veterans' Administration. The American Legion, AMVETS, Veterans of Foreign Wars, and the Disabled American Veterans have also expressed their approval.

Section 4 of the House amendment authorizes hospital and medical care for service-connected disabilities of eligible veterans who are U.S. citizens residing abroad. Present law authorizes such care only for eligible veterans temporarily sojourning or residing abroad.

Since the hospital and medical care program is already operative for veterans residing or sojourning abroad temporarily, no new administrative problems would result from the amendment. In fact, the amendment would eliminate the requirement under existing law of determining whether the veteran is residing abroad temporarily or permanently, which in some instances has presented administrative difficulties.

More importantly, however, as the VA has pointed out, because of the continuation of some other basic benefits, including compensation and pensions, for veterans who make their homes abroad, it is difficult to justify the present distinction between temporary and permanent residents with respect to hospital and medical care benefits.

The Veterans' Administration estimates that under the House amendment there would be an additional annual expenditure of approximately $114,000 for hospital and medical care for eligible service-connected disabled veterans.

Section 5 of the House amendment provides for the establishment of a central VA office in Europe for the administration of compensation, pension, education and training, and other veterans miscellaneous benefits.

These benefits, involving expenditures of approximately $18 million in 1961, are currently administered by a personnel force totaling 23 local employees and 6 veterans affairs officers serving as attachés or officers with rank of Foreign Service officer classification. The per-

sonnel are divided among four different offices in Frankfort, Germany, London, Paris, Rome—an arrangement that has not proved to be satisfactory.

Both the Veterans' Administration and the State Department consider it desirable to centralize in a single VA office the administration and responsibility for the payment of veterans benefits abroad. Centralization of such responsibility has already been achieved in the Philippines, the only foreign country outside of Europe where a large scale of veterans benefits are disbursed. The Philippine precedent is equally applicable to the European scene, particularly since an administrative savings should result from a single office.

Section 6 of the House amendment provides that personnel in the European office shall have the same employee benefits and privileges now afforded personnel of the VA office in the Philippines.

Mr. President, the amendment I have sent to the desk establishes a vocational rehabilitation program for post-Korean veterans; that is, men who entered service after January 31, 1955. Also covered by the amendment are individuals who served on active duty between World War II and the Korean conflict. This period falls between July 25, 1947, and June 27, 1950.

The administration and all veterans organizations have strongly endorsed this program. It has already been approved by the House in the bill H.R. 848, and also approved by the Senate Committee on Labor and Public Welfare as part of the bill S. 349. Because we are now facing an early adjournment and because of the parliamentary situation affecting the bills H.R. 848 and S. 349, Senate approval of the amendment is the most feasible means of establishing the vocational rehabilitation program this year.

I would add, also, that there is every reason to believe that the House will concur in this amendment if approved.

The program proposed by the amendment is generally patterned after similar programs established by the Congress for veterans of World War II and the Korean conflict. Its benefits are available only to veterans with service-connected disabilities who are in need of vocational rehabilitation to overcome an employment handicap resulting from such disabilities. Veterans eligible under the amendment with a disability rated at 30 percent or more would be covered on the same basis previously established for World War II and Korean veterans. Veterans with disabilities rated at less than 30 percent would be eligible, but would actually receive training only if a pronounced employment handicap is clearly shown to exist relative to the disability.

The training afforded could be at the college or below college level, in a vocational school, or in other kinds of training institutions, depending upon the needs, aptitudes, and capabilities of the individual veteran.

The cost of the bill will total $11,500,000 in 1962; $20,100,000 in 1963; $24,240,000 in 1964; and $24,180,000 in 1965. A decrease in cost will take place in 1966, of $22,980,000.

Mr. President, I strongly urge the Senate to concur in the House amendments with the amendment which I have offered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas that the Senate concur in the House amendments to S. 2697 with an amendment.

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

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

PADRE ISLAND BILL SIGNED INTO LAW

Mr. YARBOROUGH. Mr. President, a few minutes ago the President of the United States signed into law the bill—S. 4—I introduced for creation of a national seashore recreational area on Padre Island, off the gulf coast of Texas.

I was honored to be present in President Kennedy's office as he signed my bill, which he had supported.

The bill provides for an 81-mile-long park on a magnificent island off the gulf coast of Texas, in the same latitude as the south Florida coast.

The signing of this bill by the President came 4 years and 4 months after I had first introduced a Padre Island park bill in June 1958, in the 85th Congress; this was followed by Senate bill 4, which I introduced in January 1959, in the 86th Congress; and by Senate bill 4, which I introduced again in January 1961, in the 87th Congress.

Thousands of people have worked for passage of this bill. For the park to be developed as planned, the concurrence of the Texas Legislature is now needed. I am confident that the Texas Legislature will accept this magnificent seashore bill and thereby win the gratitude of this and future generations of American people.

After extensive hearings both in Corpus Christi, Tex., and in Washington, D.C., in 1959, 1960, and 1961, the U.S. Senate approved my bill on April 10, 1962. It was passed by the House on September 13, and returned to the Senate where it received final congressional approval on September 18, 1962.

I am deeply pleased that President Kennedy today has signed this bill into law.

This makes a total of three seashore recreational area bills which have been signed into law by President Kennedy during the 87th Congress. Those include the Cape Cod National Seashore Area; Point Reyes, Calif.; and Padre Island, Tex.

Mr. President, prior to the swearing in of this Congress in January of 1961, there were only 265 miles of public park lands along the thousands of miles of seashores on the gulf and Atlantic coasts. Portions of those shores, in the Everglades National Park of Florida and the Acadia National Park on the rockbound coast of Maine, were not suitable for beach use. There were less than 200 miles of beaches suitable for use for bathing purposes in any kind of public parks on the Atlantic and gulf ocean shores of the United States prior to the convening of the 87th Congress. That less than 200 miles included the national parks, the State parks, the county parks, and the city parks. There were less than 200 miles of public park beach front suitable for bathing and general public recreational use in America prior to the convening of the 87th Congress.

In this one Congress we have passed three bills which have set apart more than 200 miles of the beaches of this country as public seashore recreation areas. The 87th Congress has more than doubled the available public beaches of the United States on our coasts, for use by the people of the United States.

Mr. President, the passage of the bill for the Padre Island National Seashore Recreational Area will have a favorable economic impact on the State of Texas, which welcomes visitors and is building its tourist attractions, and which now will have a gem of the Texas gulf coast to make the stay of its guests more enjoyable than ever.

But of greater importance than the economic impact on the State of Texas, preservation of this natural resource for the public is one of the fine achievements of this 87th Congress, which has shown its wisdom and foresight by passage of this bill.

The Padre Island National Seashore Recreational Area will, on completion of acquisition of the land and the development of the area, have facilities for swimming, fishing, surfing, boating, picnicking, and camping. Much of the 118-mile-long island, of course, is now in use by the public—with visitors in the hundreds of thousands some days—with access causeways on each end of the island. With the creation of this great seashore recreation area, visitors will come by the millions. There they will rest their bodies and minds, and the spirits of millions of Americans will be inspired on this sunswept, sea-washed, long barrier-reef island.

To expedite development of this highly desirable seashore area, I have initiated a request for whatever supplemental appropriation may be needed to start acquiring the land. This is especially important, since some parts of the island have been marked off by developers for sale, and delay will cause the price to go up. Fast action now on acquisition of the land will be a saving to the American people.

Before closing, Mr. President, I wish to pay tribute to the chairman of the Senate Committee on Interior and Insular Affairs, the distinguished Senator from New Mexico [Mr. ANDERSON], who held some of the hearings; to the chairman of the Public Lands Subcommittee, the distinguished senior Senator from Nevada [Mr. BIBLE], who held hearings

on the bills, and to the junior Senator from Utah [Mr. Moss], who is in the Chamber today and who held the first hearing on this series of bills in Corpus Christi in December of 1959. At that time the national parks director, Mr. Conrad Wirth, said that it was the most overwhelming presentation of evidence in favor of a park and seashore area that he had ever seen.

I pay tribute to these my colleagues in the Senate for their aid on the bill, and also to the chairman of the subcommittee of the House committee, the Honorable J. T. RUTHERFORD.

I pay tribute to a county judge in Texas, Judge Oscar Dancy, of Brownsville, who has served for 39 years as a county judge of Cameron County, Tex., who spent nearly $3,000 out of his own pocket during the past 12 months in trips to Washington, D.C., to gain support for this seashore area. He paid this money from his salary, filed no vouchers with the county for expenses, and did not seek reimbursement for his expenses incurred on behalf of Padre Island. He is one of the great citizens of our State. He is one of the great public officials of our State. He is more than 80 years of age, and has served 39 years as a county judge. He supported public development and use of this area, which had received adverse publicity, with respect to which people were hostile, and almost single-handedly he changed public opinion and gained support for the proposal.

Full credit is due the Honorable Stewart Udall, Secretary of the Interior. Without his aid, counsel, and hard work in conciliating differences, in my opinion the bill would not have passed today.

Mr. President, I ask unanimous consent that the following editorials be printed in the RECORD: "Padre Island," from the San Antonio Light of Saturday, September 22, 1962; "Final Victory on Padre Island," from the Beaumont Enterprise of Thursday, September 20, 1962; "Padre Island Victory," from the Beaumont Journal of Thursday, September 20, 1962; "Bright Record," from Labor, of Saturday, September 29, 1962; "Padre Island Park Approved," from the Houston Chronicle of Friday, September 14, 1962; and "State Approval Urged for Padre Park Plan," from the Corpus Christi Caller-Times of Thursday, September 20, 1962.

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

[From the San Antonio (Tex.) Light, Sept. 22, 1962]

PADRE ISLAND

Congressional approval of the bill creating an 80-mile park on Padre Island is good news for Texans and a feather in the cap of Senator RALPH YARBOROUGH.

The park, it is reported, will have 47,000 acres of land that is not normally affected by tides.

We may reasonably expect that the National Park Service will provide a simple road system between the causeways, plus boating, fishing, and picnicking facilities.

Senator YARBOROUGH has properly described the need for Padre park as part of the "pressing need for more recreation areas for this fast-growing population."

The island has been preserved for the public through the action of Congress, when it might have been commercialized by private developers. Good.

[From the Beaumont Enterprise, Sept. 20, 1962]

FINAL VICTORY ON PADRE ISLAND

We hail final congressional action on a bill creating an 81-mile-long national seashore on Padre Island. It is a great victory for the cause of conservation, the long finger of land off the Texas coast being the last unspoiled seashore area left in this country.

Assurance of its preservation for the edification and recreation of this and future generations is especially gratifying to Texans. Many of our people and all the Democratic Members of our delegation in Congress have worked hard for establishment of the national seashore.

To each and every one of them we express sincere thanks.

Some day the whole Nation will do the same.

[From the Beaumont Journal, Sept. 20, 1962]

PADRE ISLAND VICTORY

Texas is better off, we think, as a result of congressional agreement on a measure to create the Padre Island National Seashore Area off the State's gulf coast.

When developed, the benefits will begin pouring in with out-of-State visitors as well as from Texas citizens themselves who need a seashore area of this sort in which to shake the dust out of their boots and generally enjoy themselves.

Congressional approval can be credited largely to the considerable efforts of Senator RALPH YARBOROUGH. He will be thanked by future generations.

[From Labor, Sept. 29, 1962]

NEWS OF CONGRESS—BRIGHT RECORD

In at least one legislative field, this 87th Congress has written an exceptionally bright record. It was completed last week when the Senate and House passed a bill to create a Padre Island (Tex.) National Seashore. This is the third one approved by Congress in its sessions this year and last year.

The other two set aside for perpetual public use seashore areas on Cape Cod, Mass., and Point Reyes, Calif. In all previous history, only one had been created, on the Hatteras Islands, and the land for that was donated by North Carolina instead of bought by Uncle Sam.

Senator RALPH YARBOROUGH, Democrat, of Texas, chief Senate sponsor of the Padre Island bill, pointed out that it will save for the enjoyment of the American people an 80-mile stretch of an island off the Texas coast, despite bitter opposition by local real estate interests. The new national park will contain 47,000 acres of land, long sandy beaches, and "mixed land and water areas."

However, the Government will not try to buy the oil deposits under the island, both because they would be too expensive and because of a reason pointed out to the House by Congressman J. T. RUTHERFORD, Democrat, of Texas, floor leader for the bill.

"You know Texas oil," he said, "don't touch." In other words, if the opposition of the oil magnates had not been mollified, there would be no Padre Island National Seashore for the people.

[From the Houston Chronicle, Sept. 14, 1962]

PADRE ISLAND PARK APPROVED

The House of Representatives, by an overwhelming 256 to 87 vote, has approved a national park at Padre Island.

A sensible and highly desirable proposition, the park will help conserve a strip of Texas coast in real danger of commercial erosion, give Texans a fine place to vacation, and help draw tourists to the State.

The House bill matches in essentials another version pushed through the Senate by Senator RALPH YARBOROUGH. The bills differ on the length of the park (81 miles, House; 88 miles, Senate) and on amount of appropriation for acquisition and development ($5 million, House; $4 million, Senate).

These are minor differences, easily compromised. Every indication is for speedy approval by the Texas Legislature, which will have an opportunity to act when it meets in January. A Padre Island National Park should find few opponents there.

The National Park Service, which will build and administer Padre, has a long and distinguished record, and is not in any sense political. Texas has lagged behind other Southwestern and Western States in park facilities.

We're delighted the National Park Service wants to develop Padre Island. The sooner the better.

[From the Corpus Christi Caller, Sept. 20, 1962]

STATE APPROVAL URGED FOR PADRE PARK PLAN

South Texans especially have reason to be thankful that the Senate gave final approval Tuesday to the creation of a Padre Island National Seashore. President Kennedy is expected to sign the bill, for it is a measure which had his support, as well as that of President Eisenhower before him.

The history of the movement for establishing a Padre Island seashore has been relatively brief. The first bill on the subject was introduced June 27, 1958, by Senator RALPH YARBOROUGH. In contrast the Cape Cod seashore was in and out of Congress for almost 20 years before it was finally approved by this Congress.

But the battle for the Padre Island seashore is by no means won. Its supporters cannot afford to rest on their oars, for the most important immediate task is to create a favorable climate for State approval for the Federal plan. Every effort must be made to insure early consideration and passage of a resolution endorsing the seashore in the 58th legislature.

Most Texans, however, must have glimpsed already the potential benefits of Federal seashore designation of 80.5 miles of Padre Island. It is true that the benefits will not be realized immediately, since land surveys and land acquisition may consume many months. But the National Park Service plans to spend $3 million in improvement of the seashore during the first 5 years, exclusive of land and other costs.

There will be tourist magic when new maps identify the major portion of Padre Island as a national seashore. Visitors from every State in the Union will be attracted to the magnificent beaches and the long sweep of dune and shell. First-class tourist courts and other facilities for visitors will spring up at both ends of the seashore area. Corpus Christi at the north end and Brownsville at the south end will share a substantial new boom in the tourist industry.

Sponsors of the Padre Island seashore, after many disappointments, are about to realize their goal. No discussion of the history of the plan is complete, however, without reference to the work done by Senator YARBOROUGH, Representatives JOHN YOUNG, of Corpus Christi, and JOE KILGORE, of McAllen—any one of them could have prevented passage of the bill. Congress demonstrated once again that legislation in the national interest can be passed as long as reasonable men are willing to compromise.

TEXAS MISSION PILOT FLIES MERCY MISSIONS IN CONGO

Mr. YARBOROUGH. Mr. President, one of my fellow Texans, Mr. Paul Alex-

ander, of Conroe, in Montgomery County, is a layman airplane pilot for the Methodist missions in south-central Africa.

During a visit with him in my Washington office this summer, I had the opportunity to learn something of Mr. Alexander's extraordinary intelligence, as well as of the life he leads as a dedicated Christian with a dangerous and highly interesting duty.

I heard Mr. Alexander describe firsthand his adventures in flying supplies to the Methodist missions in the Congo, from Katanga, and to other areas, where his plane was fired upon, where it was seized by contending Congolese forces, and also interfered with by the United Nations forces.

I did not have the privilege of seeing Mr. Alexander last year when I went to the Congo, but of hearing of his exploits. He came home this year to see his son graduate from high school in Conroe, Tex. I had an opportunity then to visit with him, but I have received letters from him from Katanga for about 2 years. I had met him years ago in Texas before he decided, as a successful businessman, to become a missionary pilot for the Methodist missions in Africa.

Mr. President, I ask unanimous consent that the article describing Mr. Alexander, entitled "Meet a Mission Pilot," with the subtitle "Some of Paul Alexander's Flying Troubles Are Caused by Politics—Some by the Nature of Africa," written by Charles W. Keysor and published in the Methodist Layman for August 1962, may be printed in the RECORD, together with the article entitled "A Bush Pilot's Thoughts," written by Paul Alexander.

I quote one sentence:

> I have been the Lord's copilot. He guides, and I work the controls for him.

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

MEET A MISSION PILOT—SOME OF PAUL ALEXANDER'S FLYING TROUBLES ARE CAUSED BY POLITICS—SOME BY THE NATURE OF AFRICA

(By Charles W. Keysor)

(An editor and writer, Charles Keysor has recently answered the call to the ministry and is studying at Garrett Theological Seminary in Evanston, Ill.)

The sign up ahead read, "Elephants Have the Right of Way." Of course they did. Paul Alexander squinted through the windshield of his Volkswagen, then looked nervously into the jungle on either side of the narrow road. Elephants, he thought. What if one should come along? My little car wouldn't stand a chance.

Before this discomforting thought had subsided, the mission pilot shifted gears and roared on down the bumpy jungle road. Of all the surprises he'd met in Africa, this was about the strangest. For elephants really did have the right-of-way out there in the bush.

Paul Alexander could smile—he is getting used to surprises after these exciting months in Africa. For his life has become a series of frights, delights, and challenges—all made keener by the ever-present sense of danger which haunts the jungle pilot. Many wonderful things have happened to this voluntary mission flier since the day he had said "yes" to the quiet, persistent voice that beckoned him to full-time missionary service.

Since this layman began putting his piloting experience to work for the Methodist mission in Africa his days and nights have never been dull. His light plane may carry oil drums, crates of chickens, or visiting bishops. And death is constantly on the waiting list for passage. Warfare between African soldiers of Katanga Province and the United Nations' police force has threatened more than once grounding the missionary plane.

On Sunday afternoon, last March 19, as he taxied to a stop at Sandoa State Airport in Katanga Province, a surly group of African soldiers crowded about the plane. Their threatening voices, backed by waving guns, underscored the command: "Give us the keys to your plane." Alexander got permission to finish making out his logbook, while soldiers waited impatiently outside. This gave him a moment to sneak out of his pocket an old key on a string which was given to the leader of the soldiers. This satisfied them. Later that day, when order had been restored, the authorities apologized, freed Alexander, and returned the worthless key.

U.N. bombing and strafing of rail lines and facilities in Katanga often have reduced Alexander's gasoline to the danger point. But somehow the persuasive pilot always has been able to scrounge enough fuel to keep flying, despite the unrest and the fighting which turned Katanga into a cauldron of violence and international intrigue.

But Paul Alexander's worst problems are caused not by politics but by nature. For one thing, it seems as if every possible landing place in central Africa is cluttered with anthills as much as 25 feet high.

"Even a 1-foot-high anthill could be the deciding factor in wrecking a $20,000 airplane," Alexander says. Lacking bulldozers to clear away anthills, some remote landing strips are simply pathways curved out between the towering ant apartment houses.

Describing a hair-graying takeoff from one such field at the Sandoa mission, Alexander recalls, "The Cessna 180 gathers speed, and we sway along between the anthills—our wingtips barely clearing. We struggle into the air, groaning under a full load of cargo, and we stagger upward with just enough power to clear the mango trees looming at the end of the so-called runway.

"If a cardiogram were taken of this mission pilot's heart during this takeoff, it would resemble a graph of the recent stock market antics. The pilot knows only too well what could happen if a couple drops of water tried going through that carburetor just at the critical moment."

Incidents such as this are routine for Paul Alexander's "pony express" airline. And the pilot recognizes the hand of God in his every operation. "I have been the Lord's copilot," he says humbly. "He guides, and I work the controls for Him."

Describing himself as "solely in the category of a layman whom the Lord has had under conviction," Alexander has learned to live by the Apostle Paul's philosophy: "Whether I live or die, I am the Lord's." So worries about the next hazardous takeoff or the tropical storm growling on the horizon never really unnerve Paul Alexander.

Just as faith keeps the "pony express" airline going, so it was responsible for Paul Alexander's surprising decision to go to Africa in late 1960.

Alexander and his family had returned from a 3-month trip to Europe in September. "I had a terrific turmoil inside me about the affairs I had seen that summer," he recalls. "Since the Lord had singularly saved my life during a tour as an Air Force instructor in World War II, I had reminded Him that I was His when He saw the need for my services. I felt I had something to offer in mechanical maintenance in some field of the Lord's endeavor. So I talked with Bishop A. Frank Smith."

The bishop directed Alexander to Rev. Eugene L. Smith, head of the world missions division of the Methodist Church. From the bishop's house in Texas, Alexander made an appointment with Dr. Smith.

"You do fly, don't you?" the missions executive asked at a breakfast meeting with Alexander 4 days later. "Dr. Smith laughed almost hysterically when I began to tell him about my nearly 30 years of flying experience," recalls Alexander.

"Paul, you won't believe this," explained Smith. "But just yesterday Bishop Booth called me from Katanga urging that we get an airplane and an experienced pilot for the central Congo. Two hours after I got that phone call, Bishop Raines called to say he had just gotten back from the Congo. He told of the urgent need for flying service there and said his conferences would buy an airplane if only I could find a mission-minded pilot.

"I worried and lost some sleep last night about where I could find such a pilot. Finally, I told the Lord that I was going to leave it all to Him. That was just last night, and here you come this morning saying 'Here I am, Lord, send me.' Now, a newspaper reporter would say that this was mere coincidence. But you and I know, don't we?"

Three months later, Alexander and the new missionary plane arrived in the Congo, 15,000 miles from home. As the difficulties and challenges increased, it became more and more evident that God's steadying hand did, indeed, lie beneath and behind every phase of the airborn "pony express" and its gray-haired pilot.

More than once takeoffs from missionary airstrips were menaced by gun-toting soldiers made trigger happy by a tense and confused political situation. At such times, Paul Alexander admits he has more than once prayed for a rainstorm that would drive the soldiers under cover long enough to permit a takeoff.

"What fools these mortals be to take off in a rainstorm from mission airstrips," confesses Alexander. "But the mission pilot often finds this like the pig that climbed the tree: he had to because the dog was after him."

A less serious crisis came when an African stumbled across a large snake. "The snake was minding his own business," says Alexander, "when he discovered an African casting covetous eyes at him. Not only was he casting covetous eyes, but rocks and anything he could find at the fleeing snake."

The reptile tried to escape into an ant hill, but the African grabbed the scaly tail and began pulling. Suddenly, as the snake slipped out of the anthill, man and snake tumbled backward onto a 2,200-volt electric powerline.

The missionary arrived on the scene to see the screaming African transfixed, and holding onto the tail of the snake which was, in turn, transfixed to the high-tension line. Although his physical form was hardly what it was when he played high school football, Alexander successfully threw a flying tackle which separated the African from his scaly playmate.

Danger greater than this is faced every time a bush pilot lands his plane. Africans love to watch airplanes, and the closer they can get the better.

"Africans who have seldom or never seen a plane have absolutely no conception of the sudden killing power of a whirling propeller, says Alexander." So experienced bush pilots never come down on a strip if a crowd of people is near the middle of the landing area. If anyone should run out in front of

the plane, the pilot cannot take off again (not enough speed) and he can rarely avoid chopping the unwary African to bits.

"How great Thou art," he has often exclaimed, looking from his cockpit over God's vast green jungle stretching away to the horizons. How often this devout layman has meditated on the truth of Isaiah's message, which seemed to be written just for him and his one-man airline: "They who wait for the Lord shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk [or fly] and not faint."

The adventures of Paul Alexander, the Lord's copilot, could fill a book. Should he ever write one, the central theme will surely be "How Great Thou Art." For the providence of God has truly been the fuel, the carburetor, and the magneto of Paul Alexander's airborne "pony express." This experience in Africa has convinced this high-flying Texas layman that God sustains us and blesses each of us with new experiences to the extent that we are willing to trust in His guidance and to depend on His providence.

A BUSH PILOT'S THOUGHTS

(By Paul Alexander)

A mission pilot quickly develops enormous earlobes that make him look like a Zulu warrior. At least, he feels they are because he is straining constantly in his vigil of detecting a miss in his precious engine.

Mission pilots are often asked if they don't get terribly sleepy in flying such distances over steaming jungle and bush country. This question is about as silly as the same question to a man on the gallows waiting for the trap to be sprung.

About 8 minutes away from Kanene airstrip, a rapid letdown is started from the 6,000-foot flight level. Altitude is lost rapidly enough that ears start to plug up. Suddenly there is a scream behind the pilot which nearly causes him to bail out. Then he realizes the source of this unearthly racket: "Cock-a-doodle-doo-o-o." That rooster. The mission pilot didn't even know he had a male passenger aboard. But, starting a new flock of chickens does require more than just a hen party.

It is generally felt that St. Peter will raise no questions when bush pilots approach the pearly gates; they have experienced enough trouble just getting through normal obstacles during mission flying.

Mr. YARBOROUGH. Mr. President, I am certain that those who have flown in Africa, who have seen the airfields where pilots must land in the bush at the isolated mission stations, unguarded by troops of any kind, who know the flying conditions and the risks which are run, will understand the troubles Mr. Alexander has experienced. It has been a thrilling experience to talk with him. I know Members of Congress and others who read this article will catch some of that thrill by reading the article.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10) to encourage the establishment of voluntary pension plans by self-employed individuals, and it was signed by the President pro tempore.

FIRST ANNIVERSARY OF THE PEACE CORPS

Mr. HUMPHREY. Mr. President, slightly more than 1 year ago—on September 22, 1961—the President of the United States signed legislation permanently establishing the Peace Corps.

As principal author of this legislation in the Senate, I found this to be a moment of great accomplishment. In fact, few successful pieces of legislation have given me more personal pleasure.

While the idea of a peace corps was not new—for I had advocated it for several years, along with several other colleagues—it took the drama of a presidential campaign and the eloquence of the Democratic candidate to dramatize this issue in terms that captured the imagination of the entire Nation and large portions of the world. Its overwhelming support when the legislation came before the Congress further testified to the fundamental soundness of the idea.

One year has now elapsed, and I thought that something in the way of a first annual report was in order. I believe the Peace Corps has achieved some magnificent successes in 1 brief year. I believe Senators are interested in hearing of some of them.

Mr. President, I should be remiss if I did not note at this time that one of our late and departed colleagues, former Senator Richard Neuberger of Oregon, was one of the first to advocate this spendid, humanitarian and effective program known as the Peace Corps. It was my privilege to join with him and to be one of his associates in this endeavor. It stands as a living memorial to a fine, humanitarian and great Senator.

Incidentally, these remarks are also directly relevant to the foreign assistance appropriations that shortly will come before the Senate for consideration. We are aware that the Peace Corps sustained a reduction of almost $12 million in the President's request for $63,750,000.

That is the reduction in the other body. I am happy to say that the Senate Committee on Appropriations has restored the full amount for the Peace Corps.

Too often we conduct our annual debates over appropriations for foreign aid strictly in terms of dollars and cents. The debate sounds more like the directors of a large corporation attempting to decide whether or not to declare a third-quarter dividend rather than elected representatives of the United States considering the most vital subject in the world—human lives. We must, of course, consider the total sums involved; we must insist that these funds be handled wisely and well. But we must also occasionally translate these dollar amounts into the human values and human considerations that are the end products of our dollar expenditures.

It has long been my view that if the foreign aid program were translated in terms of projects of tangible accomplishments—of the effect upon the lives of the individuals concerned—we would have a much more sympathetic response to the request for foreign aid. But when we think of these great programs of foreign policy—even a program as beneficial, as humanitarian, and as well administered as the Peace Corps—terms of million or billions of dollars, it loses some of its real significance and some of its appeal.

The American people are willing to pay for good works. The American people are generous and compassionate people. They are willing to undertake the responsibilities of the dedication of certain resources of this Nation to programs and policies that build better communities and make possible better living.

Today I am going to describe some of the Peace Corps accomplishments in such human terms. I have found these accomplishments to be most impressive and compelling. As an American, I feel real pride in the work that has been done. I submit that the excellence of these results warrant a solid vote of confidence for the Peace Corps when we consider its appropriations in the coming days.

In any number of countries, the impact of Peace Corps volunteers has been profound. In Colombia, Tanganyika, and Nigeria, the first roadways, medical stations, and schoolhouses recently went up in scattered villages. The arrival of American instructors early this month in Ethiopia more than doubled the educational opportunities for schoolchildren in that country.

A newspaper in the Philippines, after making the observation that the United States frequently displays its worst side both at home and abroad, credited the Peace Corps with creating "a new American image," and added that "it is a heart-warming one."

Little more than a year ago the first Peace Corps volunteers left home. They were 51 secondary schoolteachers, bound for Ghana, a young nation important to the future of Africa but one often critical and distrustful of the United States.

It was a modest beginning and an anxious one. There were many in Ghana—not to say the United States—who doubted that the Peace Corps was feasible. They doubted that pushbutton Americans, raised in a hi-fi, superhighway culture, could even survive in primitive, out-of-the-way places, let alone do meaningful work.

When the volunteers arrived in Ghana, one of them gave a brief speech in Twi, the Ghanaian tongue. Then the group sang the Ghanaian national anthem—again in Twi. The effect was electric. Ghana's chief education officer, who had opposed the Peace Corps, let a spontaneous cheer for the Americans. Everywhere the volunteers traveled during the next few days people recognized them as the "Americans who sang our song," who had come "to learn as well as to teach." These were Americans who had taken the trouble to learn the local language before arriving. These were Americans with a sense of humility.

Officials of the Ghanaian Government were quick to notice this new type of American. This was an American who came to work within their system for them. He did not come to stand on the sidelines and supervise, to tell them how

to change their system, to insist on his way of doing things. This new American did not even have PX or commissary privileges. He did not own an automobile. He came to live under the laws of the country—with no diplomatic immunity. He did not come to "convert" people to his religious belief. He did not come to make a profit out of business or to change a political system.

He was an American who came to give 2 years of his life living simply, working hard, and helping in the ordinary, everyday tasks of people who desire to make their lives—and the lives of their children—somewhat better. Not very "ugly" for an American.

These facts about the Peace Corps and its purposes were not lost upon responsible government officials in the underdeveloped nations of Asia, Latin America, and Africa. Country after country put in requests for Peace Corps specialists in everything from agriculture to zoology. In total numbers, the response was staggering.

Today, even as I am speaking now, there are nearly 2,400 Peace Corps volunteers serving overseas in 36 countries. They are working as geologists, surveyors, farmers, social workers, fishermen, diesel and auto mechanics, teachers, engineers, home economists, nurses, doctors and in many other fields.

By the end of November, the Peace Corps will have 5,000 volunteers in training or at work in 40 different countries. They come from every walk of life, representing every race, every color, every creed.

I would like to cite in human terms a few examples of just what the Peace Corps is doing.

In Colombia, for example, 100 volunteers are now engaged in community self-help programs at 55 locations. During the first 6 months of the program, 60 volunteers working out of 29 locations contacted the people in 115 villages. The villages and volunteers started work on 27 two-room schools and have 24 more planned. They are building 20 aqueducts and have 10 more to start. They have built five health centers and have started two more. They have built or started 10 sports fields, 7 bridges, and 16 roads. The volunteers have started five libraries and are teaching nine courses—in such subjects as community action, agriculture, or health—and have helped build three parks, three telephone systems, five cooperatives, and two water wells.

I submit that that is a record of achievement of which every American can be proud. I cite that record today because when the foreign-aid appropriation bill comes before the Senate, the amount provided in the bill for the Peace Corps, limited as it is, should be granted in full, in order to permit this wonderful organization to carry on its great program of action and work in the countries in which it is now stationed.

The Peace Corps has helped build houses in three areas, worked in literacy programs in four areas, helped with 4-H programs in five areas, and are engaged in reforestation, agriculture programs, electrification, farm pond construction, and health programs. They have fought a plague of red ants in one instance and have saved two lives through first aid in another. All the projects were done with the cooperation of local villagers and government and private agencies in Colombia.

I have discussed only one effort made in a single Latin American country. The Peace Corps is a strong supporting arm of what we call the Alliance for Progress.

The Peace Corpsmen and the native Colombians labored side by side.

In Nigeria, 180 volunteers are teaching between 8,000 and 10,000 secondary school students and about 500 college students.

Special activities outside regular classroom teaching include: Coaching and teaching sports; organizing science and art clubs, singing groups; and library development. At Nsukka the volunteers teach afterwork classes for the university's junior staff—clerks, janitors and so forth—in math, English, and geography. One volunteer teaches a night court in American history and government for a class of about 100 teachers, Government workers, and other professional people. Although all are teachers, the Nigeria volunteers have helped build a water tower, a dining hall at a school, latrines, and a swimming pool.

In Malaya, 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 67 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.

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.

There is no "Yankee go home" in this kind of response, but rather, "Send us more of these Peace Corps volunteers." This is the cry and this is the response from country after country.

In India, there are 76 volunteers in the agricultural training program in the Punjab. A poultry-raising training program run by 2 volunteers is reaching 200 trainees, who will, in turn, teach poultry raising in 8 to 10 villages each. Seven of the volunteers are teaching special informal classes in sheet metal work, English, welding, and workshop methods. Two are organizing youth groups with a total of 600 boys. Five show educational or recreational movies after hours for audiences of from 500 to 1,000. One volunteer has made several improvements for efficiency and safety in a local peanut oil plant.

A New York Times correspondent recently wrote from New Delhi, India:

> The image the Corpsmen 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."

In Sierra Leone, the volunteer teachers are working in new schools with 80 to 100 students, and older schools with up to 600 students. In the smaller schools they have daily contact with all the students; in the larger schools their classes total about 180 students. Probably the two most important contributions the volunteers have made is a remarkable record of attendance to their duties and out-of-school contact with students—both healthy innovations.

Outside activities include: Library development; an adult discussion group studying African literature; a weekend math class; boys club work; and helping in a school for the blind. In community work the volunteers have organized a swimming and lifesaving class; helped build a new school; worked in a hospital; started a community garden; served on a government advisory board for educational TV; helped organize a fund-raising auction for a school for crippled children; and started a school newspaper. Socially, the volunteers sing in a choral group; have judged beauty contests and played in a local jazz band. One volunteer was the first white person to join an African tennis club.

These young Americans are demonstrating all the vitality and wholesome energy that young Americans have demonstrated in our country.

In St. Lucia, the 15 volunteers on this tiny West Indian island can report they have contact with "everybody." One of the teachers states:

> I consider that I have indirectly taught every 12- to 13-year-old girl on the island through the weekly lesson guide I wrote for home economics.

In special Saturday and vacation classes a volunteer has taught a total of 286 teachers. The 12 agricultural workers have projects in every part of the island.

Not only do these volunteers undertake the schedule of work that is required of them as volunteers in the Peace Corps. I suppose this is what one should expect of individual volunteers in the Peace Corps. Much of what I have said today represents free-time activities, when a worker in the Peace Corps is not required by administrative directive to perform certain services or undertake certain projects.

I am proud of the fact that our Peace Corps personnel are acting as full-fledged Americans in every area of the world by engaging in voluntary activities and community projects, demonstrating what we have learned in America as a vital part of a free society—voluntary action. They do not require

that they be directed. They are undertaking programs and projects because it is something they want to do. This is the expression of a free America, of individuals freely giving of their time and talents to the common good.

The volunteers teach adult education classes in the evenings and participate in all St. Lucia's public affairs. Several volunteers were members of the band that won the "band of the year" award at a recent festival. Volunteers served on the refreshment committee during the Windward Islands games. They participate in the literacy program and the nutrition program in cooperation with local and international agencies. They participate in sports, particularly basketball.

In the Philippines, the largest single Peace Corps program includes 490 teaching in schools throughout the islands. I want to emphasize that these volunteers undertake many projects in addition to their teaching responsibilities, a practice typical of volunteers elsewhere. They have organized a month-long summer "camp brotherhood" at Mambucal for 600 native boys. Others set up "little theater" groups, conducted demonstration courses on the use of fertilizer and ran summer schools.

This is just a sampling of the many activities and accomplishments of the first year. It is an impressive list. It certainly fulfills the fondest hopes of one who has kept a sharp eye on the proceedings during the past 12 months.

As I have indicated, this program has been very close to me. It has been close to my public interest and close to my private interest. I recall that when we first advanced the idea many people throughout the country said that it would never work. Others made the statement that these young Americans would only get in trouble, or that the program would mean only some kind of junket tour for hundreds of young people.

All those critics have been proved wrong, and most of them admit it. Even the critics abroad have been proved wrong, and they have admitted it. Interestingly enough, the Communist propaganda machine has viciously attacked our Peace Corps operations. The reason for it is obvious. It is because it is effective in helping other people help themselves. When people can help themselves, and know what to do for themselves, the totalitarianism of the Communist doctrine and system find no friendly reception. In other words, people who help themselves make sure that the Communist system is not imposed upon them.

While the list of activities that I have cited is impressive, one is still justified in asking: "How successfully have these many projects been executed? What sort of a job is being done?" These are questions that certainly should be asked. To discover the answers, I propose to rely on testimony supplied by persons who cannot be censored for conflict of interest: the Communists themselves. I submit that the more critical and abusive the Communists are of the Peace Corps, the more successful has been its operation. And I am happy to report that the Communists are practically falling over themselves to malign, condemn, and vilify the Peace Corps.

What greater compliment could be paid to the Peace Corps than to find that those who live on disaster, violence, and poverty are a part of the system that seeks to tear down, and spend its venom and fury upon the Peace Corps?

In March 1961, Communist propaganda was vitriolic, but not intensive. In broadcasts to southeast Asia, the Communists flatly predicted that no nation there would accept volunteers and developed the theme that the Peace Corps was an arm of the Central Intelligence Agency. Some of the propaganda came from Communist China; some came from Moscow.

But in recent months, the campaign has been stepped up. Cuba's attacks have been both shrill and intensive. Havana Radio claims that the Peace Corps is not only an arm of the CIA, but is also preparing the way for a new invasion of Cuba. Sargent Shriver is identified as a "bloodthirsty Chicago butcher and sausagemaker."

Communist Chinese attacks not only reach southeast Asia, but also include Africa. While Russian propaganda usually attacks the Peace Corps as a whole as distinguished from the individual volunteer, the Chinese attack the integrity of the individual volunteer.

Premier Khrushchev joined the attack on the Peace Corps in May 1962. He said:

> The U.S. Government recently formed the so-called Peace Corps, whose soldiers are engineers, surgeons, teachers, students. The imperialists understand well that now they cannot keep their domination only with the help of the Bible and troops. Along with force, the imperialists strive to preserve their dominion in the former colonial countries with the aid of the ideological indoctrination of the population, the use of economic means of enslavement. But these tactics will not save them from failure. For it is clear that the so-called Peace Corps or the Alliance for Progress in Latin America are weapons of imperialism.

But more rational voices can be heard above the Soviet bluster. And we should consider their testimony as well.

Arnold Toynbee has said that the Peace Corps represents to the non-Western majority of mankind a sample of Western man at his best. Father Thomas Cronin, a pastor in the Philippines, has termed the volunteers the "greatest export the United States has ever made." And Sir Edmund Hillary, the conquerer of Mount Everest, has commented that the Peace Corps is "the greatest thing any country has done in my lifetime."

The combination of Communist condemnation and non-Communist acclaim tells me that the Peace Corps has done an outstanding job. I sincerely hope these remarks give some indication of this success. I believe we owe R. Sargent Shriver, Director of the Peace Corps, and the thousands of young and old Americans who have participated in this historic venture a solid vote of confidence.

I am sure that the Senate, when it comes to appropriating for our oversea activities, will demonstrate that solid vote of confidence by appropriating the funds which the Peace Corps requires for the coming fiscal year. I appeal to our colleagues in the other body not to seek to compromise away in the conference committee any of those funds. Those funds are needed. They should be supplied. This is the most effective, successful operation which the U.S. Government conducts. To clip its wings at this time, or to deny it the sustenance or the financial nourishment it requires to undertake its task, would be foolhardy and, I think, uncalled for.

In terms of return for dollar invested, the Peace Corps has been a real bargain, a bargain in terms of our battle against communism and a bargain in terms of this Nation's traditional concern for persons less fortunate than ourselves.

In short, this has been a bargain in helping fellow human beings find a better and more meaningful way of life. What better investment can this country expect to make?

Mr. President, I have taken the time to make this statement about the Peace Corps because in these days, when there is so much discouragement and dismay over the world situation, it seems to me we ought to spread on the RECORD some of the achievements of this country. We have bathed ourselves in pessimism and discouragement when, in fact, there is much about which to be optimistic. Time after time the Senator from Minnesota has pointed out that the Communist countries are finding themselves in serious trouble. Their economy is in trouble. They see a Western Europe which is rising up as a new third major power which confronts the Soviet bloc today with unmistakable vitality and strength.

There is a split within the Communist bloc itself, and individual countries within the Communist bloc are attempting to assert their own independence, all of which is a healthy sign.

There seems to be a tendency in Congress to seek to attract public attention by pointing out the tragedies, the mistakes, the horror stories of government. I should like to have Members of Congress, at least some of the time, point out some of the achievements of their country, some of the successes of their Government's programs, and, at least, the purpose of the programs, and to give a progress report on the fulfillment of that purpose.

Our foreign policy today is not merely one of confronting the Communists with the superior power of the military, with the superior resources of finance and industry. Our foreign policy today is one which embraces what I call the concepts of social justice, not only for ourselves, but also for all humanity.

Programs such as the Peace Corps, the U.S. Arms Control and Disarmament Agency, and the Agency for International Development represent American foreign policy at its best; American foreign policy under which we help other people to help themselves; under which

the United States helps to preserve their independence and freedom, and under which individuals in those countries are helped to live a better life.

There is much to be pointed to in terms of accomplishment and achievement. When the Senate debates the foreign aid appropriation bill next week, it is my intention to outline for Congress and for the people—at least, for those who are willing to take the time to learn and to read—that the foreign operations of the United States, including our program of mutual security and mutual assistance, our so-called foreign aid program, represents the finest traditions, the highest quality, and the noble character of the American people.

Moreover, it indicates that our program works well, for the Soviet Union has had to engage in a massive foreign aid program of its own, if for no other reason than to compete with and to stand up against us. I think the best tribute to our foreign aid program, the best tribute to our oversea operations in terms of economic and technical assistance, is that the Soviet Union has had to engage in a similar program, lest it find itself without any attraction, without any influence, in any part of the world.

We have made mistakes. It is always our purpose to try to learn from our mistakes. But it is a gross error to judge a program only by the few instances of mistake of judgment or mistake of performance. One needs only to take a look at the programs to see what they are accomplishing, to see what their purposes are, and to see how their purposes are being realized.

I conclude these remarks concerning our total overall foreign aid program by a friendly reference to Mr. Fowler Hamilton, its Administrator, who has had a difficult time, who inherited a colossal mess, who took over an agency that was under attack in Congress and before the public, who found an agency the morale of which had slipped considerably, and who found considerable mismanagement.

In less than 1 year, Mr. Hamilton has revitalized that Agency under the direction of Congress and the President. He has brought in new personnel, established regional offices, mapped out a program of projects country by country and has carefully analyzed every project. He has coordinated the work of AID—the Agency for International Development—with the many other activities of the U.S. Government, so that today it can honestly be said that once again our foreign aid program is on the move, making progress, helping other countries, and helping the United States of America.

When we vote on the foreign aid appropriation bill, I hope Senators will keep in mind, and I hope their constitutents will keep in mind, that more than 70 percent of the foreign aid appropriations—of all the foreign aid funds—are expended in the United States, aiding our own economy as well as aiding the economies of other countries.

I also hope we shall remember that the best testimonial to the success of this program is that not a single country—save one, namely, Cuba, which did not have any of our foreign aid—has slipped into the Communist orbit and into the hands of the Communist powers since the advent of our foreign aid.

Foreign aid has been one of the powerful factors in our program of national security. Many persons forget that when they discuss this program. Too many persons have talked about it as a giveaway program, and too many Members of Congress have attempted to ridicule it by seeking to point out a few examples of ineffectiveness or of possible corruption or mismanagement, and to have them held up to the public in headlines.

There is hardly a home in America with which one could not find some fault; and if there were a desire to destroy a home, that could be done by giving headline publicity to the difficulties which inevitably arise in the homes of all people, in lodges, in churches, or in any other programs. Such could be done in connection with any program when, in some particular, someone has not been as efficient as he should.

After all, ours is a representative government, not a government of saints or sinners, not a government of genius or of stupidity. It is a government of people; and we seek to do the best we can with the personnel and talent available.

In the days ahead we shall have quite a struggle over our foreign-aid program. As one who has carefully examined the program in the Foreign Relations Committee, and has spent hours at the committee's hearings, and as one who, as a member of the Appropriations Committee, has repeatedly met with the Government officials responsible for the administration of the program, I have examined this program with meticulous care, because I wanted to see it effective. I want to get every bit of good we can get from every dollar that is expended.

It seems to me that when one measures the program from the point of view of the overall good done and in terms of the great tasks we face, it is clear that the program has served us well, particularly in view of the fact that much of the aid goes to countries with little experience with modern society and modern representative government. It is an uphill fight, but we are making steady gains.

Therefore, Mr. President, I shall do all I can to support the foreign-aid program in every way possible.

THE WILDERNESS BILL

Mr. HUMPHREY. Mr. President, the first anniversary of the Senate's passage of the Wilderness Act has now passed. After 5 years of consideration, controversy, and compromise the wilderness bill was overwhelmingly approved by the Senate on September 6, 1961, by a vote of 78–8.

This achievement was a tribute to the leadership and reasonableness of the distinguished Senator from New Mexico [Mr. ANDERSON]. As chairman of the Committee on Interior and Insular Affairs, he sponsored S. 174 in this 87th Congress. He also saw it through the Interior Committee and secured the modifications required to accommodate it adequately to the many groups affected by this legislation. The Senator from New Mexico nevertheless managed to do this in a form adequate for the purposes of the legislation. The distinguished Senator has been widely and rightly commended for this accomplishment.

A recent editorial in the Living Wilderness commented:

> Wilderness proponents realize that the Senate act goes too far in some respects in permitting nonconforming uses of wilderness and includes some procedural inconsistencies, but they also recognize that in general it is a sound and constructive measure which can greatly improve present conditions and establish a sound national policy and program.

Mr. President, it is regrettable to see wilderness proponents who are now defending this Senate act, with its many compromises, described as extremists who have demonstrated that they have no desire to compromise, and to see the proponents of wilderness preservation charged with refusing to debate the question of accommodating competing uses.

To emphasize the extent to which the proposals of wilderness proponents had been modified let me recall some of the features of our original revised proposal for establishing a national wilderness preservation policy, but which were greatly changed—and with our concurrence, as we willingly and eagerly sought a consensus that would be truly national.

We proposed, for example, the establishment of a permanent national wilderness preservation council. This has been dropped entirely.

We proposed a national wilderness preservation system that would include at once all the wilderness, wild, primitive, and canoe areas in the national forests; all the national parks and monuments with roadless areas as large as 5,000 acres; all the wildlife refuges and ranges with roadless areas as large as 5,000 acres; and also areas within Indian reservations and within various kinds of Federal lands that might be designated by their administrators in prescribed circumstances.

Mr. President, the Wilderness Act as passed by the Senate provided for establishment within the wilderness system of only the national forest, national park system, and wildlife areas. Furthermore, for all the park and wildlife areas and for the primitive areas within the forests the act as passed set up a 10-year review program for permanent establishment of the system. And for any other areas to be set up as wilderness a separate act of Congress would be required.

Our original proposal set up strict requirements for protecting areas as wilderness. These also were greatly modified with regard for users of the areas for commodity purposes as seemed justified. For example, we originally proposed to prohibit mining entirely; the act as

passed permitted prospecting that would not destroy the wilderness and mining that might be permitted by the President on his determination that it would be in the national interest.

Thus, in many ways that I could further point out, the proponents of wilderness preservation compromised, modified, and clarified their proposed wilderness legislation to accommodate their own concepts to those of others. The result was the outstandingly reasonable measure for which I have so many times commended the distinguished Senator from New Mexico [Mr. ANDERSON] for sponsoring and seeing through committee and the Senate—with some further accommodating amendments, I may add.

In the opinion of 78 Senators the measure, thus carefully developed, will adequately protect user interests, as well as serve the national interest in having a wilderness system. It did not entirely represent what reasonable conservation groups would like. The proposal differs substantially from that which I originally introduced. It is truly a measure of democratic compromise, yet one that still maintains its original principles and purposes.

President Kennedy has supported this act and has urged its passage. Earlier this year he declared:

> We must protect and preserve our Nation's remaining wilderness areas. This key element of our conservation program should have priority attention. I therefore strongly urge the Congress to enact legislation establishing a National Wilderness Preservation System along the lines of S. 174, introduced by Senator ANDERSON.

I am sure the Committee on Interior and Insular Affairs in the other body also has given earnest consideration to this proposal. It has obtained testimony in hearings, both here and in the West. It has debated it in subcommittee and committee sessions. However, when its substitute version of the wilderness bill was ordered reported, it failed to reflect the fundamental objectives expressed in the Senate act. Accompanying this substitute measure was a resolution calling for the bill to be brought to the floor under suspension of the rules, thus limiting floor debate and amendment.

Let me describe briefly the wilderness provisions of the House committee's substitute bill. It dropped entirely the Senate concept of a national wilderness preservation system. It gives protection at once to only the "wilderness," "wild," and "canoe" areas of the national forests. It requires a separate act of Congress to establish any other area as wilderness. It permits mining to continue in the wilderness which would be protected, permits it to continue for 25 years. It requires any wilderness areas that would be established to be reviewed every 25 years.

A notable feature of this substitute bill is its including as title I a separate piece of legislation dealing with the broad land-withdrawal policies of Congress. This title I has not been considered by the Senate in connection with the wilderness legislation. The added title has been strongly opposed by the Departments of Agriculture and the Interior.

Mr. President, the Speaker of the House did not permit a suspension of the rules, for the purpose of bringing this substitute bill to the House floor under the circumstances in which the Members would not have an opportunity to debate or amend it. The Speaker has advised the Interior Committee chairman, the distinguished gentleman from Colorado, that the best procedure under the circumstances would be to go before the Rules Committee and request a rule for floor consideration.

Since that decision, the House Interior Committee has not convened; and I am informed that no meetings are now scheduled. Also pending in the House Interior Committee are a number of noncontroversial measures, such as S. 77, establishing the Chesapeake and Ohio Canal National Historical Park; S. 1988, promoting the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, lower Klamath and upper Klamath national wildlife refuges in Oregon and California; S. 3117, establishing the Bureau of Outdoor Recreation in the Department of the Interior and S. 543 providing for shoreline area studies.

Mr. President, I sincerely hope that action can be secured on the wilderness bill and these other conservation measures before Congress adjourns. I have followed for many years the attempts to preserve the remaining wilderness areas of our Nation. I have been one of the strong proponents of the need to protect this rapidly dwindling resource for future generations.

Mr. President, I think I can honestly say that for many years I took the lead in connection with this matter, and I realize how much criticism it can bring upon one. This job has been very difficult. We have come many miles in this battle, and I urge our colleagues in the other body to appreciate the high desirability for action this session.

Mr. President, I ask unanimous consent that an article from the St. Louis Post Dispatch, for September 16, 1962, entitled "Fate of the Wilderness Bill," be printed in the RECORD at this point. I also ask unanimous consent that an editorial from the Living Wilderness be printed in the RECORD.

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

[From the St. Louis Post-Dispatch, Sept. 16, 1962]

FATE OF WILDERNESS BILL

(By William K. Wyant, Jr.)

WASHINGTON, September 15.—The difficulty of persuading the Nation to leave some small part of its scenery unspoiled so posterity can enjoy it is illustrated by the fate of the so-called wilderness bill, which the House will consider next week.

After years of work, conservative-minded Americans led by Senator CLINTON P. ANDERSON, Democrat of New Mexico, got a bill through the Senate last September to safeguard 61,275,011 acres in a national wilderness preservation system. But the House Interior Committee, of which Representative WAYNE N. ASPINALL, Democrat of Colorado, is chairman, is expected to bring before the House Monday a bill that conservationists consider a travesty—worse than nothing at all.

"It is a bill to protect miners, lumbermen and other enterprising patriots from rampant conservationists who are trying to give the country back to the Indians," Howard Zahniser, executive secretary of the Wilderness Society, told the Post-Dispatch sarcastically.

WOULD AVOID DEBATE

The Aspinall committee voted to request that its rewritten version of the Senate bill be brought to the floor with no chance for debate or amendment. Conservationists were working frantically this week to block this procedure. They think they can defeat it.

In the controversy over the measure, 22 national conservation groups and 58 State and local organizations are pitted against lumber, mining, grazing and other commercial interests that have striven to bend Congress's will in their favor.

The quarrel is not over whether new land, not now in Government hands, shall be denied for a while to the ax, the shovel and the bulldozer. It concerns remote back country already in the national forests, the national park group and the national wildlife refuge system.

What conservationists wanted to do was to throw up protections now, while there is still time, for more than 140 wilderness areas that are still largely out of reach of exploitation. Much of it is high, mountainous country in the west and in Alaska.

The conservationists say that they were not trying to change the situation but to pin it down, providing national guarantees against commercial depredation.

CONSERVATIONISTS' GOAL

"Our basic thesis," said Zahniser, who also is vice chairman of the Citizens Committee on Natural Resources, "is that only those areas will be preserved as wilderness in our culture that are designated positively for use as wilderness—and protected as such by law.

"It is not just the greed of miners, which was being lampooned 60 years ago. It is the expansion of our population, the growth of roads and mechanization. Our culture is such that all these areas are destined to have some kind of value that will result in their exploitation and destruction."

The territory the conservationists want to protect, or keep the way it is, includes 6,822,400 acres of "wilderness," "wild" and "canoe" areas and 7,852,958 acres of primitive area in the national forests.

It includes a potential of more than 22 million acres of roadless country in the national park system—not formally designated as wilderness at present—and possibly more than 24 million acres in wildlife refuges and game ranges.

Zahniser said that none of the land that conservationists presumed to be wilderness is open to timber operations at present. The same is not true of mining, which is permitted, generally speaking, under laws dating from 1872.

"The opposition of the lumbermen proved one thing," said Zahniser. "You do need the legislation. The lumber interests said we didn't need it, but this proves they did have designs on it."

He pointed to the testimony of Joe Hughes, who has a logging and sawmill business at Foresthill, Calif. Hughes appeared last November when the subcommittee headed by Representative GRACIE PFOST, Democrat of Idaho, held hearings at Sacramento.

JOBLESS ISSUE RAISED

Mrs. PFOST asked Hughes why he thought passage of the conservationist-backed Sen-

ate bill would cause unemployment, in view of the fact that no timber cutting was allowed in the wilderness areas in question.

"I had in mind an estimated billions of feet of timberland that would be included in the wilderness area, according to the reading I have done on it," said Hughes.

Mrs. FROST then asked Hughes whether he had in mind that lumber operators might at some future time be able to get into some of the present national forest wilderness or primitive areas, now closed to them.

"Yes," said Hughes. "I think the lumbermen as a whole would like to think we can harvest that timber before it dies or is lost to us."

Under the House substitute bill, which conservationists say "substitutes exploitation for preservation," mining could continue for 25 years. Moreover, wilderness areas would be reviewed every 25 years by 10 Federal agencies to determine whether their status should be changed.

The substitute bill would designate less than 7 million acres as wilderness—just the wilderness, wild, and canoe areas in the national forests. Other lands would require separate acts of Congress.

In the Senate bill, a wilderness system would be established including the 14,675,358 acres of wilderness-type areas in national forests. It would permit the President to consider for preservation about 61 million acres, subject to rejection by Congress.

REVIEW IS DISTASTEFUL

The 25-year review is distasteful from the conservationist viewpoint because it would mean that each quarter century the wilderness would have to run the gauntlet. Governors of States and county politicians would have to be consulted. Pressures would be endless.

"This proposed review is as dubious in a wilderness act as it would be in a marriage vow," said Zahniser. "The House bill includes hazards that do not exist now."

Zahniser and other conservationists believe that they stand for the majority of Americans against a small but effective minority of commercial interests. This week they sent each Member of Congress a reprint of an article by Senator ANDERSON supporting his Senate bill.

"The main point," Zahniser said, "is that time is short." The lovely Three Sisters primitive area in Oregon contained no marketable timber when it was established in 1937. In the 1950's the Forest Service moved to reclassify it as wilderness, but in doing so took out 53,000 acres of timber for logging.

"There was a great controversy in which the late Senator Richard Neuberger, Democrat, of Oregon, took the side of right and justice," Zahniser said, "but in the end the decision went to the powersaw." Time had run out in the Three Sisters.

[From the Living Wilderness, spring to summer 1962]

WILDERNESS BILL CRISIS

When the Committee on Interior and Insular Affairs of the House of Representatives on August 30 not only voted to report favorably on a substitute wilderness bill, instead of a measure that could be approved by wilderness advocates, but also adopted a resolution instructing the chairman to try to get the rules suspended so as to prevent debate or amendment by the House of a measure so much in need of amendment, the committee created the latest and greatest of the numerous crises with which the 6-year struggle for congressional action for wilderness preservation has been punctuated.

It is a crisis to which many conservation leaders responded at once with protests to Speaker of the House JOHN W. MCCORMACK and urgings that he not permit suspension of the rules for this purpose but rather help see that the wilderness bill is brought before the House with provision for adequate consideration and amendment as the Members of Congress may see fit after debate.

By midafternoon of the day of the committee's action, Spencer M. Smith, secretary and full-time representative of the Citizens Committee on Natural Resources, the conservationists' task force for legislation, wired Speaker MCCORMACK strong protests.

"Shocked," said Dr. Smith's telegram as reported to us—"shocked at the action of the House Interior Committee in reporting out the substitute wilderness bill in unacceptable form. Bill represents sad distortion of the measure passed by the Senate and urged by President Kennedy. Committee's further action in requesting that measure be brought to the floor with no chance for debate and amendment is further shocking. Urgently hope the leadership can deny this unreasonable request in order that this measure can receive full House consideration."

Ira N. Gabrielson, chairman of the citizens committee, president of the Wildlife Management Institute, widely known as Mr. Conservation, in another wire that same afternoon told the Speaker that the committee's "request to bring up the substitute wilderness bill under suspension of rules is unacceptable to the Nation's conservationists."

"The committee's substitute is grossly inadequate," said Dr. Gabrielson. "Eliminating the opportunity for floor debate and amendment is unfair to all interested House Members," he charged.

Admittedly the committee had not only done violence to the legislation but also by delay and the rules-suspension procedural maneuver had created serious difficulties for wilderness advocates so late in a congressional session. Yet the conservation leaders who so long and earnestly had worked through many other difficulties were quick to rally. Undoubtedly their supporters throughout the country will likewise rally with protests and urgings to their Congressmen, and the end result may well be a strengthening of the wilderness legislation's prospects.

"We have just entered the arena in the House in which we can fight," Representative JOHN SAYLOR, of Pennsylvania, told a reporter for the National Wildlife Federation's Conservation Report soon after the committee had adjourned. "Under the committee system," said Congressman SAYLOR, pioneer champion of the wilderness bill, himself minority leader of the Interior Committee, "with an adverse committee, we can do nothing until we have a bill reported. Now we have one. It is far from what we want. But we are not through. We have just begun to fight where we do have a chance."

Perhaps—who knows—the surprise attempt to prevent debate and amendment will rather by the very shock of the maneuver and its reverberations only insure earnest debate and encourage amendment.

In fact, there arises the strong conviction on the part of many that the soundest procedure from the viewpoint of by far the great majority of the Members of the House would be a restoration of the Senate-passed Wilderness Act, S. 174, and its passage. Wilderness proponents realize that the Senate act goes too far in some respects in permitting nonconforming uses of wilderness and includes some procedural inconsistencies, but they also recognize that in general it is a sound and constructive measure which can greatly improve present conditions and establish a sound national policy and program, while the tone of the substitute bill, as Ernest Dickerman of the Smoky Mountains Hiking Club has said in a detailed analysis, "is consistently negative with respect to the preservation of wilderness."

The many conservationists in the House of Representatives, and their constituents throughout the Nation, who wish to see a sound and enduring national wilderness preservation system do face a crisis. There is little time. There is none to lose. Yet the opportunity for worthy action is still alive. And the prospects are challenging.

ROSH HASHANAH

Mr. HUMPHREY. Mr. President, with coming of Rosh Hashanah and the high holidays that usher in the New Year, the thoughts of men of good will everywhere turn to the Jewish people, to their long history of suffering heroically borne, and to their stubborn attachment to the ideals of strict morality, intellectual integrity, religious faith, and cultural identity.

America must never forget that Jewish heroes were involved in the founding of our Nation, and have fought bravely in every one of our wars. Neither must America forget that Old Testament principles, treasured and handed down to us by Jewish people through the ages entered into the thinking of those who formed our colonies, those who spoke and worked for our national independence, and those who devised our Federal Constitution.

It is therefore to no strangers or guests among us, but to brothers, that we speak when we bid the Jewish people of America "Happy New Year" at the start of the year 5723. We respect and admire these centuries of Jewish achievements and contributions.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

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

Mr. HUMPHREY. I yield.

Mr SPARKMAN. May I be advised as to whether or not there is to be a session tomorrow?

Mr. HUMPHREY. There is.

Mr. SPARKMAN. At what time will the Senate convene?

Mr HUMPHREY. It will meet at 10 o'clock tomorrow morning.

Mr. SPARKMAN. What will be the order of business?

Mr. HUMPHREY. Some minor bills on the calendar. The Senate is expected to proceed to the consideration of the

civil works appropriation bill. I hope action on that bill can be completed tomorrow.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, September 28, 1962, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 455. An act to amend the act of July 11, 1955, relating to air pollution control, to authorize appropriations for an additional 2-year period, and for other purposes; and

S. J. Res. 230. Joint resolution expressing the determination of the United States with respect to the situation in Cuba.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, in accordance with the previous order I move that the Senate stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 10 minutes p.m.), under the previous order, the Senate adjourned until tomorrow, Saturday, September 29, 1962, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 28, 1962:

FEDERAL COMMUNICATIONS COMMISSION

E. William Henry, of Tennessee, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1962.

IN THE U.S. AIR FORCE

The officers named herein for appointment as Reserve commissioned officers in the U.S. Air Force, under the provisions of sections 8012, 8201, 8218, 8351, and 8379, title 10, of the United States Code:

To be major general

Brig. Gen. Collins H. Ferris AO411820, Wisconsin Air National Guard.

To be brigadier generals

Col. Gordon L. Doolittle AO757963, Oregon Air National Guard.

Col. Robert W. Gilbert AO819793, Iowa Air National Guard.

Col. Magnus B. Marks AO361747, Michigan Air National Guard.

Col. Glennon T. Moran AO799229, Missouri Air National Guard.

Col. Donald J. Smith AO695779, Illinois Air National Guard.

Col. Robert W. Tucker AO499454, Rhode Island Air National Guard.

Col. I. G. Brown AO497687, Arkansas Air National Guard.

The nominations beginning William T. Coon to be captain, and ending Clarence H. Shub to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 20, 1962.

EXTENSIONS OF REMARKS

Independence Day of the Federation of Nigeria

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 1962

Mr. POWELL. Mr. Speaker, we take this opportunity to send warm felicitations to His Excellency the Governor General of the Federation of Nigeria, Dr. Nnamdi Azikiwe; and His Excellency the Ambassador of the Federation of Nigeria to the United States, Mr. Julius M. Udochi, on the occasion of the second anniversary of Nigeria's independence.

THE FEDERATION OF NIGERIA—ITS INDEPENDENCE DAY

The Federation of Nigeria is the most populous State in Africa and one of the largest on that continent. Its teeming population is well over 35 million and its area is 340,000 square miles. The Federation of Nigeria is also one of the best governed and administered countries on that continent. The Federation consists of three distinct regions, constituting three separate administrative units: Eastern Nigeria, Western Nigeria, and Northern Nigeria. For more than a half century all of Nigeria was under British rule. Thus British traditions of law and administration prevail today. The Federation was formed in 1954, but the Federation of Nigeria, as a member of the British Commonwealth of Nations, and as an independent and sovereign member of the world community of nations, came into existence only 2 years ago.

In October of 1958, Britain's offer of independence to the Federation, within the British Commonwealth, was accepted, and on October 1, 1960, the consummation of this pledge was proclaimed. On that day and for the first time the people of Nigeria became the real masters of their own destiny. In the course of their very brief history as a nation, the people of the Federation of Nigeria have clearly proved to the world that they were fully prepared for the independence they had attained. Under their dynamic leader Sir Abubakar Balewa, and his able assistants, the Government of the Federation has been administering its affairs most efficiently and effectively. Nigerian leaders have proved real champions and true upholders of democratic principles, and they have demonstrated this in their maintenance of free elections, both in the Federation and in the self-governing regions, as provided in the Federal constitution. In many matters, economic, social, cultural, and particularly in politics and administration the Government of the Federation of Nigeria has been a shining success of democracy at work. On the anniversary of their independence day we wish the people of Nigeria and their patriotic leaders peace and prosperity.

President Kennedy Comes Back to West Virginia

EXTENSION OF REMARKS

OF

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 1962

Mr. HECHLER. Mr. Speaker, last night Senator RANDOLPH, Senator BYRD, of West Virginia, Congressman BAILEY, Congressman STAGGERS, Congressman SLACK, Congressman WAYNE HAYS, of Ohio, and I had the honor of accompanying President Kennedy to Wheeling, W. Va. The President opened his remarks by stating: "When I come back to West Virginia, I feel as if I was coming home."

The friendly people of West Virginia, despite the cold and rain, lined the streets from the airport to the football stadium, where the President spoke.

The following is the text of his remarks:

Governor Barron, Senator Randolph, Senator Byrd, Congressman Cleveland Bailey, Congressman Slack, Congressman Hechler, Congressman Staggers, Congressman Wayne Hays, from the neighboring State of Ohio, ladies and gentlemen, when I come back to West Virginia, I feel as if I was coming home. This, after all, is the State which sent me out into the world, and you are the people who made me the Democratic candidate for the Presidency of the United States.

Sometimes when Senator HUMPHREY and I get together to discuss the crises which pile up on the President's desk, we may wonder which of us you did the greater favor for. But nevertheless, for better of for worse, I know that if it had not been for Wheeling, and a score of other West Virginia cities and towns, 2½ years ago, I would not be here tonight. This is the place where the Democratic victory of 1960 had its start, and I can assure you that this is also the place where the Democratic congressional victory of 1962 will have its start.

The campaign of 1960 was important, and that included especially the primary campaign, because it provided an education, not just for the candidates who were involved, but also for the people of the United States. It reminded this Nation that even in America people, through no fault of their own, have had to live lives of hardship and want, and that even in America communities, through no fault of their own, have suffered from stagnation and age, and it reminded this Nation that an affirmative and progressive government could do something about it.

To do something about it, that has always been the faith of the Democratic Party, and it is the issue in the 1962 election. For not everyone, even in America, welcomes change. Throughout our entire history there have always been people, and they are excellent people, who preferred to hold things as they were, who wanted to go back to some golden age which never was, and if change is inevitable, they want as little of it as possible. I do not agree. This has never been the view of the Democratic Party.

We believe that if men have the talent to invent new machines that put men out of work, they have the talent to put those men back to work, and that is the issue in this campaign.

The fact of the matter is that this State has a very clear contrast between these two points of view, because in the 1950's, West Virginia was left on the beach, to decline, to rot. Then in January of 1961 a Government of veto and obstruction and do-nothingism was thrown out of office, and a government here in this State of West Virginia, under your Governor, and a Government in Washington, committed to progress, began to work together for the State of West Virginia, and the result in that brief period has been a marked improvement in the economic climate of this State.

I do not claim for a moment that the problems of West Virginia are solved, but I say they have begun to be solved. I know that troubles and difficulties remain. I know that much more needs to be done, and that is the purpose of this meeting tonight, because we want your help in doing it, and that is why this election of November 1962 is so important.

Look at West Virginia today. Only 2 weeks ago the West Virginia Chamber of Commerce, not an organization which is an arm of the Democratic Party, announced that in 1961 the economy of West Virginia had recovered from a recession to have the second best year in the history of West Virginia, and if progress continues, 1962 would be the best year in the history of this State. There has been in the last 20 months a decline of 37 percent in the number of unemployed in this State, and there are still too many, but at least we have begun, and I come here tonight to ask your help in finishing this job.

Why has it come about? Why have we been able to make this progress? It is because we have attempted in this State and in this country a comprehensive attack on the problems that face this State and Nation. West Virginia has been fortunate to have enjoyed the strong and progressive leadership of your Governor, and it has come about because a progressive Democratic administration in Washington, and a Democratic Congress, has worked to provide the people of West Virginia with the tools to do this job.

It is the people themselves who must do it, but it is the State government and the National Government that can help provide an atmosphere that will make it possible to do the work. I am proud that the first thing I did on the Saturday morning after assuming the responsibility of President of the United States was to sit down at my desk and sign an Executive order doubling the amount of surplus food that could be distributed to the needy people of this State and other States.

But the job has only begun. In the fiscal year of 1960, the total of military contracts placed in West Virginia was $36 million, but since January of 1960 things have changed. The total in 1962 was 4 times as much as in 1960, and twice as much as in 1961. The increase from 1960 to 1962 has been 272 percent, and I might add that the neighboring States of Ohio and Pennsylvania, since January 1961, defense contracts have totaled $1.5 billion in each of these States, and defense contracts are only a part of the story. A few years ago West Virginia was actually paying more money into the Federal Treasury as a State with most serious economic problems than most of the other States, and a good deal more than it was receiving back from the Federal Government. Your State in those Republican years bore far more than its share of the national burden. We have changed this situation. In the allocation of public works, in road building, especially the North-South highway project, in small business loans, in family farm loans, in the food stamp program, in health, education, and welfare grants, in emergency unemployment compensation, in area redevelopment projects, the Corps of Engineers projects, in flood prevention, watershed protection, forest management, public housing and college housing, West Virginia has received increased grants, and this has stimulated and helps stimulate the West Virginia economy.

I know that there are those who are against this, and I know that there are those who say that people who are out of work should find it. But I believe that the free enterprise system means that there will be an opportunity for all people who want to find a job, and it is to that credo that this Government of ours is committed.

Two years ago I said that it was time to get this country moving again. In the last 2 years, we have made a start, but just a start. But we have begun to act, for no Congress in a generation has passed as much affirmative and constructive legislation as the present Congress. This Congress under Democratic leadership has passed a widespread housing bill, an increase in the minimum wage to $1.25, an area redevelopment act for depressed areas, a manpower retraining act to make it possible for those who are out of work to find a new training and a new job, a bill preventing the distribution of harmful drugs, a farm act, relief for children of unemployed workers, and a trade bill, and these other bills which are important. But this is a beginning, and a beginning only. And that is why this election is important.

We have won fights by three or four votes in the House of Representatives, and we have lost fights by three or four votes. This is not a matter of personalities or merely parties. It is a question of whether the people of this district, rain or shine, will support people who believe in progress.

A few days ago we lost a bill for aid for higher education. We lost it by 32 votes; three-fourths of the Republicans voted against it. Last year 84 percent of the Republicans voted in the Senate against nationwide financing of unemployment compensation. Last month, 9 out of 10 Republicans on the House Ways and Means Committee voted against a bill to provide temporary relief for those who have exhausted their unemployment compensation. Eighty-one percent of the Republicans in the House voted against the area redevelopment bill. Ninety-five percent of the Republicans in the House voted against the Housing Act. Eighty percent voted against the minimum wage of $1.25—80 percent of the Republican Members of the House of Representatives voted against giving a man $1.25 an hour for a 40-hour week.

This is the issue in this campaign. We want to finish the job that we have started here in West Virginia and in Ohio and Pennsylvania, because a good deal more needs to be done. But I can assure you that so closely divided is the House and Senate that we cannot do the job without assistance of forward-looking Members of the House and Senate. And this State of West Virginia has them. I am confident that Congressman CLEVELAND BAILEY, with whom I served in the House of Representatives a decade ago, and your other Congressmen, KEN HECHLER, Mrs. KEE, Congressman—Well, they are all here—Stand up, gentlemen—HARLEY STAGGERS, WAYNE HAYS, of Ohio—with your two distinguished Senators—Gentlemen, stand up—that they are going to be back. These men and others like them, and women, have stood for the passage of the kind of legislation which means so much to the State of West Virginia.

I have too high regard for this State to have the rain fall upon all of you, but I want you to know how much I appreciate your coming here tonight in a cold, rainy night. You believe and I believe that it is the function of National and State Government to permit the people to develop their own resources. I can assure you that in January 1963 we shall send a program to the Congress of the United States which will continue the progress that we have begun to make. That program will be enacted into legislation only if we have Members of the House and Senate who share this same view of the future which the people of West Virginia have shared. This State, which for 10 years lay in the backwash, now knows that this State and others can move forward, and I come to West Virginia tonight for the purpose of asking your help in giving us the men and women who, joining together in Washington, can help West Virginia and the country move forward.

Thank you very much.

Group Practice Offers Improved Medical Care

EXTENSION OF REMARKS

OF

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 1962

Mr. RHODES of Pennsylvania. Mr. Speaker, last year, I introduced legislation which would encourage the development and growth of the group practice of medicine and the acquisition of health centers and facilities to meet our growing population.

My bill, H.R. 5887, was designed to assist voluntary nonprofit associations offering prepaid health service programs to secure necessary facilities and equipment through long-term interest bearing loans. Since that time a more comprehensive bill, H.R. 13081, has been introduced by the distinguished chairman of the Interstate and Foreign Commerce Committee, the gentleman from Arkansas [Mr. HARRIS].

This more comprehensive Harris bill has my full support. It is a measure which I believe deserves earnest and speedy consideration by this body because it will promote a most desirable way of helping to provide adequate medical and dental care for large numbers of our fellow citizens. This proposed legislation would authorize Federal mortgage insurance and loans to help finance the cost of constructing and equipping facilities for the group practice of medicine or dentistry or both.

Last February 27, President Kennedy's message on proposed health programs for the consideration of the 87th Congress emphasized the necessity of securing maximum utilization of the trained professional and technical personnel now available. In that connection, the President's message pointed out:

> Group practice offers great promise of improving the quality of medical care, of achieving significant economies and conveniences to physician and patient alike, and of facilitating a wider and better distribution of the available supply of scarce personnel.

It is quite true, Mr. Speaker, that in both the large urban areas and in smaller rural communities, an increasing

number of American citizens—both laymen and leaders of the medical profession—have come to recognize the positive values inherent in group practice. We live in an age of proliferation of factual knowledge and techniques about every phase of medicine and dentistry.

In such an age of specialization, the individual medical physician or dentist has great difficulty in keeping up his practice while at the same time staying abreast of the vast number of new developments in the various medical or dental specialized areas, let alone being able singly to purchase the equipment, often quite expensive, that is required to give the American citizen that high quality medical care which he has a right both to demand and to expect. Throughout the country, doctors and patients both are finding that group practice plans of various kinds offer a path toward more effective use of trained personnel and better care for the patient.

Three types of group practice units or organizations would be aided under the bill which has now been introduced. The first of these is cooperative or other organizations, including medical or dental groups, which offer comprehensive care on a group practice prepayment basis to their members or subscribers. The second type are public or nonprofit organizations which have been established for the purpose of improving the availability of medical or dental care in the community and which will make group practice facilities available to medical or dental groups for their use; and, lastly, medical or dental groups which meet certain standards of organization, procedure, and performance.

The Harris bill, H.R. 13081, would authorize the Surgeon General of the U.S. Public Health Service to insure mortgages securing loans for the construction of group practice facilities, up to a maximum aggregate liability of $200 million outstanding at any one time. Direct loans to the three types of group medical or dental plans would be authorized only if the Surgeon General finds the applicant unable to borrow the amount of the loan from other sources, with or without mortgage insurance, upon terms and conditions generally as favorable as the terms for other forms of insured mortgages.

The bill contemplates an authorization for appropriation of up to $10 million for the fiscal year of 1963 to provide capital for the mortgage insurance and loan funds. In the fifth year of the contemplated program the aggregate appropriation authorized would be $60 million.

These funds will have a very great degree of effectiveness in making possible a rapid spread of medical and dental facilities throughout the country. The encouragement of voluntary prepaid group health care programs makes sound public policy. It is a healthy alternative to either Government control or socialization of medicine. It is popular and acceptable to many professional people and to patients. It deserves the modest financial encouragement to growth which this legislation envisions.

National Conference of Christians and Jews Honors Secretary Celebrezze With National Award

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 1962

Mr. FEIGHAN. Mr. Speaker, the fair city of Cleveland, Ohio, was the site of a well-deserved honor paid to the Honorable Anthony J. Celebrezze, Secretary of Health, Education, and Welfare. The honor paid to Secretary Celebrezze was the National Human Relations Award given annually by the National Conference of Christians and Jews. This memorable event took place on Sunday evening, September 23, 1962, when 1,200 leading citizens of Cleveland and the State of Ohio gathered to pay this well-deserved tribute to Secretary Celebrezze.

The toastmaster of the evening was Louis B. Seltzer, outstanding, able, and respected leader of the free press, and the editor of the Cleveland Press, who led a brilliant array of speakers including Senators Frank J. Lausche and Stephen M. Young of Ohio, Gov. Michael V. DiSalle, Hon. Frances P. Bolton, Mayor Ralph S. Locher, Thomas F. Patton, president of Republic Steel Corp., and Dr. Lewis Webster Jones, president of NCCJ.

The highlight of the program was a message by President John F. Kennedy, brought to this distinguished gathering through closed-circuit television.

The religious life of Ohio was represented by the Most Reverend John F. Whealon, bishop of the Catholic diocese of Cleveland, Rabbi Arthur J. Lelyveld, Fairmount Temple, and Dean David Loegler, Episcopal diocese of Ohio.

Organized labor was represented by Sebastian Lupica, executive secretary of the Cleveland AFL–CIO, and Patrick J. O'Malley, United Auto Workers regional director.

Secretary Celebrezze, in his acceptance address before the leaders of every walk of public, civic, and private life in Ohio, made an eloquent and touching plea for this generation of young Americans who, a few short years from now, must assume the responsibilities for the conduct, the preservation, and the extension of our representative form of government. The common responsibilities which all Americans must share in the fulfillment of this task was the underlying theme of his address. Appropriately, Secretary Celebrezze paid a well-deserved tribute to the National Conference of Christians and Jews for the vital role it is playing in meeting this challenge and in finding a dynamic consensus on other human problems related to the common good.

It was my privilege and that of my fellow Congressmen, the Honorable WILLIAM MINSHALL of Cleveland and the Honorable WILLIAM AYRES of Akron, Ohio, to be present at this national award dinner. The Cleveland chapter and the northern Ohio region of the National Conference of Christians and Jews deserve a warm public commendation for the leadership demonstrated in bringing this recognition to a great American in the city where he grew up and where he achieved unique accomplishments.

Mr. Speaker, by unanimous consent, I insert in the RECORD the message delivered by President John F. Kennedy and the address delivered by Secretary Anthony J. Celebrezze on the occasion of this memorable national award dinner.

PRESIDENT'S TRIBUTE TO CELEBREZZE

I am delighted to joint with the many friends of Secretary Celebrezze in honoring him in his native city tonight. It is a tribute to the spirit of brotherhood that the people of Cleveland would be willing to hear from one who took their mayor from them, but we have taken him from Cleveland in order to serve the people of the United States.

Mayor Celebrezze's life, I think, epitomizes, all the great qualities which we associate with the word "brotherhood"; his desire to serve people, his integrity, honesty, his courage, all these qualities which you in Cleveland know so well, are becoming increasingly well known to the people of Washington and the people of our country.

I salute him tonight as a very worthy recipient of a very great honor, an honor which comes on the hundredth anniversary of the Emancipation Proclamation, the hundredth anniversary of a great effort by a great American to provide equal rights for all people. This is the essence of brotherhood.

Secretary Celebrezze has lived brotherhood, and therefore I think it is most appropriate that you should honor one who by his efforts has honored the rest of us.

I salute you all, and most especially I salute my friend, Secretary Celebrezze.

ADDRESS BY HON. ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

It is good to be with so many friends who mean so much to me.

To be here—to receive the high honor you have bestowed upon me—these things fill me with a sense of deep gratitude.

I am deeply indebted to this city because Cleveland and the good friends here this evening are so much a part of me.

I have missed Cleveland and my daily contacts with many of you. But the past 8 weeks have brought me new experience. And they have given me new perspective on the community problems—and aspirations—which we have shared.

From a national viewpoint, the achievements of the citizens of greater Cleveland in the fields of welfare and human relations assume new and larger dimensions. They are achievements of which you can well be proud.

And from a national viewpoint, the challenge of meeting human needs—of realizing the full potential of individual human beings—these also gain in dimension.

It is about this challenge that I would like to speak with you this evening.

This challenge to us as a nation is so great that, to meet it, we need the help of every individual and group—public and private—with a desire for a better world and the willingness to strive for it.

The wide range of activities of the Department I am privileged to head is some measure of the social and economic challenge we face. It touches the American home, hospital, and school. It touches many problems, such as those of water pollution, accident prevention, and health protection which are familiar to a former mayor and are a vital concern to every community.

But the Department does not have to grapple alone with these problems. Even my very brief tenure has given me new insight

into a very American partnership, and that is the partnership across the Nation between millions of citizens and thousands of private and public groups and organizations and their Government in seeking solutions to health, education, and welfare problems.

I have been more than pleased to learn of the extent to which the Department of Health, Education, and Welfare draws on community leaders throughout the country and the best professional and technical advisers for guidance in carrying out its many varied responsibilities. I shall continue to draw upon this rich reservoir of talent and ideas.

For a basic strength of our free society is this rich diversity of activity—this recognition that there is no single solution or single source of wisdom—this knowledge of the importance of working together—of seeking fresh approaches to old problems—of imaginative planning to meet new needs based upon the evident consensus of American opinion.

This has been the approach of the President's Committee on Juvenile Delinquency and Youth Crime—of which I am a member, along with the Attorney General and the Secretary of Labor.

Most of you are familiar with the problem this Committee faces. You know that our child population has been increasing over the past decade—but not as rapidly as the rise in delinquency rates.

If the present delinquency rate holds, then an estimated 3 to 4 million children will come before our courts in this decade—and this does not include youngsters in court for traffic offenses.

Should this happen, the social costs would be staggering. Right now the cost of juvenile delinquency to the Nation's economy is estimated at about $4 billion a year. This is about half of what we invest in operating all the hospitals—including mental hospitals—to serve a country now numbering almost 187 million people. The cost of juvenile delinquency to this country is more than one-seventh of our society's total expenditures for the education of our 51 million students, from kindergarten through college.

Cities, overcrowded with large rootless families whose breadwinners have little education and limited job skills—and frequently little hope for themselves or their children—produce large numbers of school dropouts, school "throwouts"—and juvenile delinquency.

What was needed, President Kennedy felt, was a coordinated approach to the problems of delinquency. What was needed was a great effort equal to the problem itself.

The President's Committee was formed to spearhead such an effort. We are trying to take an overall view—to give the problem the full attention it deserves—to put the best ideas of our most imaginative people to work—to spotlight successful projects in single cities or counties and encourage similar programs elsewhere.

Our philosophy of a massive coordinated basic attack on the problems of deprived youngsters is reflected in the standards we have set up for communities which wish training and demonstration grants. A community must demonstrate a deep commitment to the fight against delinquency. The efforts of all welfare groups—private as well as public—in the community must be welded into a concerted cooperative attack. And the city itself must be willing to demonstrate its participation by providing leadership and by sharing in the cost of the program.

The project's program must be broad in scope, attacking all major sources of delinquency. With the limited funds available, the purpose of the project is to find and control and develop coordinated, broad-scale methods for the prevention of juvenile delinquency.

Such a project is well underway in Cleveland and shows promise of developing into a most effective program.

A new door has been opened for your constructive effort. It is my hope that you will work with us—to stimulate interest in our endeavor—and to help in preventing blight in young lives.

We will need your help, too, as we move forward in another closely related area of joint endeavor—to meet the Nation's public welfare needs. For, through the Public Welfare Amendments of 1962 we have a new, constructive approach to public welfare. The new law incorporates recommendations President Kennedy made to the Congress for substantial revisions in the public welfare provisions of the Social Security Act. The new law provides the means to help our State and local governments, in turn, to help people help themselves.

Our new programs stress services as well as support; they stress rehabilitation instead of relief. Their aim is to help people into useful independent lives and thus—in the long run—to cut relief rolls and aid the taxpayer, too.

The aged, the blind, and the disabled are helped to attain or retain the capacity for self-care.

Dependent families and children are helped and encouraged to strengthen their family life.

These and other goals of these new programs are far from easy of attainment. The problems of the poor and needy in our time are terribly complex. The vast majority of people on the relief rolls are still the very old, the very young, and the disabled—people who have no other means of support. But others are the victims of complicated, disturbing modern problems—of discrimination and automation, of lack of education, of lack of job skills, of mobility and social change.

Tomorrow, we shall be meeting in Washington with the State Public Welfare Administrators to work out the administrative details of these new programs.

I have specifically asked that most careful attention be given to working out specific plans for an effective, cooperative effort to assure that aid to dependent children funds are being spent for the purposes intended by law.

We want to assure that the full benefit of our welfare programs goes to those in genuine need. And in so doing, we do not intend to let children suffer for the sins of their fathers—or mothers.

Community programs differ widely—different actions will be necessary in different places—intelligent leadership in interpreting necessarily technical legislation and policies is mandatory.

This is where we ask your help. We need the understanding, cooperation, and support of leaders like yourselves, who are deeply concerned with human values. For there is still in our land a need for greater public understanding of social welfare and its complexities. As a consequence, people often jump to unwarranted conclusions—and the victims may not be the so-called "chiselers"; they may be the innocent children in need.

Americans are compassionate people. They are realistic—they are fairminded—they are pragmatic. To produce the answers, they need only to understand the facts. The big job now is to give people throughout the land these facts and, hence, this understanding.

We cannot do this job alone. We need your help. For example: Could you not explain and so gain acceptance in your communities for the so-called "unemployed father provision" of the new Public Welfare Amendments? An unemployed able-bodied father and his family can now receive assistance, if the States take advantage of the new Federal legislation (some have already adopted it; others are considering it). People would think this right, if they realized that it holds families together—for under the new provisions families have greater hope of remaining together until fathers can get back to work.

In the same way, could you not help achieve a better understanding of the whole aid to families with dependent children program? In administering our welfare laws, we want to make absolutely certain, as I have said, that we have no freeloaders at the taxpayers' expense. But if we strike blindly forth at errant fathers or mothers, we may deprive their children of wholesome homes. This would not be right. It would not be fair. And, in the end, it would help fill our corrective institutions with the victims of our blunders.

I have mentioned only two of many programs in which this American partnership between public and private agencies and groups—between Federal, State, and local governments—is so vital.

In these and other programs we share a common responsibility—the responsibility of seeking the best possible investments in human welfare that we can find with the funds available to us.

For example, providing funds for medical research is a good investment in America's future, but it is a shortsighted investment unless the means are also found to make the fruits of research available to all who need medical care where and when they need it.

Building the classrooms needed to house our growing student population is, by all odds, a sound and necessary investment. But the returns on such an investment will fall far short of our expectations if we fail to make the necessary investment to attract and hold sufficient numbers of high-caliber teachers.

May I mention another area which transcends all others and requires concerted action by everyone—the area of human relations?

This is an area in which the National Conference of Christians and Jews is playing a vital role.

We have made undreamed of progress in probing the mysteries of the physical universe, in providing an ever-higher standard of living, and in stamping out disease.

We have not been equally successful in solving the problems of living together, in eliminating tensions, and achieving the goals of mutual respect and understanding which are your missions.

As a father, I know that I share with those of you who are parents the hope that is uppermost in every home in this land—that our children may grow up in a world of peace and opportunity—that they may achieve the goals they set for themselves—limited only by their own capacity, free from the obstacles of bigotry, prejudice, and intolerance.

Every home in America, of whatever race or creed, has a right to this hope and to its fulfillment.

Realization of this hope rests upon our willingness to give to others the same opportunities, dignity, and rights we want for our own welfare and happiness. We must generate friendship, compassion, and respect for the rights of others in all our relationships.

We are living in a time of great and rapid change. Change creates problems. But change also offers opportunity for betterment.

What we do now will shape the future for many years to come We are fortunate to be living in a free nation which each of us has an opportunity to help shape the future for ourselves and our children.

By your support of the National Conference of Christians and Jews you are making a very tangible personal contribution to

achieving the kind of understanding and mutual respect between people of all races and creeds which must be the foundation of lasting progress in any other field of human endeavor. As President Kennedy has reminded us: "America stands for progress in human rights as well as economic affairs, and a strong America requires the assurance of full and equal rights to all its citizens, of any race or color."

May we all rededicate ourselves to preserving and strengthening the American heritage of freedom and concern for individual human dignity so as to demonstrate for all the world the miracle of America—a nation in which free individuals are enabled to work out their own individual destinies in their own way.

The opportunities to translate this dedication into action are at every hand. May we make the most of them.

SENATE

SATURDAY, SEPTEMBER 29, 1962

The Senate met at 10 o'clock a.m., and was called to order by Hon. LEE METCALF, a Senator from the State of Montana.

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

Our Father, God, Thou hast ordained that not in cushioned seats of complacent safety, but in danger and stern conflict shall we find our strength and our triumph. With demands and pressures that sap our resources, send us forth, we pray, to meet the tasks of this day with the assurance that has steadied Thy servants across all the changing centuries as they have gratefully testified, "He restoreth my soul."

As in the name of the God of freedom and of justice we dedicate our strength to serve the present age, grant us Thy sustaining grace, that we may be—

True to all truth the world denies,
Not tonguetied by its gilded lies,
Not always right in all men's eyes,
But faithful to the light within.

In the Redeemer's name we ask it. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 29, 1962.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 28, 1962, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On September 27, 1962:

S. 319. An act to amend part I of the Interstate Commerce Act in order to provide that the provisions of section 4(1) thereof, relating to long- and short-haul charges, shall not apply to express companies;

S. 2184. An act for the relief of Mrs. Heghine Tomassian;

S. 2208. An act for the relief of Su-Fen Chen;

S. 3026. An act for the relief of Jeno Nagy; and

S. 3154. An act to amend Public Law 86–184, an act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State.

On September 28, 1962:

S. 4. An act to provide for the establishment of the Padre Island National Seashore.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore:

S. 919. An act to amend section 9(b) of the act entitled "An act to prevent pernicious political activities" (the Hatch Political Activities Act) to reduce the requirement that the Civil Service Commission impose no penalty less than 30 days' suspension for any violation of section 9 of the act;

H.R. 310. An act to amend title 10, United States Code, to authorize the Secretary of Defense, the Secretaries of the military departments, and the Secretary of the Treasury to settle certain claims for damage to, or loss of, property, or personal injury or death, not cognizable under any other law;

H.R. 2952. An act to direct the Secretary of the Interior to convey certain public lands in the State of California to the city of Needles;

H.R. 11887. An act to provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex.; and

H.J. Res. 897. Joint resolution making continuing appropriations for the fiscal year 1963, and for other purposes.

LIMITATION OF DEBATE DURING MORNING HOUR

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

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 6371. An act to amend section 37 of the Internal Revenue Code of 1954 with respect to the limitation on retirement income (Rept. No. 2202);

H.R. 8517. An act to grant emergency officers' retirement benefits to certain persons who did not qualify therefor because their applications were not submitted before May 25, 1929 (Rept. No. 2203); and

H.R. 8846. An act to amend the Internal Revenue Code of 1954 with respect to the taxation of dispositions of property (other than stock) pursuant to orders enforcing the antitrust laws (Rept. No. 2201).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2344. A bill for the relief of Miloye M. Sokitch (Rept. No. 2207);

S. 3645. A bill for the relief of Jean Rosen (Rept. No. 2208);

H.R. 555. An act for the relief of Elmore County, Ala. (Rept. No. 2194);

H.R. 6987. An act for the relief of Maj. William R. Cook (Rept. No. 2195);

H.R. 7617. An act for the relief of John W. Schleiger (Rept. No. 2196);

H.R. 9285. An act for the relief of Helenita K. Stephenson (Rept. No. 2197);

H.R. 9590. An act for the relief of Lt. Col. Edward Hirsch (Rept. No. 2210);

H.R. 10501. An act for the relief of Kenyon B. Zahner (Rept. No. 2198); and

H.R. 10617. An act providing that the U.S. district courts shall have jurisdiction of certain cases involving pollution of interstate river systems, and providing for the venue thereof (Rept. No. 2211).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 3394. A bill for the relief of Lt. Col. William A. Carter, U.S. Air Force (Rept. No. 2212).

By Mr. EASTLAND (for Mr. DIRKSEN), from the Committee on the Judiciary, without amendment:

H.R. 1660. An act for the relief of Margaret MacPherson, Angus MacPherson, Ruth MacPherson, and Marilyn MacPherson (Rept. No. 2209).

By Mr. KEFAUVER, from the Committee on the Judiciary, without amendment:

H.R. 11552. An act for the relief of Henry E. Keiser (Rept. No. 2199).

By Mr. KEATING, from the Committee on the Judiciary, without amendment:

H.R. 2836. An act for the relief of C. Edwin Alley (Rept. No. 2200).

By Mr. JOHNSTON, from the Committee on the Judiciary, without amendment:

H.R. 11678. An act to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Northern District of Ohio, eastern division, holding court at Akron, Ohio (Rept. No. 2206).

By Mr. FONG, from the Committee on the Judiciary, without amendment:

S. Res. 219. Resolution to refer to the Court of Claims the bill (S. 2594) for the relief of Mrs. Edith Kiaer (Rept. No. 2205).